



November 18, 2025

The Honorable Jean Schmidt  
Chair, Health Committee  
Ohio House of Representatives  
77 S High St,  
12th Floor  
Columbus, OH 43215-6136

**RE: ATA ACTION CONCERNS REGARDING HOUSE BILL 324**

Dear Chair Schmidt and members of the Health Committee,

On behalf of ATA Action, I am writing to express our concerns with House Bill 324, specifically the inclusion of an arbitrary in-person requirements prior to prescribing drugs.

ATA Action, the American Telemedicine Association's affiliated trade association focused on advocacy, advances policy to ensure all individuals have permanent access to telehealth services across the care continuum. ATA Action supports the enactment of state and federal telehealth policies to secure telehealth access for all Americans, including those in rural and underserved communities. ATA Action recognizes that telehealth and virtual care have the potential to truly transform the health care delivery system – by improving patient outcomes, enhancing safety and effectiveness of care, addressing health disparities, and reducing costs – if only allowed to flourish.

ATA Action firmly opposes the introduction of in-person care requirements, through statute or regulation, which restrict the modalities that licensed providers can use to provide treatment to patients. Instead our organization believes that so long as the provider obtains the patient's consent for the use of telehealth services, verifies the patient's identity, and discloses his or her own identity and credentials he or she should be able to use any appropriate telehealth modality that is sufficient to evaluate and treat the patient for the condition presented that meets the standard of care. Prohibiting providers from conducting examinations for the purposes of prescription of certain drugs using telehealth modalities will make it far more difficult for patients, especially the Ohioans who live in rural or underserved areas, to obtain care. Instead of being able to acquire their needed prescriptions from convenient locations of their choice, many patients will be forced to take time out of their busy schedules and/or travel long distances to meet with those providers in person.

Furthermore, ATA Action encourages the Legislature to consider the policy principles enumerated in the Federation of State Medical Board's ("FSMB") most recent update *Model Policy for the Appropriate Use of Telemedicine Technologies in the Practices of Medicine*,<sup>1</sup> which was ratified by the organization in

---

<sup>1</sup> Federation of State Medical Boards, *The Appropriate Use of Telemedicine Technologies in the Practice of Medicine*, April 2022, <https://www.fsmb.org/siteassets/advocacy/policies/fsmb-workgroup-on-telemedicineapril-2022-final.pdf>.



April 2022. In its “Standard of Care” section of the previously mentioned report, the FSMB articulates that “Treatment and consultation recommendations made in a virtual setting, including issuing a prescription via electronic means, will be held to the same standards of appropriate practice as those in in-person settings.” Professional healthcare boards across the country have endorsed this view and HB 324’s proposal to require in-person examinations outside of the standard of care would represent a step backwards for telehealth policy in Ohio.

We acknowledge that there are situations in which the standard of care for the condition presented by the patient cannot be met through telehealth modalities, synchronous or asynchronous. This could be due to any number of reasons such as inability to properly evaluate the patient’s condition outside of an in-person setting or due to technological barriers such as requiring equipment that the patient does not have access to at their location. In these instances, it is the responsibility of the provider to take steps to treat the patient in-person or direct them to seek other treatment that does meet the standard of care. Our organization believes that licensed practitioners should be able to utilize the full range of available telehealth technologies while delivering virtual care, so long as the technologies being used are appropriate to meet the standard of care for the condition presented by the patient.

Thank you for your consideration of our comments. If this legislation is to be advanced, we encourage the elimination of the in-person examination requirement which would infringe on licensed healthcare professionals’ judgement and restrict patient access to telehealth care. Please let us know if there is anything that we can do to assist you in your efforts to adopt practical telemedicine policy in Ohio. If you have any questions or would like to engage in additional discussion regarding the telehealth industry’s perspective, please contact me at [kzebley@ataaction.org](mailto:kzebley@ataaction.org).

Kind regards,

Kyle Zebley  
Executive Director  
ATA Action