

# STATEMENT OF SCOPE

## MEDICAL EXAMINING BOARD

**Rule No.:** Med 24

**Relating to:** Telemedicine and Telehealth

**Rule Type:** Permanent

**1. Finding/nature of emergency (Emergency Rule only):** N/A

**2. Detailed description of the objective of the proposed rule:**

The objective of the proposed rule is to implement the statutory changes from 2021 Wisconsin Act 121.

**3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:**

The Board intends to update the administrative code to bring it into alignment with 2021 Wisconsin Act 121 by revising the requirements for telehealth and telemedicine practice in Wisconsin. An alternative would be to not revise the administrative code to reflect these new requirements, which would create confusion and a lack of clarity for stakeholders as to what is required regarding telemedicine or telehealth practice in Wisconsin.

**4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):**

Section 15.08 (5) (b), Stats. states that “The Board shall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains, and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession.”

Section 448.40 (1), Stats., provides that “[t]he board may promulgate rules to carry out the purposes of this subchapter, including rules requiring the completion of continuing education, professional development, and maintenance of certification or performance improvement or continuing medical education programs for renewal of a license to practice medicine and surgery.”

**5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule :**

Approximately 80 hours

**6. List with description of all entities that may be affected by the proposed rule :**

Wisconsin licensed physicians and their employers

**7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule :** None.

**8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):**

The proposed rule will have minimal to no economic impact on small businesses and the state’s economy as a whole.

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