



RON CHAPMAN, MD, MPH
Director & State Health Officer

State of California—Health and Human Services Agency
California Department of Public Health



EDMUND G. BROWN JR.
Governor

AFL REVISION NOTICE

Subject: Telemedicine Provider
Revision To: AFL 11-33
Revision Date: January 25, 2012
Attachment: AFL 12-05

This notice is to inform you that the California Department of Public Health has revised All Facilities Letter (AFL) 11-33 with the attached AFL 12-05, which supersedes AFL 11-33.

The AFL has been revised to inform facilities of newly enacted state legislation (Assembly Bill 415, Chapter 547, Statutes of 2011) regarding telemedicine.

Please review the AFL and contact your local District Office if you have further questions.



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AFL 12-05
(Supersedes AFL 11-33)

TO: General Acute Care Hospitals
Acute Psychiatric Hospitals
Special Hospitals

SUBJECT: Telemedicine Providers

The purpose of this letter is to inform facilities of recently enacted state legislation and to reiterate Centers for Medicare and Medicaid Services' (CMS) rules regarding telemedicine. Authority: Title 22 California Code of Regulations Sections 70701, 70703, 70705 (a), Business and Professions Code (B&P) Section 2290.5, and Title 42 Code of Federal Regulations Section 482.12.

Effective January 1, 2012, B&P Code Section 2290.5 aligns state law with CMS guidance regarding Title 42 Code of Federal Regulation Section 482.12 to allow the governing board of a hospital to grant privileges to, and verify and approve credentials, for providers of telehealth services based on its medical staff recommendations, and allows reliance on information provided by the hospital where the telemedicine provider is already privileged. A hospital may privilege a physician based on information received by a telehealth entity (other than a hospital) if the telehealth entity uses credentialing and privileging standards equivalent to those used by a CMS certified hospital.

Additionally, consent for telehealth services may be obtained verbally and must be documented in the patient's medical record.

The process used by a hospital to credential and privilege out-of-state providers whose services are furnished through telemedicine may be determined by the facility and should be memorialized in its bylaws and policies and procedures.

For questions regarding this AFL, please contact Carol Turner with Licensing and Certification (L&C) at carol.turner@cdph.ca.gov or phone (916) 324-1261.

Sincerely,

Original signed by Debby Rogers

Debby Rogers, RN, MS, FAEN
Deputy Director
Center for Health Care Quality