

Feds OK Interstate Licensing, Paving Way for Telehealth Expansion

Vice President Mike Pence's announcement on Wednesday paves the way for providers to treat patients in other states, opening the door for expanded telehealth and mHealth programs.



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By [Eric Wicklund](#)

March 19, 2020 - Federal officials have announced that they are allowing healthcare providers to practice across state lines – a move that eliminates, at least temporarily, a key barrier to the continued adoption of telehealth and mHealth.

The announcement came from Vice President Mike Pence during a March 18 White House press conference on ongoing efforts to contain the Coronavirus (COVID-19) pandemic, and is the latest in a historic series of moves aimed at expanding the use of connected health and reimbursing doctors for those services.

“At the President’s discretion (the Health and Human Services Department) is issuing a regulation today that will allow all doctors and medical professionals to practice across state lines to meet the needs of hospitals that may arise in adjoining areas,” Pence said during the noontime news conference, with President Trump standing alongside.

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The ruling wouldn't eliminate interstate licensing entirely, but give providers the ability to treat patients in other states. HHS hasn't yet explained the details behind Pence's announcement.

Several telehealth and digital health organizations, including the American Telemedicine Association, had in recent days lobbied the government to relax restrictions on the interstate practice of medicine so that care providers would have the freedom to treat patients wherever they live.

“Requirements that a provider be licensed in the state where a patient is located present significant challenges to rapidly expanding access to care as we work to combat COVID-19,” ATA CEO Ann Mond Johnson [said in a press release earlier this week](#).

“In light of [today's guidance from CMS](#) regarding Medicare coverage and payment of telehealth and virtual services, we encourage states to modify requirements on the type of telehealth modalities and technologies that providers can use, which will help

ensure timely triaging and treatment of patients, much like what Florida, Mississippi, North Carolina and others have already done,” she said. “Providers should be able to use every tool at their disposal to help keep health care workers safe and ensure that resources are reserved for those individuals in need of in-person care. We encourage states that have not already waived these restrictions to do so as soon as possible to ensure health care providers can quickly expand access to virtual services.”

Also in support is the American Medical Association, which [**adopted a report at the end of 2019**](#) that supports the [**Interstate Medical Licensure Compact**](#), which was launched in 2017 by the Federation of State Medical Boards and offers a voluntary expedited pathway to licensure for physicians looking to practice in multiple states – for example, when using telehealth to expand their reach or connect with patients in other states.

“It is increasingly challenging for physician practices to compete with large commercial entities that are contracting with payers to provide telemedicine services, including primary care services,” the report stated. “Commercial direct-to-consumer telemedicine enables patients to receive care from their homes, offices or mobile devices; however, these encounters are provided outside of a patient’s medical home and can lead to fragmented care. Where there is an established patient relationship, a physician should be able to use telemedicine to provide quality emergent or urgent care for a patient’s existing condition when that patient is traveling in another state.”

Roughly half of the states in the US are now part of the IMLC, and similar compacts exist for [**nurses**](#), [**physical therapists**](#), [**psychologists**](#) and [**EMS providers**](#). Other groups of providers have expressed interest in developing compacts, while an Oklahoma lawmakers [**has launched an effort**](#) to create a compact for audiology and speech-language pathologists.

The Department of Veterans’ Affairs [**has been allowing its care providers to treat veterans in any state**](#) as part of the VA MISSION Act of 2018.

With interstate licensing restrictions set aside, hospitals, health systems and other practitioners will be able to treat patients in other states, enabling them to scale up telehealth and mHealth programs to reach more people and improve access for those in remote areas. State medical boards would still have the authority to regulate providers in their states.

As providers and telehealth vendors await further details from HHS on the breadth and scope of the interstate licensing rule, one of the bigger questions will be whether the new guidelines will remain in effect once the pandemic has been contained.