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HOUSE BILL NO. 303

Offered January 8, 2020

Prefiled December 31, 2019

A *BILL to amend the Code of Virginia by adding in Chapter 36 of Title 54.1 a section numbered 54.1-3617, relating to clinical psychologists; telepsychology; out of state.*

Patron—Hope

Referred to Committee on Communications, Technology and Innovation

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 36 of Title 54.1 a section numbered 54.1-3617 as follows:

§ 54.1-3617. Clinical psychologists; telepsychology.

A. *For the purposes of this section, "telepsychology services" means the delivery of health care services by a licensed clinical psychologist through electronic technology or media, including interactive audio or video, for the purpose of diagnosing or treating a patient, or consulting with other health care providers regarding a patient's diagnosis or treatment. "Telepsychology" may include an audio-only telephone call but not an electronic mail message, facsimile transmission, or online questionnaire.*

B. *A clinical psychologist who is licensed by the Board may render telepsychology services within the scope of his practice.*

C. *A clinical psychologist may render telepsychology services to a person who is located in another state if:*

1. *The patient has received care from the clinical psychologist in person in the clinical psychologist's practice within one year of the date telepsychology services are provided;*

2. *The person continues to be a patient of the clinical psychologist as evidenced by the fact that the clinical psychologist maintains an active file on the patient that includes a medical history;*

3. *The patient is advised of and consents to patient confidentiality applicable to the delivery of telepsychology services;*

4. *The patient is advised that telepsychology services may not be covered by health insurance.*

The clinical psychologist shall document in the patient's record that the requirements of this section have been met.

D. *No clinical psychologist shall be subject to disciplinary action by the Board for providing services to a patient in accordance with this section. A clinical psychologist who provides services to a patient who is out of state via telepsychology shall be subject to the provisions of this chapter.*

INTRODUCED

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