

April 21, 2022

Sheldon A. Wasserman, MD
Reference Committee Chair
Federation of State Medical Boards
House of Delegates

RE: AMA support for Board Report 22-3: Report of the Federation of State Medical Boards (FSMB) Workgroup on Telemedicine: *The Appropriate Use of Telemedicine Technologies in the Practice of Medicine*

Dear Reference Committee Chair Wasserman:

On behalf of the American Medical Association (AMA) and our physician and medical student members, I would like to express our strong support for Board Report 22-3: Report of the Federation of State Medical Boards (FSMB) Workgroup on Telemedicine: *The Appropriate Use of Telemedicine Technologies in the Practice of Medicine (Telemedicine Policy)*. **We strongly recommend that the FSMB House of Delegates support the Recommendation of the Board Report and adopt the updated Telemedicine Policy in its entirety.**

The AMA is honored that Kenneth Simons, MD, Chair of the FSMB Board of Directors, invited the AMA to participate in the FSMB Telemedicine Workgroup tasked with updating and expanding FSMB's 2014 model telemedicine policy. We appreciate the thorough and thoughtful approach by which FSMB examined the changing telemedicine landscape and lessons learned throughout the pandemic in considering these updates. As a result, the updated Telemedicine Policy before the FSMB House of Delegates is both forward-thinking and grounded in the realities of the current practice of medicine. It is also focused on those issues that are uniquely within the purview of the state medical boards, such as creating limited exceptions to licensure, ensuring physicians and other health care professionals adhere to the appropriate standard of care when providing telemedicine, and supporting equitable access to telemedicine. FSMB's Telemedicine Policy is aligned with AMA policies on telehealth, many of which were also recently updated, such as:

- Physicians must be licensed in the state where the patient is located, but flexibilities are warranted to promote continuity of care, allow patients to obtain an initial consultation through physician-to-physician consultations, or allow prospective patient screening by a specialist.
- Telemedicine can and should be integrated seamlessly into the delivery of health care, when clinically appropriate. The standards and scope of telemedicine services must be consistent with related in-person services, including following evidence-based guidelines when available.
- Important parameters must be put in place before, during, and after a telemedicine visit to protect patient safety and ensure telemedicine is provided in a clinically appropriate manner. This includes identifying the physician and patient in advance of the service, collecting a patient's full medical history as part of the telemedicine encounter, properly documenting the details of the telemedicine visit, providing a summary of the visit to the patient and patient's medical home, and requiring physicians, health professionals, and entities that deliver telemedicine services, to establish protocols for referrals to emergency services.

Sheldon A. Wasserman, MD

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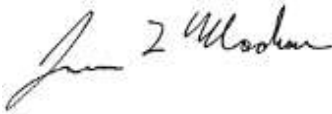
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- Prioritizing equitable access to telemedicine particularly for minoritized and historically marginalized communities, such as expanding broadband, supporting initiatives to strengthen digital literacy, improving telemedicine solution design, ensuring continuity of care, and supporting fair and equitable payment of services provided via telemedicine.

The AMA applauds FSMB for its leadership in tackling these tough issues and believes the updated Telemedicine Policy strikes an appropriate balance between supporting advancement of high-quality telemedicine and protecting the standard of care, safety, and privacy of patients. **For these reasons, the AMA recommends the FSMB House of Delegates adopt in its entirety *The Appropriate Use of Telemedicine Technologies in the Practice of Medicine, superseding the 2014 policy.***

Thank you for the opportunity to provide our comments to the FSMB Reference Committee. Please contact Kimberly Horvath, JD, Senior Attorney, at kimberly.horvath@ama-assn.org if you have any questions or would like additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "James L. Madara". The signature is written in a cursive style with a large initial "J" and "M".

James L. Madara, MD