



IDAHO STATE BOARD OF MEDICINE

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IDAHO STATE BOARD OF MEDICINE PROCLAMATION

WHEREAS, by Proclamation dated March 13, 2020, issued by Brad Little, Governor of the state of Idaho, a state of public health emergency was declared pursuant to Idaho Code § 46-1008, in order to address the high risk for an outbreak of the novel coronavirus, identified as COVID-19, in the state of Idaho; and

WHEREAS, the Proclamation has authorized state licensing agencies and departments to temporarily exercise enforcement discretion, implement temporary rules, and waive licensing and related requirements to maximize access to health care services and provider support in response to COVID-19; and

WHEREAS, the Idaho State Board of Medicine (“Board”), as an agency of the state of Idaho, wishes to comply with the Governor's proclamation and take those steps necessary to address access to needed medical care to the citizens of the state of Idaho during this time of emergency; and

WHEREAS, the Medical Practice Act at Idaho Code § 54-1804(1)(d) provides that a person authorized to practice medicine in another state or country may practice medicine in Idaho while rendering medical care in a time of disaster; and

WHEREAS, the Board recognizes the important role of retired and inactive physicians, physician assistants, and respiratory therapists in assisting with COVID-19 response in Idaho; and

WHEREAS, the Board recognizes that in order to receive medical care, many patients are required to travel long distances both in-state and out-of-state to see their healthcare providers; and

WHEREAS, the Board recognizes that face to face visits may increase the risk of COVID-19 transmission; and

WHEREAS, Board administrative rule 22.01.05.202, provides that the practice of medicine is deemed to occur in the location of the patient and therefore only physicians, physician assistants, or respiratory therapists who hold a valid Idaho license for that profession are allowed to provide telehealth services in Idaho; and

WHEREAS, the Board recognizes that enforcement of Board administrative rule 22.01.05.202 may result in unnecessary patient travel which may increase possible risks to patients during the state of emergency;

NOW THEREFORE, until action is taken by the Governor of the state of Idaho to lift the declared emergency, the Board will issue temporary licenses to retired and inactive physicians, physician assistants, and respiratory therapists who have actively practiced within the last 5 years and have held a license to practice in good standing from Idaho or another state at the time of retirement or inactivity.

FURTHER, until action is taken by the Governor of the state of Idaho to lift the declared emergency, the Board encourages all physicians, physician assistants, and respiratory therapists to utilize telemedicine, so as to avoid unnecessary patient travel both in-state and out of state;

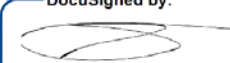
FURTHER, until action is taken by the Governor of the state of Idaho to lift the declared emergency, the Board will not enforce any statute, rule or regulation that would require physicians or physician assistants to personally examine patients prior to the issuance of a prescription or the administration of a medication, including controlled substances, in compliance with federal law, so long as the applicable community standard of care is met;

FURTHER, until action is taken by the Governor to lift the state of emergency, out-of-state physicians, physician assistants, and respiratory therapists may practice in Idaho, including utilizing telemedicine when treating patients in Idaho, without the necessity of securing a license to practice in the state, provided the out-of-state physician, physician assistant, or respiratory therapist holds an unrestricted license to practice in the state in which the physician, physician assistant, or respiratory therapist practices and currently is not the subject of an investigation or disciplinary proceeding.

SO ORDERED AND APPROVED by the Idaho State Board of Medicine, on this, the 18th day of March 2020.

IDAHO STATE BOARD OF MEDICINE

By: _____

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Steven J. Malek, M.D.
Board Chair