

4753-2-01

Telehealth Communication.**(A) Definitions**

In this chapter, the following terms have the meanings indicated.

- (1) "Asynchronous" means recorded therapy sessions submitted for later review.
- (2) "Board" means the Ohio Board of Speech-Language Pathology and Audiology.
- (3) "Facilitator" means the individual at the client site who facilitates the telehealth service delivery at the direction of the audiologist or speech language pathologist. For purposes of fulfilling their role, as defined under this chapter, an individual may serve as a facilitator, at the direction of the audiologist or speech language pathologist, without becoming licensed as an aide under Ohio Revised Code section 4753.072.
- (4) "Patient" means a consumer of telehealth services.
- (5) "Provider" means an audiologist or speech-language pathologist who provides telehealth services.
- (6) "Service delivery model" means the method of providing telehealth services.
- (7) "Site" means the client/patient location for receiving telehealth services.
- (8) "Stored clinical data" means video clips, sound/audio files, photo images, electronic records, and written records that may be available for transmission via telehealth communications.
- (9) "Synchronous" means therapy sessions occurring via telepractice applications using real time, encrypted videoconferencing.
- (10) "Telehealth" means the use of telecommunications and information technologies for the exchange of information from one site to another for the provision of audiology or speech-language pathology services to an individual from a provider through hardwire or internet connection.
- (11) "Telepractice" means the practice of telehealth.

(B) Service Delivery Models

- (1) Telehealth may be delivered in a variety of ways, including but not limited to, those models listed under this section.
- (2) Store-and-forward model/electronic transmission is an asynchronous electronic transmission of stored clinical data from one location to another usually by the internet via email and fax.

(3) Synchronous clinician interactive model is a real time interaction between the provider and patient that may occur via encrypted audio and video transmission over telecommunication links including, but not limited to, videoconferencing.

(4) Live versus stored data refers to the actual data transmitted during the telepractice. Both live, real-time and stored clinical data may be included during the telepractice.

(C) Guidelines for the Use of Telehealth

(1) A provider shall be accountable for any ethical and scope of practice requirements when providing telehealth services.

(2) The scope, nature, and quality of services provided via telepractice are the same as that provided during in-person sessions by the provider.

(3) The quality of electronic transmissions shall be appropriate for the provision of telehealth services as if those services were provided in person.

(4) A provider shall only utilize technology with which they are competent to use as part of their telepractice services.

(5) Equipment used for telehealth services shall be maintained in appropriate operational status to provide appropriate quality of services.

(6) Equipment used at the site at which the patient is present shall be in appropriate working condition and deemed appropriate by the provider.

(7) The provider shall be responsible for assessing the client's candidacy for telehealth, including behavioral, physical, and cognitive abilities to participate in services provided via telecommunications.

(8) A provider shall be aware of the patient's level of comfort with the technology being used as part of the telehealth services and only accept for treatment via telecommunications patients who can reasonably be expected to benefit from a service delivery model under section B and continue with such treatment when there is reasonable expectation of further benefit.

(9) As pertaining to liability and malpractice issues, a provider shall be held to the same standards of practice as if the telepractice services were provided in person.

(10) A provider shall be sensitive to cultural and linguistic variables that affect the identification, assessment, treatment, and management of the clients.

- (11) Telehealth providers shall comply with all laws, rules, and regulations governing the maintenance of client records, including client confidentiality requirements, regardless of the state where the records of any client within this state are maintained.
- (12) Notification of telehealth services should be provided to the client, the guardian, the caregiver, and the multi-disciplinary team, if appropriate. The notification shall include, but not be limited to: the right to refuse telehealth services, options for service delivery, and instructions on filing and resolving complaints.

(D) Limitations of Telehealth Services

- (1) A provider of telehealth services shall inform the patient as to the limitations of providing these services, including, but not limited to, the following:
 - (a) The inability to have direct, physical contact with the patient is a primary difference between telehealth and direct in-person service delivery; and
 - (b) The quality of transmitted data may affect the quality of services provided by the provider.

(E) Requirements of Personnel Providing Telehealth Services

- (1) A provider of telehealth services who practices in the State shall be licensed by the Board.
- (2) A provider of telehealth services shall be competent in both the type of services provided and the methodology and equipment used to provide the service.
- (3) A provider of telehealth services who resides out of State and who provides services to Ohio residents shall be licensed by the Board.

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