

## Telehealth & Licensing During COVID-19

### Guidance Regarding Your Professional License – Issued 3/18/20

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## What are the conditions under which telemedicine can be utilized?

While a prescription for a controlled substance issued by means of the Internet (including telemedicine) must generally be predicated on an in-person medical evaluation (21 U.S.C. 829(e)), the Controlled Substances Act contains certain exceptions to this requirement. One such exception occurs when the Secretary of Health and Human Services has declared a public health emergency under 42 U.S.C. 247d (section 319 of the Public Health Service Act), as set forth in 21 U.S.C. 802(54)(D). Secretary Azar declared such a public health emergency with regard to COVID-19 on January 31, 2020. (<https://www.hhs.gov/about/news/2020/01/31/secretary-azar-declares-public-health-emergency-us-2019-novel-coronavirus.html>).

For as long as the Secretary's designation of a public health emergency remains in effect, DEA-registered practitioners may issue prescriptions for controlled substances to patients for whom they have not conducted an in-person medical evaluation, provided all of the following conditions are met:

- The prescription is issued for a legitimate medical purpose by a practitioner acting in the usual course of his/her professional practice
- The telemedicine communication is conducted using an audio-visual, real-time, two-way interactive communication system.
- The practitioner is acting in accordance with applicable federal and state law.

Provided the practitioner satisfies the above requirements, the practitioner may issue the prescription using any of the methods of prescribing currently available and in the manner set forth in the DEA regulations. Thus, the practitioner may issue a prescription either electronically (for schedules II-V) or by calling in an emergency schedule II prescription to the pharmacy, or by calling in a schedule III-V prescription to the pharmacy.

Important note: If the prescribing practitioner has previously conducted an in-person medical evaluation of the patient, the practitioner may issue a prescription for a controlled substance after having communicated with the patient via telemedicine, or any other means, regardless of whether a public health emergency has been declared by the Secretary of Health and Human Services, so long as the prescription is issued for a legitimate medical purpose and the practitioner is acting in the usual course of his/her professional practice. In addition, for the prescription to be valid, the practitioner must comply with any applicable state laws.

## What licensing documents do I need to file to practice in Alaska?

1. Businesses offering telemedicine must hold a valid [Alaska business license](#) and comply with other Alaska laws pertaining to business practices.
2. Any business offering telehealth must be listed on the [Telemedicine Business Registry](#). This simple form can be downloaded [here](#).

3. Anyone providing telehealth must hold an **Alaska license** to perform those services. Full applications and requirements can be found [online](#). Courtesy licenses for emergency situations are offered in the following health care programs:

Licensing Program/Board	License Type & Link to Application	Length of Time Valid	Restrictions on Practice
<a href="#">State Medical Board</a>	<a href="#">Physician</a>	90 days Not renewable.	Restricted to physicians who come to the state to provide emergency medical care or emergency mental health care if (A) the patients do not pay or give a fee or other remuneration; and (B) the services are provided as part of an organized response to a disaster emergency (i) that the governor has declared under AS 26.23.020; and (ii) in which extensive injuries or deaths have occurred
<a href="#">State Medical Board</a>	<a href="#">Osteopathic Physician</a>	90 days Not renewable	Same as noted above for physicians.
<a href="#">State Medical Board</a>	<a href="#">Podiatrist</a>	90 days Not renewable	Same as noted above for physicians.
<a href="#">Board of Nursing</a>	<a href="#">Registered Nurse Courtesy License</a>	30 days Not renewable	
<a href="#">Board of Nursing</a>	<a href="#">LPN Nurse Courtesy License</a>	30 days Not renewable	
<a href="#">Board of Nursing</a>	<a href="#">APRN Courtesy License</a>	30 days non-renewable	Requires endorsement to prescribe.
<a href="#">Acupuncture</a>	<a href="#">Courtesy License</a>	90 consecutive days Renewable once within 18-month period	The department can, in its discretion, restrict the license to cover only the professional services required to respond to an emergency situation.
<a href="#">Audiology</a>	<a href="#">Courtesy License</a>	90 consecutive days	The department can, in its discretion, restrict the

		Renewable once within 18-month period	license to cover only the professional services required to respond to an emergency situation.
<a href="#">Audiology</a>	<a href="#">Temporary License</a>	30 days or less in a calendar year Not renewable	The department may impose limitations in regulation. None at this time.
<a href="#">Speech-Language Pathology</a>	<a href="#">Temporary License</a>	60 days Not renewable Issued only once per calendar year	The department may impose limitations in regulation. None at this time.
<a href="#">Board of Pharmacy</a>	<a href="#">Emergency Pharmacist</a>	60 days Not renewable but may be extended until the emergency no longer exists.	
<a href="#">Physical Therapy and Occupational Therapy Board</a>	<a href="#">Limited Permit</a>	120 days Not renewable Issued only once per calendar year and three in a lifetime	
<a href="#">Psychologists</a>	<a href="#">Courtesy License</a>	30 days in one year Not renewable	Within an identified/specific scope
<a href="#">Nursing Home Administrators</a>	<a href="#">Provisional License</a>	6 months Not renewable	
<a href="#">Behavior Analysts</a>	<a href="#">Behavior Analyst Assistant Behavior Analyst</a>	30 days Not renewable Issued only once per calendar year	
<a href="#">Board of Dental Examiners</a>	<a href="#">Temporary Dental License</a>	90 days & may be extended for an additional 60 days.	May only practice at the locations of the incapacitated dentist they are substituting for.
<a href="#">Psychologists</a>	<a href="#">Courtesy License</a>	30 days Not renewable Issued only once per calendar year	Within an identified/specific scope
<a href="#">Nursing Home Administrators</a>	<a href="#">Six Month Provisional License</a>	6 Months – non-renewable	

<a href="#">Board of Veterinary Examiners</a>	<a href="#">Temporary Permit</a>	60 days Can be renewed	To conduct the practice of a person licensed in this State who is absent from his/her practice.
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4. **Full licensure is available for additional health care professions. Some professions also offer temporary licenses while awaiting an exam.** Please visit [professionallicense.alaska.gov](http://professionallicense.alaska.gov) to find yours. Please note that some processes may be delayed or unavailable in the case of sickness or office closure. Every effort is being made to offer online services and/or reassign staff to meet the licensing needs of primary care professions.

During this public health emergency, the division and our partner licensing boards are working to identify opportunities to ensure access to health care for those who are sick, and address economic hardships to licensees. If you have suggestions or questions, please navigate directly to your program at [professionallicense.alaska.gov](http://professionallicense.alaska.gov). For fastest response, send a message directly to the program's email address. You may email our general delivery box at [license@alaska.gov](mailto:license@alaska.gov), or contact our front office at (907)269-8160 or (907) 465-2550. Please note that volume is currently high and you may experience a delay.

For statewide updates on the coronavirus pandemic, visit [coronavirus.alaska.gov](http://coronavirus.alaska.gov).