

Title 15: Mississippi State Department of Health

Part 16: Office of Health Protection

Subpart 1: Health Facilities Licensure and Certification

CHAPTER 6 MINIMUM STANDARDS OF OPERATION RELATIVE TO THE PRACTICE OF TELEMEDICINE

Subchapter 1 General: Legal Authority

Rule 6.1.1 **Authority.** By virtue of authority vested in it by Mississippi Code Annotated, §41-3-15 (4) (j), or as otherwise amended, the Mississippi State Department of Health (MSDH), otherwise known as the licensing agency, has the authority and powers, as necessary, to promulgate and adopt the following rules/ regulations, relative to the practice of telehealth in the State of Mississippi.

Source: Mississippi Code Annotated §41-3-15

Rule 6.1.2 **Regulatory Standards.** Providers/organizations that practice telehealth in the State of Mississippi shall comply with standards as outlined in this Chapter.

Source: Mississippi Code Annotated §41-3-15

Subchapter 2 Definitions

Rule 6.2.1 **Health Professional(s).** Refers to individual(s).

Rule 6.2.2 **Provider Entity/Organization.** Includes organizations, institutions, and business entities, including online service entities.

Rule 6.2.3 **Telehealth.** The use of technology to deliver healthcare. Telehealth includes telemedicine, mHealth, eHealth, and Tele-Education.

Rule 6.2.4 **Telemedicine.** As defined in Section 25-15-9 (1) (c) of the Mississippi Code of 1972, Annotated, “telemedicine means the delivery of healthcare services such as diagnosis, consultation, and treatment through the use of interactive audio, video or other electronic media.

Source: Mississippi Code Annotated §41-3-15 and § 25-15-9

Subchapter 3 Provisions for Standard of Care

Rule 6.3.1 **Standard of Care.** Practitioners and/or organizations providing medical/health services via telehealth shall ensure that the standard of care is maintained for a telehealth encounter at the same level as in-person care.

Source: Mississippi Code Annotated §41-3-15

Rule 6.3.2 **Technology.** Practitioners and/or organizations providing medical/health services via telehealth shall ensure equipment and technology be adequate to provide information necessary to meet the in-person standard of care.

Source: Mississippi Code Annotated §41-3-15

Subchapter 4 Registration

Rule 6.4.1 **Registration.** Pursuant to Mississippi Code Annotated §41-3-15, each provider entity/organization offering telehealth services in the State of Mississippi shall register with the Mississippi State Department of Health, Office of Licensure, hereafter referred to as the Department. An applicant shall not provide telehealth services in the State of Mississippi without first registering with the Department.

1. Each provider entity/organization conducting telehealth services in Mississippi shall submit an application for registration including information about the type of telehealth services offered as well as the providers that will be performing services. Proprietary information may be asked but will not be required for approval.

Source: Mississippi Code Annotated §41-3-15

Rule 6.4.2 **Documents.** In addition to the registration application as referenced above, the registering entity shall submit at the time of registration:

1. A copy of the Mississippi Secretary of State Business Services Form as evidence of the entity's registration with the Mississippi Secretary of State to conduct business in the State of Mississippi.
2. Proof of Professional and General Liability Insurance.

Source: Mississippi Code Annotated §41-3-15

Rule 6.4.3 **Registration Term.** Each registration issued shall be valid for a period of twenty-four (24) months and shall be issued for the registration period of July 1 of the registration year and shall expire on June 30 two calendar years later. Should an entity be approved for registration after the July 1 date for registration, the registration date shall reflect the approval date of registration for that entity and will be valid until June 30 of the registration year.

Source: Mississippi Code Annotated §41-3-15

Rule 6.4.4 **Registration Not Transferable.** A Registration Certificate for a telehealth provider is for the stated entity as listed on the registration application and is not transferable. Should a change of location (address only) occur without change of ownership, the entity shall notify the Department, in writing, within 10 calendar days of the change of address. Should a Change of Ownership occur (a sale or transfer of 51% or more of stock), the new ownership of the company/organization shall notify the Department and submit a new application.

Source: Mississippi Code Annotated §41-3-15

Rule 6.4.5 **Registration Renewal.** For renewal, each registered entity shall submit:

1. A completed and signed renewal registration application to be received by the Department at least 30 days prior to the date of expiration; and
2. Proof of General and Professional Liability Insurance.

Rule 6.4.6 **Fees.** The following fees are established for registration for businesses performing telemedicine services in this state; (1) initial registration fee, \$50; (2) fee to report changes in the information on the initial registration, \$50.

Source: Mississippi Code Annotated §41-3-15

Subchapter 5 Access

Rule 6.5.1 **Complaints.** Complaints received by the Department relative to telehealth services which indicate a potential violation of medical and/or nursing practice shall be logged and forwarded to the appropriate professional licensing agency.

Source: Mississippi Code Annotated §41-3-15