

# HOUSE BILL No. 1331

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 25-1-9.5-8; IC 25-24-1-1.5.

**Synopsis:** Telemedicine and medical devices. Removes the restriction on the prescribing of ophthalmic devices through telemedicine and sets conditions on when a provider may, through telemedicine, prescribe medical devices. Prohibits the Indiana optometry board from setting standards for the practice of ocular telemedicine or ocular telehealth that are more restrictive than the standards established for in person practice.

**Effective:** July 1, 2017.

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## Kirchhofer, Eberhart

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January 12, 2017, read first time and referred to Committee on Public Health.

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First Regular Session of the 120th General Assembly (2017)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2016 Regular Session of the General Assembly.

## HOUSE BILL No. 1331

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 25-1-9.5-8, AS ADDED BY P.L.78-2016,  
2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2017]: Sec. 8. A provider may issue a prescription to a patient  
4 who is receiving services through the use of telemedicine even if the  
5 patient has not been seen previously by the provider in person if the  
6 following conditions are met:
- 7 (1) The provider has satisfied the applicable standard of care in  
8 the treatment of the patient.
  - 9 (2) The issuance of the prescription by the provider is within the  
10 provider's scope of practice and certification.
  - 11 (3) The prescription is not for a controlled substance (as defined  
12 in IC 35-48-1-9).
  - 13 (4) The prescription is not for an abortion inducing drug (as  
14 defined in IC 16-18-2-1.6).
  - 15 (5) ~~The prescription is not for an ophthalmic device, including:~~  
16 (A) ~~glasses;~~  
17 (B) ~~contact lenses; or~~



1           ~~(C)~~ low vision devices.  
2           **(5) If the prescription is for a medical device, including an**  
3           **ophthalmic device, the provider must use telemedicine**  
4           **technology that is sufficient to allow the provider to make an**  
5           **informed diagnosis and treatment plan that includes the**  
6           **medical device being prescribed.**  
7           SECTION 2. IC 25-24-1-1.5 IS ADDED TO THE INDIANA CODE  
8           AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
9           1, 2017]: **Sec. 1.5. The board may not establish standards**  
10           **concerning the practice of ocular telemedicine or ocular telehealth**  
11           **that are more restrictive than the standards that are set under this**  
12           **article or by administrative rule and are applicable to the**  
13           **practitioner's in person ocular practice.**

