

Federation of State Medical Boards
House of Delegates Meeting
April 30, 2022

Subject: Permitting Out-of-State Practitioners to Provide Continuity of Care in Limited Situations

Introduced by: Washington Medical Commission

Approved: January 14, 2022

Whereas, State medical boards are responsible for protecting the citizens of their states by ensuring that physicians are qualified and competent; and

Whereas, State medical boards determine, within the context of their enabling statutes, under what circumstances a license is required for a physician to treat a patient in their states; and

Whereas, Many states have license reciprocity and/or the Interstate Medical License Compact which establishes reliance on sister state licensing processes; and

Whereas, Due to rapid changes in telemedicine technology, the practice of medicine is occurring more frequently across state lines; and

Whereas, Telemedicine is a tool that has the potential to increase access, lower costs, and improve the quality of healthcare; and

Whereas, The historic practice of medicine has prioritized the continuity of care delivery to established patients over recognition of jurisdictional boundaries; and

Whereas, Continuity of care is an essential element in consistently delivering high quality health care; and

Whereas, Physicians can promote continuity of care by using telemedicine to provide follow-up care to established patients who travel outside the physician's state of licensure. For example, a physician at a major academic medical center who treats a patient who then returns home, can maintain a connection with the patient by providing follow-up care, including having access to timely and accurate data from the patient.

Whereas, Permitting physicians who are duly licensed in another jurisdiction to provide follow-up care to established patients, and to engage in peer-to-

peer consultations, will result in better outcomes and lower costs;

Therefore, be it hereby

Resolved: that the FSMB will encourage state medical boards to interpret their licensing laws, or work to change their licensing laws if necessary, to permit physicians duly licensed in another jurisdiction to provide infrequent and episodic continuity of care by providing follow-up care to established patients or a peer-to-peer consultation without the need to obtain a license in the state in which the patient is located at the time of the interaction; and be it further

Resolved: that the FSMB will update its *Model Policy for the Appropriate Use of Telemedicine Technologies* to include various common continuity of care scenarios with specific emphasis on border state circumstances and how they are integral to maintaining continuity of care for established patients.