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Telehealth Policy for the Massachusetts Board of Respiratory Care

Sub-Regulatory Guidance on Telehealth Services

Policy 2025-01

Date Adopted: March 20, 2025

Policy Statement:

The Massachusetts Board of Respiratory Care recognizes the growing role of telehealth in the delivery of respiratory care services. While telehealth can enhance access to care and improve patient outcomes, it is essential that all services provided via telehealth adhere to the highest standards of professional practice.

Definitions:

Provider: For the purposes of this policy, a "provider" refers to any individual licensed by the Massachusetts Board of Respiratory Care to deliver respiratory care services.

Telehealth: 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.

Scope:

This policy applies to all licensed respiratory care providers delivering services through telehealth platforms.

Statutory Reminder:

Pursuant to 261 Code of Massachusetts Regulations (CMR) 3.04 (1), "No person may render respiratory care services other than those services listed in 261 CMR 3.05 unless he/she has been issued a license or limited license by the Board."

Policy Guidelines:

1. Licensure Requirements:

- All respiratory care providers offering or providing telehealth services while physically in Massachusetts or to patients located in Massachusetts must be fully licensed to practice in the Commonwealth of Massachusetts.
- Providers must ensure that their licensure is current and in good standing with the Massachusetts Board of Respiratory Care.

2. Regulatory Compliance:

- Providers, while utilizing telehealth platforms, must comply with all relevant regulatory and statutory requirements related to telehealth services as mandated by state and federal laws.
- This includes, but is not limited to, adherence to patient privacy laws (such as HIPAA), informed consent protocols, and documentation standards.

3. Appropriate Use of Telehealth:

- Telehealth may be utilized for the initial provision, assessment, monitoring, and management of patients as deemed appropriate by the provider.
- Providers must exercise professional judgment in determining whether a telehealth visit is suitable for a particular patient or condition.

4. Quality of Care:

- Providers must ensure that the quality of care delivered via telehealth is equivalent to that provided in traditional face-to-face settings.
- Continuous evaluation of telehealth services should be implemented to uphold standards of care.

5. Technical Competence:

- Providers must be competent in using telehealth technologies to deliver services effectively and securely.
- Providers should provide patients with guidance on how to use telehealth technologies and troubleshoot common issues.

6. Patient Consent:

- Informed consent must be obtained from patients prior to initiating telehealth services. This includes informing patients about the nature of telehealth, potential risks, and their rights regarding care.
- A patient may, at any point, withdraw their consent for telehealth services and request a transition to in-person care.

7. Record Keeping:

- Providers must maintain accurate and thorough records of all telehealth interactions, including assessments, treatments, and communications with patients.

Conclusion:

The Massachusetts Board of Respiratory Care is committed to ensuring that telehealth services are delivered safely, effectively, and in compliance with all applicable laws and regulations. This policy serves to protect both patients and providers while enhancing access to quality respiratory care.