

# Telemedicine: It's Covered

Your professional liability coverage with the LHA Trust Funds already includes telemedicine visits as long as the patient is located in the state of LA.

LA RS 37:1271 and RS 37:1271.1 governs the practice of telemedicine in Louisiana and it's important to note that:

- A physician must hold an unrestricted license to practice medicine in LA or have a permit to practice telemedicine.
- The same standard of care is required as if the healthcare services were provided in person.
- An in-person patient history or physical examination of the patient is not needed before engaging in a telemedicine encounter if the physician satisfies all of the following conditions:
  - o Holds an unrestricted license to practice medicine in Louisiana or has a permit
  - o Has access to the patient's medical records upon consent of the patient
  - o Creates a medical record on each patient and makes such record available to the board upon request
- Telemedicine services rendered shall be documented in the patient's medical records according to the same standard as that required for non-telemedicine services.

- No physician practicing telemedicine shall prescribe any controlled dangerous substance prior to conducting an appropriate in-person patient history or physical examination of the patient. *Physicians providing telemedicine services to a patient who is being treated in a licensed healthcare facility that holds a current DEA registration are an exception.*

## Out-of-State Patients

For patients residing or temporarily located outside the state, throughout the COVID-19 Emergency Declaration, we will extend coverage provided that the practitioner is properly licensed and compliant with the rules for telemedicine in that state.

- Services provided must be within the scope of the practitioner's license, skills, training and experience.
- Services are provided to existing patients, not new patients.

This extension of coverage is applicable until the Emergency Declaration expires or is rescinded.

It is also important to note that if a lawsuit is filed, it can be filed in the other state and *Louisiana's cap on malpractice may not apply*. If the PCF does not respond, coverage is provided up to your coverage limit.



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