The CA Telehealth Resource Center provides telehealth technical assistance to the state of California.

A few notes about this report:

1. Bills are organized into specific telehealth "topic area".
2. The Fiscal Note (FN) Outlook: The left hand column indicates the bill's Pre-Floor Score, and the right hand column indicates the bill's actual Floor Score of the last chamber it was in (either Senate or House).
3. Regulations are listed at the end in order of their publication date.
4. If you would like to learn more about any piece of legislation or regulation, the bill numbers and regulation titles are clickable and link out to additional information.

All Bills (by Topic)

**Broadband (1)**
Title
Rural Broadband and Emergency Infrastructure Grant Act of 2020.

Description
AB 2163, as introduced, Robert Rivas. Rural Broadband and Emergency Infrastructure Grant Act of 2020. Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including telephone corporations. Existing law establishes, among other funds related to telecommunications, the California Advanced Services Fund (CASF) in the State Treasury. Existing law requires the commission to develop, implement, and administer the CASF to encourage the deployment of high-quality advanced communications services to all Californians that will promote economic growth, job creation, and the substantial social benefits of advanced information and communications technologies. Existing law requires the commission to approve infrastructure projects supported by expenditures from the fund that provide last-mile broadband access to households that are unserved by an existing facilities-based broadband provider. This bill would establish the Rural Broadband and Emergency Infrastructure Grant Act of 2020 to ensure that all California fairgrounds are equipped with adequate broadband and telecommunications infrastructure to support local, regional, and state emergency and disaster response personnel and systems. The bill would, upon appropriation, require the Department of Technology, Department of Food and Agriculture, Public Utilities Commission, California Broadband Council, and Office of Emergency Services to jointly develop the Rural Broadband and Emergency Infrastructure Grant Program to provide each California fairground with grant moneys to support broadband and telecommunications infrastructure deployment.

Primary Sponsors
Robert Rivas, Cecilia Aguiar-Curry, Devon Mathis

Bill Summary: This bill would establish the Rural Broadband and Emergency Infrastructure Grant Act of 2020 to ensure that all California fairgrounds are equipped with adequate broadband and telecommunications infrastructure to support local, regional, and state emergency and disaster response personnel and systems. The bill would, upon appropriation, require the Department of Technology, Department of Food and Agriculture, Public Utilities Commission, California Broadband Council, and Office of Emergency Services to jointly develop the Rural Broadband and Emergency Infrastructure Grant Program to provide each California fairground with grant moneys to support broadband and telecommunications infrastructure deployment.
Title
Licensed registered nurses and licensed vocational nurses: Nurse Licensure Compact.

Description
SB 1053, as introduced, Moorlach. Licensed registered nurses and licensed vocational nurses: Nurse Licensure Compact. Existing law, the Nursing Practice Act, provides for the licensure and regulation of the practice of nursing by the Board of Registered Nursing. The Vocational Nursing Practice Act provides for the licensure and regulation of vocational nurses by the Board of Vocational Nursing and Psychiatric Technicians of the State of California. This bill would enact the Nurse Licensure Compact, under which the Board of Registered Nursing would be authorized to issue a multistate license that would authorize the holder to practice as a registered nurse or a licensed vocational nurse, as applicable, in all party states under a multistate licensure privilege, as specified. The bill would designate the Board of Registered Nursing as the licensing board for purposes of the compact and would require the board to participate in a coordinated licensure information system that would include all of the licensure and disciplinary history of all licensed registered nurses and licensed vocational nurses. The bill would provide that the president of the Board of Registered Nursing shall be the administrator of the compact for the state and shall be a member of an entity known as the Interstate Commission of Nurse Licensure Compact Administrators. The bill would authorize the commission to adopt rules that have the force and effect of law. By authorizing out-of-state licensees to practice in this state under the multistate compact privilege created by the bill, the bill would expand the scope of the criminal provisions of the Nursing Practice Act and Vocational Nursing Practice Act, thereby imposing a state-mandated local program. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason.

Primary Sponsors
John Moorlach

Bill Summary: Enacts the Nurse's Licensure Compact.
Title
Physical Therapy Licensure Compact.

Description
SB 1054, as introduced, Moorlach. Physical Therapy Licensure Compact. Existing law, the Physical Therapy Practice Act, provides for the licensure and regulation of physical therapists by the Physical Therapy Board of California, and establishes education, examination, and other requirements for licensure in this state. This bill would enact the Physical Therapy Licensure Compact, under which each member state is required to grant a compact privilege, as defined, to a physical therapist holding a license in another member state if specified conditions are satisfied. The bill would authorize a member state to change fee for granting a compact privilege. The bill would require the Physical Therapy Board of California to select a delegate to be a member of the Physical Therapy Compact Commission, a joint public agency which would be authorized to promulgate uniform rules in accordance with specified rulemaking procedures to implement the compact. The bill would authorize an executive board of the commission to act on behalf of the commission, and would specify the executive board's duties, including recommending changes to fees. The bill would authorize the commission to levy and collect an annual assessment from each state or impose fees on other parties to cover the costs of the operations and activities of the commission. The bill would require the board to transmit specified data on licensees to a coordinated database and reporting system maintained by the commission. The bill would specify that the provisions of the compact and the rules promulgated pursuant to the compact shall have the force and effect of state law. The bill would state that if any provision of the compact is contrary to the United States Constitution, the California Constitution, or any state or federal statute or regulation, the provision is void and unenforceable. Because a person licensed in another state practicing under a compact privilege would be subject to the provisions of the act, a violation of which is a misdemeanor, the bill would expand the scope of a crime and would thereby impose a state-mandated local program. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason.

Primary Sponsors
John Moorlach

Bill Summary: Enacts the Physical Therapy Licensure Compact.
Title
E-Consult Services and Telehealth Assistance Program.

Description
AB 2164, as introduced, Robert Rivas. E-Consult Services and Telehealth Assistance Program. Existing law establishes the State Department of Health Care Services, and requires the department to administer various health programs. Existing law authorizes the department to award grants for specified programs, including studies of various diseases and treatment methodologies. This bill would create the E-Consult Services and Telehealth Assistance Program within the department to award grants, contingent upon an appropriation, to health center-controlled networks, health centers, and rural health clinics to conduct projects to implement and test the effectiveness of e-consult services and related telehealth services. The bill would require a health center-controlled network, health center, or rural health clinic to meet specified criteria to be eligible for a grant, and would require a project awarded a grant to address specified objectives. The bill would limit an awarded grant to a term of no more than 5 years. No later than 180 days after the completion of the last grant-funded projects, the bill would require the department to submit a report to the Legislature that, among other things, provides an overview of supported projects and identifies successes and failures.

Primary Sponsors
Robert Rivas, Jim Wood

Bill Summary: This bill would create the E-Consult Services and Telehealth Assistance Program within the department to award grants, contingent upon an appropriation, to health center-controlled networks, health centers, and rural health clinics to conduct projects to implement and test the effectiveness of e-consult services and related telehealth services. The bill would require a health center-controlled network, health center, or rural health clinic to meet specified criteria to be eligible for a grant, and would require a project awarded a grant to address specified objectives. The bill would limit an awarded grant to a term of no more than 5 years. No later than 180 days after the completion of the last grant-funded projects, the bill would require the department to submit a report to the Legislature that, among other things, provides an overview of supported projects and identifies successes and failures.
Title
Statewide pediatric behavioral telehealth networks.

Description
AB 2464, as introduced, Aguiar-Curry. Statewide pediatric behavioral telehealth networks. Existing law establishes within state government the California Health and Human Services Agency. Existing law also establishes various public health programs throughout the state for purposes of promoting maternal, child, and adolescent health. This bill would establish a grant program for purposes of establishing and funding a statewide pediatric behavioral telehealth network, subject to a competitive grant process. The California Health and Human Services Agency shall implement the grant program. The bill would require funding made available for these purposes to be expended to build the clinical infrastructure to support 10 telehealth hubs, as defined, throughout the state. The bill would make children’s hospitals and community-based behavioral health providers, as defined, eligible to participate in the grant program. The bill would require program applicants to demonstrate the ability to, among other things, direct telemedicine services from a hub to the patients of primary care providers.

Primary Sponsors
Cecilia Aguiar-Curry

Bill Summary: This bill would establish a grant program for purposes of establishing and funding a statewide pediatric behavioral telehealth network, subject to a competitive grant process. The California Health and Human Services Agency shall implement the grant program. The bill would require funding made available for these purposes to be expended to build the clinical infrastructure to support 10 telehealth hubs, as defined, throughout the state.
Title
Mental health services: youth.

Description
SB 12, as amended, Beall. Mental health services: youth. Existing law, the Children's Mental Health Services Act, establishes an interagency system of care for the delivery of mental health services to seriously emotionally and behaviorally disturbed children and their families. Existing law, the Mental Health Services Act, an initiative statute enacted by the voters as Proposition 63 at the November 2, 2004, statewide general election, also funds a system of county mental health plans for the provision of mental health services, as specified. Existing law provides for the operation and administration of various mental health programs by the Mental Health Services Oversight and Accountability Commission. This bill would require the commission, subject to an appropriation, to administer an Integrated Youth Mental Health Program for purposes of establishing local centers to provide integrated youth mental health services, as specified. The bill would authorize the commission to establish the core components of the program, subject to specified criteria, and would require the commission to develop the selection criteria and process for awarding funding to local entities for these purposes. The bill would authorize the commission to implement these provisions by means of an informational letter, bulletins, or similar instructions.

Primary Sponsors
Jim Beall, Anthony Portantino

Bill Summary: Would require the Mental Health Services Oversight and Accountability Commission, subject to the availability of funds, to administer an Integrated Youth Mental Health Program to establish local centers to provide integrated youth mental health services for youths 12 years of age to 25 years of age. The program is intended to reach adolescents and young adults in clinical sites, online, in schools, and other venues.

Medicaid Reimbursement (2)
Title

Description
AB 2007, as introduced, Salas. Medi-Cal: federally qualified health center: rural health clinic: telehealth. Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services, including federally qualified health center (FQHC) services and rural health clinic (RHC) services. The Medi-Cal program is, in part, governed and funded by federal Medicaid program provisions. FQHC and RHC services are reimbursed, to the extent that federal financial participation is obtained, to providers on a per-visit basis, and a “visit” is defined as a face-to-face encounter between a patient of an FQHC or RHC and specified health care professionals, including dental providers. Existing law prohibits a requirement of in-person contact between a health care provider and a Medi-Cal patient when the service may be provided by telehealth, and, for purposes of telehealth, prohibits the department from limiting the type of setting where Medi-Cal services are provided. Existing law authorizes, to the extent that federal financial participation is available, the use of health care services by store and forward under the Medi-Cal program, subject to billing and reimbursement policies developed by the department, and prohibits a requirement of in-person contact between a health care provider and a Medi-Cal patient when these services are provided by store and forward. This bill would provide that an FQHC or RHC “visit” includes an encounter between an FQHC or RHC patient and a health care provider using telehealth by synchronous real time or asynchronous store and forward. The bill would clarify, for purposes of an FQHC or RHC visit, that face-to-face contact between a health care provider and a patient is not required for an FQHC or RHC to bill for telehealth by synchronous real time or asynchronous store and forward if specified requirements are met, including that a billable provider in the Medi-Cal program, and who is employed by the FQHC or RHC, supervises or provides the services for that patient via telehealth by synchronous real time or asynchronous store and forward.

Primary Sponsors
Rudy Salas
Title
Medi-Cal: federally qualified health center and rural health clinic services.

Description
SB 66, as amended, Atkins. Medi-Cal: federally qualified health center and rural health clinic services. Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services. The Medi-Cal program is, in part, governed and funded by federal Medicaid program provisions. Existing law provides that federally qualified health center (FQHC) services and rural health clinic (RHC) services, as defined, are covered benefits under the Medi-Cal program, to be reimbursed, to the extent that federal financial participation is obtained, to providers on a per-visit basis. “Visit” is defined as a face-to-face encounter between a patient of an FQHC or RHC and specified health care professionals, including a physician and marriage and family therapist. Under existing law, “physician,” for these purposes, includes, but is not limited to, a physician and surgeon, an osteopath, and a podiatrist. This bill would authorize reimbursement for a maximum of 2 visits taking place on the same day at a single location if after the first visit the patient suffers illness or injury requiring additional diagnosis or treatment, or if the patient has a medical visit and a mental health visit or a dental visit, as defined. The bill would authorize an FQHC or RHC that currently includes the cost of a medical visit and a mental health visit that take place on the same day at a single location as a single visit for purposes of establishing the FQHC’s or RHC’s rate to apply for an adjustment to its per-visit rate, and after the department has approved that rate adjustment, to bill a medical visit and a mental health visit that take place on the same day at a single location as separate visits, in accordance with the bill. This bill would also include a licensed acupuncturist within those health care professionals covered under the definition of “visit.” The bill would require the department, by July 1, 2020, to submit a state plan amendment to the federal Centers for Medicare and Medicaid Services to reflect certain changes described in the bill, and to seek necessary federal approvals. The bill would also make conforming and technical changes.

Primary Sponsors
Toni Atkins, Mike McGuire

Bill Summary: This bill would authorize reimbursement for a maximum of 2 visits taking place on the same day at a single location if after the first visit the patient suffers illness or injury requiring additional diagnosis or treatment, or if the patient has a medical visit and a mental health visit or a dental visit, as defined.
State: CA
Bill Number: AB 384
Last Action: In Committee Held Under Submission 2019 08 30

Title
Information privacy: digital health feedback systems.

Description
AB 384, as amended, Chau. Information privacy: digital health feedback systems. Existing law, the Confidentiality of Medical Information Act, generally prohibits a provider of health care, a health care service plan, or a contractor from disclosing medical information regarding a patient of the provider of health care or an enrollee or subscriber of a health care service plan without first obtaining an authorization, except as otherwise specified. Existing law defines “medical information” for purposes of these provisions to mean certain individually identifiable health information in possession of or derived from a provider of health care, among others. Existing law makes a violation of these provisions that results in economic loss or personal injury to a patient punishable as a misdemeanor. This bill would define “personal health record information” for purposes of the act to mean individually identifiable information, in electronic or physical form, about an individual’s mental or physical condition that is collected by an FDA-approved commercial internet website, online service, or product that is used by an individual at the direction of a provider of health care with the primary purpose of collecting the individual’s individually identifiable personal health record information through a direct measurement of an individual’s mental or physical condition or through user input regarding an individual’s mental or physical condition. The bill would provide that a business that offers personal health record software or hardware to a consumer, in order to make information available to an individual or provider of health care at the request of the individual or provider of health care, for purposes of allowing the individual to manage their information, or for the diagnosis, treatment, or management of a medical condition of the individual, shall be deemed to be a provider of health care subject to the requirements of the Confidentiality of Medical Information Act. Because the bill would expand the definition of a crime, it would impose a state-mandated local program.

Primary Sponsors
Ed Chau

Bill Summary: This bill would define “personal health record information” for purposes of the act to mean individually identifiable information, in electronic or physical form, about an individual’s mental or physical condition that is collected by an FDA-approved commercial internet website, online service, or product that is used by an individual at the direction of a provider of health care with the primary purpose of collecting the individual’s individually identifiable personal health record information through a direct measurement of an individual’s mental or physical condition or through user input regarding an individual’s mental or physical condition. The bill would provide that a business that offers personal health record software or hardware to a consumer, in order to make information available to an individual or provider of health care at the request of the individual or provider of health care, for purposes of allowing the individual to manage their information, or for the diagnosis, treatment, or management of a medical condition of the individual, shall be deemed to be a provider of health care subject to the requirements of the Confidentiality of Medical Information Act. Because the bill would expand the definition of a crime, it would impose a state-mandated local program.

Provider-Patient Relationship (1)
Title

Description
AB 1998, as introduced, Low. Dental Practice Act: unprofessional conduct: patient of record. Existing law, the Dental Practice Act, provides for the licensure and regulation of dentists and dental assistants by the Dental Board of California. The act specifies unprofessional conduct by a licensee to include, among other things, the failure by a treating dentist, prior to the initial diagnosis and correction of malpositions of human teeth or the initial use of orthodontic appliances, to perform an examination pursuant to that required of a patient of record. The act defines a patient of record to mean a patient who has been examined, has had a medical and dental history completed and evaluated, and has had oral conditions diagnosed and a written plan developed by the licensed dentist. This bill would revise that unprofessional conduct provision described above to provide that the failure of a treating dentist to perform an in-person examination pursuant to that required of a patient of record is unprofessional conduct under the act.

Primary Sponsors
Evan Low

Bill Summary: This bill would revise that unprofessional conduct provision described above to provide that the failure of a treating dentist to perform an in-person examination pursuant to that required of a patient of record is unprofessional conduct under the act.

Regulatory, Licensing & Advisory Boards (2)
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<th>Title</th>
<th>Bill Summary: Specifies that generally accepted standards of practice that apply to a health care provider under their license also apply while providing telehealth services.</th>
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<td>Medicine: telehealth.</td>
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<td>Description</td>
<td>SB 1278, as introduced, Bradford. Medicine: telehealth. Existing law requires a health care provider, before the delivery of health care via telehealth, as defined, to inform the patient about the use of telehealth and to obtain and document verbal or written consent from the patient for the use of telehealth as an acceptable mode of delivering health care services and public health. Existing law provides that all laws and regulations governing professional responsibility, unprofessional conduct, and standards of practice that apply to a health care provider under their license apply to that health care provider while providing telehealth services. This bill would specify that generally accepted standards of practice that apply to a health care provider under their license also apply while providing telehealth services.</td>
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<td>Primary Sponsors</td>
<td>Steve Bradford</td>
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Issues
Regulatory, Licensing & Advisory Boards

Labels
Title
Telemedicine
Agency
VETERINARY MEDICAL BOARD (CA)
Description
A. Informative Digest
BPC section 4808 authorizes the Board to adopt, amend, or repeal such rules and regulations as may be reasonably necessary to enable it to carry into effect the provisions of the Veterinary Medicine Practice Act. This regulatory proposal would amend CCR section 2032.1. Specifically, the Board is proposing the following: Amend subdivision (d) of section 2032.1 of Article 4 of Division 20 of Title 16 of the CCR to make conforming technical corrections to the “drug” and “dangerous drug” cross-references to the BPC. Add subdivision (e) to section 2032.1 of Article 4 of Division 20 of Title 16 of the CCR to clarify that a person may not practice veterinary medicine in this state except within the context of a veterinarian–client–patient relationship (VCPR), which cannot be established solely by telephonic or electronic means. Add subdivision (f) to section 2032.1 of Article 4 of Division 20 of Title 16 of the CCR to clarify BPC sections 686 and 2290.5 that telemedicine, as provided by animal health care practitioners, shall be conducted within an existing VCPR, with the exception of advice given in an “emergency,” as defined in BCP section 4840.5, until the patient(s) can be seen or transported to a veterinarian. In new subdivision (f) of section 2032.1, define “telemedicine” to mean the mode of delivering animal health care services via communication technologies to facilitate consultation, treatment, and care management of the patient. B. Policy Statement Overview/Anticipated Benefits of Proposal Policy Statement Overview The primary mission of the Board is to protect consumers and animals through the development and maintenance of professional standards. The proposed regulations regarding telemedicine were developed to address the increasing use of telemedicine in veterinary practices. This proposal was developed by considering the American Veterinary Medical Association (AVMA) and the American Association of Veterinary State Boards (AAVSB) policies regarding telemedicine. Telemedicine is currently authorized under BPC section 686 for all health care practitioners licensed under Division 2 of the BPC, which includes veterinarians. However, that section makes practitioners subject to certain requirements under the Medical Practice Act, which does not generally apply to veterinary services. This proposal defines “telemedicine” for veterinary purposes and states that it can be used as a delivery of health care services only after a VCPR has been established in person. Without the prior establishment of this relationship, a veterinarian is unable to provide the appropriate level of care and diagnosis needed to assist the animal patient effectively. Anticipated Benefits of Proposed Regulatory Action The proposal will provide appropriate restrictions on the provision of telemedicine by clarifying the requirements to establish a VCPR before providing telemedicine. By requiring a veterinarian to have personally examined the animal patient and documented the animal's medical history as part of establishing the VCPR before providing telemedicine services, the animal patient will receive better care if the consumer needs to communicate with the veterinarian via electronic or telephonic communication following in–person examination. Accordingly, this regulatory proposal promotes the safety of animals and the public by regulating telemedicine treatment. The proposal will also provide appropriate guidelines for providing telemedicine, which will benefit veterinarians who implement telemedicine services into their practice. C. Consistency and Compatibility with Existing State Regulations While there are multiple CCRs and federal regulations that deal with human telemedicine, the Board has determined this proposal would be the only state regulation that deals with the subject area of animal telemedicine. The Board has evaluated this regulatory proposal and found that it is neither inconsistent nor incompatible with existing state regulations.

Regulation Summary
The proposal will provide restrictions on the provision of telemedicine by clarifying the requirements to establish a Veterinarian Client Patient Relationship before providing telemedicine. The proposal will also provide guidelines for providing telemedicine.