

To: House Health and Human Services Committee

From: Travis R. Oller, DC
Executive Director
Kansas Chiropractic Association

Date: February 12, 2018

Subject: HB 2674; Enacting the Kansas telemedicine act.

Written Testimony Only

Chairperson Hawkins, Vice-chairperson Concannon, Ranking Minority Member Murman, and other members of this committee, I rise today in support of HB 2557.

Telemedicine is an important piece of the health care puzzle and can play a tremendous role in the health care delivery system, especially in a state like Kansas.

Doctors of Chiropractic in Kansas are licensed under the Healing Art Act, the same licensing act as Doctors of Medicine and Doctors of Osteopathy. Doctors of chiropractic are subject to the same rules, regulations, and standards as Doctors of Medicine and Doctors of Osteopathy.

Doctors of Chiropractic in Kansas are licensed to treat “the human condition.” We do not just treat musculoskeletal conditions.

Many of my colleagues have attended advanced post-graduate training in the areas of nutrition, internal medicine, and health promotion. These areas of practice are well suited to telemedicine.

I know that HB 2674 is a very important bill to the citizens of Kansas and I look forward to seeing this committee pass HB 2674 out to the full house.

I ask that when the House Health and Human Services Committee work HB 2674, that one small amendment be added: on Section 2. (d) strike physician and replace with *licensee of the healing arts as defined by K.S.A. 65-2802(d) and amendments thereto*. And then amend Section 2. (g) *“licensee of the healing arts” means a person licensed to practice medicine and surgery, or chiropractic.*

I have attached a copy of these recommendations.

Travis R. Oller, DC

Session of 2018

HOUSE BILL No. 2512

By Committee on Health and Human Services

1-22

1 AN ACT concerning health and healthcare; relating to the practice of
2 telemedicine; certain state licensing agencies; establishing coverage
3 parity between in-person and telemedicine-delivered healthcare
4 services and providers; enacting the Kansas telemedicine act;
5 definitions; rules and regulations; amending K.S.A. 2017 Supp. 40-
6 2,103 and 40-19c09 and repealing the existing sections.
7

8 *Be it enacted by the Legislature of the State of Kansas:*

9 Section 1. Sections 1 through 6, and amendments thereto, shall be
10 known and may be cited as the Kansas telemedicine act.

11 Sec. 2. For purposes of Kansas telemedicine act:

12 (a) "BSRB" means the behavioral sciences regulatory board.

13 (b) "BOHA" means the state board of healing arts.

14 (c) "Distant site" means a site at which a healthcare provider is
15 located while providing healthcare services by means of telemedicine.

16 (d) "Healthcare provider" means a licensed mental healthcare
17 professional or a ~~physician~~ *licensee of the healing arts as defined by*

18 (e) "Licensed mental healthcare professional" means an individual
19 licensed by the BSRB and who is acting within the scope of the
20 individual's professional licensure act and held to the standards of
21 professional conduct as set forth by the BSRB.

22 (f) "Originating site" means a site at which a patient is located at the
23 time healthcare services are provided by means of telemedicine.

24 (g) ~~"Physician" means a person licensed to practice medicine and~~
25 ~~surgery~~ *K.S.A. 65-2802(d), and amendments*
26 *thereto.*
27 *"licensee of the healing arts" means a*
28 *person licensed to practice medicine and*
29 *surgery, or chiropractic*

30 (h) "Telemedicine," including "telehealth," means the delivery of
31 healthcare services or consultations while the patient is at an originating
32 site and the physician or licensed mental healthcare professional is at a
33 distant site. Telemedicine shall be provided by means of real-time two-way
34 interactive audio, visual, or audio-visual communications, including the
35 application of secure video conferencing or store-and-forward technology
36 to provide or support healthcare delivery, that facilitate the assessment,
diagnosis, consultation, treatment, education and care management of a
patient's healthcare. "Telemedicine" does not include communication