

\_\_\_\_\_ moved to amend as follows:

In line 676, after "(B)" insert "(1)"

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In line 679, delete "A" and insert "Subject to division (B)(2) of this section, a"

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In line 680, delete "The" and insert "All"; after "rules" insert "adopted under this section"

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After line 684, insert:

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"(2)(a) Except as provided in division (B)(2)(b) of this section, the rules adopted by a health care professional licensing board under this section shall establish a standard of care for telehealth services that is equal to the standard of care for in-person services.

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(b) Subject to division (B)(2)(c) of this section, a board may require an initial in-person visit prior to prescribing a schedule II controlled substance to a new patient, equivalent to applicable state and federal requirements.

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(c)(i) A board shall not require an initial in-person

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visit for a new patient whose medical record indicates that the 17  
patient is receiving hospice or palliative care, who is 18  
receiving medication-assisted treatment or any other medication 19  
for opioid-use disorder, who is a patient with a mental health 20  
condition, or who, as determined by the clinical judgment of a 21  
health care professional, is in an emergency situation. 22

(ii) Notwithstanding division (B) of section 3796.01 of 23  
the Revised Code, medical marijuana shall not be considered a 24  
schedule II controlled substance." 25

In line 749, delete "It is also the intent of the general assembly" 26

Delete lines 750 through 755 27

After line 979, insert: 28

**"Section 4.** Beginning on the effective date of this 29  
section, a health care professional licensing board, as defined 30  
in section 4743.09 of the Revised Code, may suspend the 31  
enforcement of any rules that the board has in effect on the 32  
effective date of this section regarding the provision of 33  
telehealth and in-person services by a health care professional 34  
under the board's jurisdiction, and requirements for the 35  
prescribing of controlled substances, while the board amends or 36  
adopts new rules that are consistent with the provisions of this 37  
act." 38

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 39

**Legislative intent** 40

<b>R.C. 4743.09</b>	41
Removes a Senate-added provision that declares it is the intent of the General Assembly that no health care professional licensing board reduce access to telehealth services to a level below that which patients were able to utilize telehealth services during the COVID-19 pandemic.	42 43 44 45 46
<b>Rulemaking authority</b>	47
<b>R.C. 4743.09; Section 4</b>	48
Requires any rules adopted by a health care professional licensing board regarding the provision of telehealth services by professionals under the board's jurisdiction to generally establish that the standard of care for telehealth services be the same as the standard for services provided in-person.	49 50 51 52 53
Permits a board to adopt rules that generally require an in-person examination of a new patient before a health care professional may prescribe schedule II controlled substances to a patient, except in specified circumstances.	54 55 56 57
Specifies that for purposes of rules regarding telehealth services adopted by a board, medical marijuana is not considered a schedule II controlled substance.	58 59 60
Specifies that beginning on the bill's effective date, a health care professional licensing board may suspend enforcement of any rules that the board has in effect on the effective date of the bill regarding the provision of telehealth and in-person services by a health care professional under the board's jurisdiction, and requirements for the prescribing of controlled substances, while the board amends or adopts new rules that are consistent with the provisions of the bill.	61 62 63 64 65 66 67 68