
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 819 Session of
2007

INTRODUCED BY WONDERLING, ERICKSON, WASHINGTON, FUMO, RAFFERTY,
MELLOW, FOLMER, C. WILLIAMS, BROWNE, MADIGAN, CORMAN AND
BOSCOLA, APRIL 27, 2007

REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,
APRIL 27, 2007

AN ACT

1 Regulating certain services provided by a nonresident physician.

2 The General Assembly of the Commonwealth of Pennsylvania

3 hereby enacts as follows:

4 Section 1. Short title.

5 This act shall be known and may be cited as the Telemedicine
6 Act.

7 Section 2. Definitions.

8 The following words and phrases when used in this act shall
9 have the meanings given to them in this section unless the
10 context clearly indicates otherwise:

11 "Licensed physician." An individual who has acquired a
12 license to practice medicine under the act of October 5, 1978
13 (P.L.1109, No.261), known as the Osteopathic Medical Practice
14 Act, or the act of December 20, 1985 (P.L.457, No.112), known as
15 the Medical Practice Act of 1985 or the equivalent thereof in
16 another jurisdiction.

1 "Telemedicine." The electronic transmission of medical data
2 between a physician located in this Commonwealth and a physician
3 located in another jurisdiction for purposes of interpretation,
4 consultation, diagnosis or treatment.

5 "Teleradiology." The electronic transmission of radiological
6 images such as X-rays, CAT scans and similar images to allow
7 interpretation to be made at a remote site. The term does not
8 include consultation between a physician located in this
9 Commonwealth and a physician located in another jurisdiction for
10 which compensation is neither given nor expected.

11 Section 3. Medical license requirement.

12 (a) License.--An individual who practices medicine, whether
13 the person is located in this Commonwealth or another
14 jurisdiction and who uses telemedicine or teleradiology relating
15 to a patient in this Commonwealth must be a licensed physician.

16 (b) Requirements.--An individual who becomes a licensed
17 physician in this Commonwealth in order to practice telemedicine
18 or teleradiology must meet all requirements applicable to
19 physicians in this Commonwealth.

20 Section 4. Exceptions from licensure requirement.

21 Nothing in this act shall apply to the following health care
22 practitioners:

23 (1) A medical specialist to whom the care of the patient
24 does not transfer and who provides consultation upon request
25 to a licensed physician in this Commonwealth.

26 (2) A physician who provides consultation to a medical
27 school or residency training program.

28 Section 5. Sanctions.

29 A person who violates the provisions of this act shall be
30 subject to criminal prosecution for the unlicensed practice of

1 medicine. A person who violates the provisions of this act shall
2 be subject to injunctions or other action authorized to prohibit
3 the continued practice of medicine without a license.

4 Section 6. Effective date.

5 This act shall take effect in 60 days.