



## **GUIDANCE REGARDING THE PRACTICE OF TELEMEDICINE BY PHYSICIANS NOT LICENSED IN RHODE ISLAND FOR PATIENTS LOCATED IN RHODE ISLAND**

The current pandemic has raised questions from physicians relative to the practice of telemedicine, particularly with respect to the treatment of patients physically located in Rhode Island by physicians not licensed in Rhode Island.

In Rhode Island, as in all states, it is against the law to practice medicine in the state without being licensed by the state to do so. This means, in the context of telemedicine, where the site of care is determined by the location of the patient, a physician not licensed to practice in Rhode Island cannot, under ordinary circumstances, treat a patient physically located in Rhode Island. That being said, the Board of Medical Licensure and Discipline (Board) recognizes that Rhode Island residents may cross state borders seeking care and may, therefore, be currently in the care of physicians not licensed to practice in Rhode Island. Further, it is understood and expected, that within the context of an established physician-patient relationship, physicians will have remote contact with their patients. It is part of the customary practice of medicine for physicians to see patients in a clinical setting and to provide continuity of care, via telephone and other means, communicating clinical information to patients. Such contact constitutes the practice of medicine, but, under Rhode Island law, does not require the physician be licensed in Rhode Island.

Due to the COVID-19 pandemic, a state of emergency has been declared at the state and national level, and Rhode Islanders are being encouraged to eliminate all unnecessary travel. Further, the Centers for Disease Control and Prevention (CDC) and the Rhode Island Department of Health (RIDOH) are advising patients to call their healthcare providers before seeking in-person care. Additionally, measures have been implemented at the state and national level to ensure vastly expanded coverage for telemedicine services, including services provided by out-of-state physicians. **Consistent with the foregoing, the Board wishes to make clear that it encourages all physicians to use telemedicine to deliver care to their patients and that the Board will not take action against physicians not licensed to practice in Rhode Island who, during the state of emergency, use telemedicine to deliver care to their established Rhode Island patients.**