



DISTRICT OF COLUMBIA

What is the definition of “telemedicine” or “telehealth”?

Updated first link and citation: District of Columbia Department of Health, Notice of Proposed Rulemaking, [Establishing Rules on Telemedicine](#) (Feb. 2016).

The Telehealth Reimbursement Act of 2013 defines “telehealth” as “the delivery of healthcare services through the use of interactive audio, video, or other electronic media used for purposes of diagnosis, consultation, or treatment; provided, that services delivered through audio-only telephones, electronic mail messages, or facsimile transmissions are not included.”

[D.C. CODE § 31-3861\(4\)](#).

PSYCHIATRISTS

What are the criteria for establishing a practitioner-patient relationship via telemedicine/telehealth?

A “physician-patient relationship” is defined as “[a] relationship between a physician and a patient in which there is an exchange of an individual’s protected health information for the purpose of providing patient care treatment or services.”

“A physician shall perform a patient evaluation to establish diagnoses and identify underlying conditions or contraindications to recommended treatment options before providing treatment or prescribing medication.”

“If a physician-patient relationship does not include a prior in-person, face-to-face interaction with a patient, the physician shall use real-time auditory communications or real-time visual and auditory communications to allow a free exchange of protected health information between the patient and the physician performing the patient evaluation.”

District of Columbia Department of Health, Notice of Proposed Rulemaking, [Establishing Rules on Telemedicine](#) (Feb. 2016).

Does a psychiatrist have prescribing authority? If so, under what conditions/limits may a psychiatrist prescribe via telemedicine/telehealth?

Updated link and citation: District of Columbia Department of Health, Notice of Proposed Rulemaking, [Establishing Rules on Telemedicine](#) (Feb. 2016).



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What are the acceptable modalities (e.g., telephone, video) for the practice of psychiatry via telemedicine/telehealth that meet the standard of care for the state?

Updated link and citation: District of Columbia Department of Health, Notice of Proposed Rulemaking, [Establishing Rules on Telemedicine](#) (Feb. 2016).

MARRIAGE/FAMILY THERAPISTS

What are the restrictions on the scope of practice for marriage/family therapists practicing via telemedicine/telehealth?

None identified.

However, in July 2013, the District of Columbia Board of Marriage and Family Therapy issued general guidance regarding the provision of teletherapy services:

- “A licensee providing or intending to provide teletherapy to a resident of another jurisdiction where the licensee is not licensed should contact the regulator(s) in that jurisdiction to ascertain and comply with the legal requirements of the jurisdiction.
- A marriage and family therapist providing or intending to provide teletherapy to a District resident should ensure that he or she complies with applicable federal and state laws governing confidentiality and privacy, such as the Health Insurance Portability and Accountability Act of 1996 (HIPAA) privacy and security rules. Accordingly, the therapist should use only a telecommunication system, program, or means that is known to be sufficiently secure to protect the client’s privacy and confidentiality. Based on current information, Skype is not a secure means of telecommunication.
- A marriage and family therapist providing or intending to provide teletherapy to or involving a minor should observe all applicable ethical rules and safeguards to protect the minor’s rights, welfare, safety, and privacy.”

District of Columbia Board of Marriage and Family Therapy, [Policy Statement: Guidance on Teletherapy](#) (July 2013).

**DISTRICT OF COLUMBIA****MINORS**

What are the requirements/restrictions regarding the provision of telemental/telebehavioral/telepsychiatric health services to minors?

None identified.

However, a July 2013 policy statement from the District of Columbia Board of Marriage and Family Therapy states that “[a] marriage and family therapist providing or intending to provide teletherapy to or involving a minor should observe all applicable ethical rules and safeguards to protect the minor’s rights, welfare, safety, and privacy.”

District of Columbia Board of Marriage and Family Therapy, [Policy Statement: Guidance on Teletherapy](#) (July 2013).