

CHAPTER 50-02-15 TELEMEDICINE

Section

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50-02-15-01. Definitions.

As used in this chapter:

1. "Telemedicine" means the practice of medicine using electronic communication, information technologies, or other means between a licensee in one location and a patient in another location, with or without an intervening health care provider. It includes direct interactive patient encounters as well as asynchronous store-and-forward technologies and remote monitoring.
2. "Licensee" means a physician or physician assistant licensed to practice in North Dakota. A physician assistant practicing telemedicine from another state is subject to the rules regarding physician collaboration, except that collaboration must be by a North Dakota licensed physician who is practicing telemedicine in North Dakota and need not be by a North Dakota licensed physician who is physically located in North Dakota.

History: Effective January 1, 2018; amended effective October 1, 2022.

General Authority: NDCC 43-17-01(6)

Law Implemented: NDCC 43-17-01, 43-17-44

50-02-15-02. Prescribing.

A licensee who has performed a telemedicine examination or evaluation meeting the requirements of this chapter may prescribe medications according to the licensee's professional discretion and judgment. Opioids may only be prescribed through telemedicine if done so as a federal food and drug administration-approved medication-assisted treatment for opioid use disorder. Opioids may not be prescribed through a telemedicine encounter for any other purpose.

Licensees who prescribe controlled substances, as defined by North Dakota law, in circumstances allowed under this rule, must comply with all state and federal laws regarding the prescribing of controlled substances, and must participate in the North Dakota prescription drug monitoring program.

History: Effective January 1, 2018.

General Authority: NDCC 43-17-45

Law Implemented: NDCC 19-02.1-15.1, 19-03.1-22.4, 19-03.5-09, 43-17-45