

211.332 Definitions for KRS 211.332 to 211.338.

As used in KRS 211.332 to 211.338, unless context otherwise requires:

- (1) "Cabinet" means the Cabinet for Health and Family Services;
- (2) "Health care service" means health care procedures, treatments, or services rendered by a provider within the scope of practice for which the provider is licensed or certified and includes physical and behavioral health care;
- (3) "Professional licensure board" means a licensure board established in Kentucky for the purpose of regulating and overseeing the practice of health care providers, including but not limited to:
 - (a) Board of Physical Therapy as established in KRS 327.030;
 - (b) Kentucky Applied Behavior Analysis Licensing Board as established in KRS 319C.030;
 - (c) Kentucky Board of Alcohol and Drug Counselors established by KRS 309.081;
 - (d) Kentucky State Board of Chiropractic Examiners established by KRS 312.025;
 - (e) Kentucky Board of Dentistry established by KRS 313.020;
 - (f) Kentucky Board of Emergency Medical Services established by KRS 311A.015;
 - (g) Kentucky Board of Examiners of Psychology established by KRS 319.020;
 - (h) Kentucky Board of Licensed Diabetes Educators established by KRS 309.329;
 - (i) Kentucky Board of Licensed Professional Counselors established by KRS 335.510;
 - (j) Kentucky Board of Licensure and Certification for Dietitians and Nutritionists established by KRS 310.040;
 - (k) Kentucky Board of Licensure for Marriage and Family Therapists established by KRS 335.310;
 - (l) Kentucky Board of Licensure for Occupational Therapy established by KRS 319A.020;
 - (m) Kentucky Board of Licensure for Professional Art Therapists established by KRS 309.131;
 - (n) State Board of Medical Licensure established by KRS 311.530;
 - (o) Kentucky Board of Nursing established by KRS 314.121;
 - (p) Kentucky Board of Optometric Examiners established by KRS 320.230;
 - (q) Kentucky Board of Pharmacy established by KRS 315.150;
 - (r) Kentucky Board of Social Work established by KRS 335.050;
 - (s) Kentucky Board of Respiratory Care established by KRS 314A.200; and
 - (t) Kentucky Board of Speech-Language Pathology and Audiology established by KRS 334A.070;
- (4) "State agency authorized or required to promulgate administrative regulations

relating to telehealth" means:

- (a) A professional licensure board;
 - (b) The Cabinet for Health and Family Services;
 - (c) The Department for Medicaid Services within the Cabinet for Health and Family Services; and
 - (d) The Department of Insurance within the Public Protection Cabinet; and
- (5) "Telehealth" or "digital health":
- (a) Means a mode of delivering healthcare services through the use of telecommunication technologies, including but not limited to synchronous and asynchronous technology, remote patient monitoring technology, and audio-only encounters, by a health care provider to a patient or to another health care provider at a different location;
 - (b) Shall not include:
 - 1. The delivery of health care services through electronic mail, text, chat, or facsimile unless a state agency authorized or required to promulgate administrative regulations relating to telehealth determines that health care services can be delivered via these modalities in ways that enhance recipient health and well-being and meet all clinical and technology guidelines for recipient safety and appropriate delivery of services; or
 - 2. Basic communication between a health care provider and a patient, including but not limited to appointment scheduling, appointment reminders, voicemails, or any other similar communication intended to facilitate the actual provision of healthcare services either in-person or via telehealth; and
 - (c) Unless waived by the applicable federal authority, shall be delivered over a secure communications connection that complies with the federal Health Insurance Portability and Accountability Act of 1996, 42 U.S.C. secs. 1320d to 1320d-9.

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