

Chapter 07. Audiologists

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted. Complete new sections are not in boldface or underlined.

12 AAC 07 chapter title is changed to read:

Chapter 07.

Audiologists, Speech-Language Pathologists and Speech-Language Pathologist Assistants

12 AAC 07 is amended by adding a new section to read:

12 AAC 07.020. Telemedicine. (a) A person who is licensed under AS 08.11 may provide telemedicine services to a patient in the state if

(1) the telemedicine services are of the same scope, nature and quality as those services provided in person;

(2) the quality of electronic transmissions used to provide telemedicine services allow the licensee to provide services equivalent to those provided in person;

(3) the licensee has the skill and ability to operate the equipment used to provide telemedicine services;

(4) the licensee assesses the patient's level of comfort in receiving telemedicine services and make appropriate adjustments to the treatment plan based on that assessment;

(5) the licensee ensures the presence of a telemedicine facilitator who is physically present with the patient, when appropriate;

(6) the licensee ensures the patient can contact a licensed health care provider in person as part of the patient's treatment plan;

(7) the licensee ensures the electronic transmissions used to provide telemedicine

services have sufficient security to ensure the protection of the patient’s medical records as if the patient was receiving in-person treatment; and

(8) the licensee does not provide telemedicine services solely through written correspondence, however, written correspondence may be used to supplement telemedicine services.

(b) Nothing in this section prevents the use of asynchronous telemedicine. (Eff. ____/____/____, Register ____)

Authority: AS 08.11.080 AS 08.11.083 AS 08.11.085

12 AAC 07 is amended by adding a new section to read:

12 AAC 07.030. Consent to send records. (a) A person licensed under AS 08.11 who provides telemedicine services under 12 AAC 07.020 shall document that person’s efforts to obtain the patient’s consent to send all records to the patient’s primary care provider, if that person is not the patient’s primary care provider.

(b) If a patient provides consent under (a) of this section, the person licensed under AS 08.11 who provides telemedicine services shall obtain that consent in writing signed by the patient or the patient’s legal guardian. (Eff. ____/____/____, Register ____)

Authority: AS 08.11.080 AS 08.11.083 AS 08.11.085

12 AAC 07 is amended by adding a new section to read:

12 AAC 07.040. Definitions. In this chapter:

(1) “asynchronous telemedicine” means the capturing and transmitting of data for the later viewing or interpreting by a person licensed under AS 08.11;

(2) “in-person treatment” means providing consultation, testing or therapeutic services to a patient who is physically present at the same location as the provider;

(3) “licensed health care provider” means

(A) a person who holds the same category of license as the provider of telemedicine services or other person licensed under AS 08.11;

(B) an allopathic physician, osteopathic physician or physician assistant licensed under AS 08.64; or

(A) an advanced practice registered nurse under AS 08.68;

(4) “telemedicine services” has the meaning given in AS 44.33.381(c)(2);

(5) “telemedicine facilitator” means a person at the client site trained in the use of telemedicine technology and trained to assist a patient in understanding and using that technology at the direction of the licensee. (Eff. ____/____/____, Register ____)

Authority: AS 08.11.080 AS 08.11.083 AS 08.11.085