

Info Session: SC Telehealth and Telemedicine Modernization Act (Bill H. 4159)

Presenter:



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Background

- SCTA is a statewide collaboration of many organizations joining forces to expand telehealth across South Carolina
- Founded in 2014 and administered out of the MUSC Center for Telehealth
- Funded by SC State legislature in the state's annual Appropriations Act through both MUSC and the SC Department of Health and Human Services



The Telehealth and Telemedicine Modernization Act (Act 120 of 2024)



Introduced in 2023, passed and signed by Gov. McMaster in 2024



Telehealth volumes have stabilized post-COVID, and remain higher than 2019, demonstrating the importance of a hybrid healthcare delivery system.



Review of existing SC legislation necessitated an update to modernize statutory language to be in alignment with practice advancements.

Act 120 of 2024 Goals

1. Introduce definition of “Telehealth” in statute

- “Telehealth” means the use of electronic communications, information technology, or other means to deliver clinical health care, patient and professional health-related education, public health, or health administration between a licensee in one location and a patient in another location with or without an intervening licensee.

Act 120 of 2024 Goals

Why introduce a new definition?

- Previous definition of “Telemedicine” only applied to MDs and DOs, not other health professions (e.g., therapists, counselors)
- To avoid confusion around other health professions’ ability to practice telehealth – some practice acts were amended and created their own definition.
- New definition does not amend any existing practice acts but provides a universal definition for practice acts to refer to in statute.

Act 120 of 2024 Goals

2. Modernize tele-prescribing language

- Allows tele-prescribing of non-narcotic schedule II and III drugs via telehealth without special authorization from the Board
- Allows tele-prescribing of certain narcotic schedule II and III drugs via telehealth without special authorization from the Board
 - When patient is physically located in a hospital
 - When buprenorphine is being prescribed as a medication for opioid use disorder
 - When patient is enrolled in palliative care or hospice
 - Any other programs specifically authorized by the Board
- Strikes the prohibition of the prescription of “lifestyle medications” from statute, so prescriptions such as erectile dysfunction medications may be prescribed via telehealth without special approval from the Board

Act 120 of 2024 Goals

Why modernize tele-prescribing language?

- Previous language indicated that all schedule II and III medications were not permitted unless specifically approved by the Board.
- In practice, this process required physicians to appear in person before the Board, taking time away from patient care, re-arranging clinical schedules, and ultimately delaying care.
- New language improves access for patients to important medications while maintaining important safeguards.
 - All prescribing providers must abide by all state and federal laws (e.g., Ryan Haight Act and participation in the South Carolina Prescription Monitoring Program)
 - Licensees who prescribe controlled substances via telehealth must register with the State Bureau of Drug Control

Practice Examples

1. A provider needing to prescribe ADHD medications for a student in a school-based telehealth program no longer needs special authorization from the Board. (Schedule II non-narcotic)
2. A patient can be prescribed Buprenorphine for Medication Assisted Treatment (MAT) for Opioid Use Disorder via telehealth without the provider needing special authorization from the Board (Schedule II narcotic – special exemption)
3. A patient in palliative or hospice care can receive morphine prescribed via telehealth without the provider needing special authorization from the Board (schedule II narcotic – special exemption)

** This list is not exhaustive – please consult your legal/compliance department for your specific situation*

Additional Resources

- The Bill was signed by Governor McMaster and enacted on March 11, 2024.
- Visit [SC Telehealth Alliance website](#) for info sheet.

[SCTelehealth](#) > [Resources](#) > 2024 Modernization Act

Resources

- 2024 Modernization Act
- Billing & Reimbursement ▶
- Doxy.me Video Visits

2024 SC Telehealth & Telemedicine Modernization Act

On March 11, 2024, South Carolina's Governor signed the **Telehealth and Telemedicine Modernization Act** into law. The legislation was a product of multiple years of collaboration between telehealth champions, payers, and legislators, and outlines two main objectives: (1) to introduce a new definition of 'Telehealth' in statute, inclusive of non-MD health care practitioners, and (2) to facilitate greater access to certain controlled substances via telehealth while maintaining important safeguards through the modernization of tele-prescribing language. These changes were enacted upon signature of the Governor.

The following resources have been provided for your convenience and can be used for distribution:

- [Telehealth and Telemedicine Modernization Act](#)
- [SCTA Info Sheet Outlining Act Updates](#)

Questions?



SCTA Contact Information

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