



To: House Health & Human Services Committee

From: Vicki Whitaker, KAOM Executive Director

Subj: **Written Neutral Testimony on HB 2206:** AN ACT concerning health and healthcare; relating to the practice of telemedicine...

Madame Chair Landwehr, Vice Chair Eplee and members of the Committee:

I am Vicki Whitaker, executive director of the Kansas Association of Osteopathic Medicine (KAOM). KAOM was founded in 1913 and represents osteopathic physicians and the osteopathic profession in Kansas. KAOM thanks the Committee for the opportunity to provide neutral testimony on House Bill 2206. This legislation will further define how telemedicine can be delivered in terms of originating and distant site and allow for both locations to be unlicensed, that telemedicine delivery must comply with HIPAA, and patients with a medical home/primary care physician be notified within three business days of treatment.

Including these changes in the bill will aid in the delivery of patient care by allowing the patient to access telemedicine from home and allowing the physician to practice at any location – whether licensed or not as long as HIPAA rules are followed, and notification of the primary care physician within three business days enables the patient to receive continuity of care.

The pandemic has brought about more telemedicine in the past year than seen previously. It has provided patients with an option to be seen remotely from their homes. This has helped Kansans who because of health status, residing in a rural setting, or need to isolate to still be able to receive medical care. While telemedicine cannot not replace face-to-face treatment by a primary care physician it has proven valuable during the pandemic. Not all needed health care can be delivered via telemedicine. Patients with complex medical needs, those with a need to diagnosis for symptoms, and those needing medical testing will still need to be seen in person. KAOM thinks a definition of “*utilizing medical devices*” on page one, Section 1, (e) line 27 should be provided so those providing telemedicine are clear on what is meant.

House Bill 2206 in line 20, Section 1. (d) “*Physician*” means a person licensed to practice medicine and surgery by the state board of healing arts. This section could be clearer with the insertion of **Kansas** before state board of healing arts. Any physician practicing in Kansas whether by telemedicine or in person **should be licensed in Kansas**. This provides for accountability. All those who are licensed, registered or certified in another state need oversight from the respective agency in Kansas to practice telemedicine. Without such accountability the licensing, registering or certifying agencies located in Kansas do not have the ability to take disciplinary action against those not providing an appropriate standard of care.

Thank you for the opportunity to provide comments on H.B. 2206. I can stand for questions at the appropriate time.