

COMMONWEALTH OF MASSACHUSETTS
BOARD OF REGISTRATION IN MEDICINE

POLICY 2020-01

POLICY ON TELEMEDICINE IN THE COMMONWEALTH

Amended February 3, 2022

The Board of Registration in Medicine (Board) adopts this policy for the purpose of clarifying the practice of medicine by physicians via telemedicine.

1. A physician licensed by the Board may engage in the practice of medicine in Massachusetts. As set forth in the Board's regulations at 243 CMR 2.01, the practice of medicine includes telemedicine, which is defined as the provision of services to a patient by a physician from a distance by electronic communication in order to improve patient care, treatment or services. The Board's interpretation of the definition of telemedicine in its regulation encompasses the activities set forth in the definition of telehealth at M.G. L. c. 112, § 50¹.
2. The Board deems a physician to be practicing medicine in Massachusetts when the patient is physically located in Massachusetts. A physician licensed by the Board whose license *does not* restrict practice to a particular location may engage in the practice of medicine with respect to patients in Massachusetts irrespective of whether the physician is physically located in Massachusetts. A physician licensed by the board whose license *does* restrict practice to a particular location may engage in the practice of medicine with respect to patients in Massachusetts only from the location identified on his or her license.
3. The practice of medicine shall not require a face-to-face encounter between the physician and the patient prior to health care delivery via telemedicine. The standard of care applicable to the physician is the same whether the patient is seen in-person or through telemedicine.
4. Physicians licensed by the board may obtain proxy credentialing and privileging for telehealth services with other health care providers, as defined

¹ G.L. c. 112, § 50(a) For purposes of this section "telehealth" shall mean the use of synchronous or asynchronous audio, video, electronic media or other telecommunications technology, including, but not limited to: (i) interactive audio-video technology; (ii) remote patient monitoring devices; (iii) audio-only telephone; and (iv) online adaptive interviews, for the purpose of evaluating, diagnosing, consulting, prescribing, treating or monitoring of a patient's physical health, oral health, mental health or substance use disorder condition.

in section 1 of chapter 111, or facilities that comply with the federal Centers for Medicare and Medicaid Services' conditions of participation for telehealth services.