

ARKANSAS REGISTER

Proposed Rule Cover Sheet



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Name of Department _____

Agency or Division Name _____

Other Subdivision or Department, If Applicable _____

Previous Agency Name, If Applicable _____

Contact Person _____

Contact E-mail _____

Contact Phone _____

Name of Rule _____

Newspaper Name _____

Date of Publishing _____

Final Date for Public Comment _____

Location and Time of Public Meeting _____

REGULATION**RULE** NO. 38: TELEMEDICINE

Requirement for all services provided by Providers using telemedicine:

1. A Patient/Provider relationship must be established in accordance with RegulationRule 2.8 before the delivery of services via telemedicine. Provider is defined as a person licensed by the Arkansas State Medical Board. A patient completing a medical history online and forwarding it to a Provider is not sufficient to establish the relationship, nor does it qualify as store-and-forward technology.

2.L. A physician shall not issue a written medical marijuana certification to a patient based on an assessment performed through telemedicine. A Patient/Provider relationship established under Rule 2.8 may be utilized for medical marijuana recertification by telehealth. "Telehealth certification" means the electronic assessment of a patient by a provider in connection with an application for a registry identification card under the Arkansas Medical Marijuana Amendment of 2016.

M. Telemedicine does not include the use of audio-only electronic technology by a provider to renew a written certification that was previously issued to the same patient.