

## Proposed Filing - Coversheet

**Instructions:**

In accordance with Title 3 Chapter 25 of the Vermont Statutes Annotated and the “Rule on Rulemaking” ([CVR 04-000-001](#)) adopted by the Office of the Secretary of State, this filing will be considered complete upon filing and acceptance of these forms and enclosures with the Office of the Secretary of State, and the Legislative Committee on Administrative Rules.

All forms shall be submitted to the Office of the Secretary of State, no later than 3:30 pm on the last scheduled day of the work week.

The data provided in text areas of Proposed Filing Coversheet will be used to generate a notice of rulemaking in the portal of “Proposed Rule Postings” online, and the newspapers of record. Publication of notices will be charged back to the promulgating agency.

**PLEASE REMOVE ANY COVERSHEET OR FORM NOT  
REQUIRED WITH THE CURRENT FILING BEFORE DELIVERY!**

**Certification Statement:** As the adopting Authority of this rule (see 3 V.S.A. § 801 (b) (11) for a definition), I approve the contents of this filing entitled:

**Rules for Out-of-State Telehealth Licensure and  
Registration**

\_\_\_\_\_/s/ Sarah Copeland Hanzas\_\_\_\_\_, on 6/2/2026  
(signature) (date)

**Printed Name and Title:**

Sarah Copeland Hanzas, Secretary of State

RECEIVED BY: \_\_\_\_\_

- ☐ Coversheet
- ☐ Adopting Page
- ☐ Economic Impact Analysis
- ☐ Environmental Impact Analysis
- ☐ Strategy for Maximizing Public Input
- ☐ Scientific Information Statement (if applicable)
- ☐ Incorporated by Reference Statement (if applicable)
- ☐ Clean text of the rule (Amended text without annotation)
- ☐ Annotated text (Clearly marking changes from previous rule)
- ☐ ICAR Filing Confirmed

1. TITLE OF RULE FILING:

**Rules for Out-of-State Telehealth Licensure and Registration**

2. ADOPTING AGENCY:

Office of Professional Regulation, Secretary of State

3. PRIMARY CONTACT PERSON:

*(A PERSON WHO IS ABLE TO ANSWER QUESTIONS ABOUT THE CONTENT OF THE RULE).*

Name: Emily Tredeau

Agency: Office of Professional Regulation, Secretary of State

Mailing Address: 89 Main St., Montpelier, VT 05620

Telephone: 802-828-1505 Fax:

E-Mail: emily.b.tredeau@vermont.gov

Web URL *(WHERE THE RULE WILL BE POSTED)*:

<https://sos.vermont.gov/opr/about-opr/telehealth-registrations-and-licensing/>

4. SECONDARY CONTACT PERSON:

*(A SPECIFIC PERSON FROM WHOM COPIES OF FILINGS MAY BE REQUESTED OR WHO MAY ANSWER QUESTIONS ABOUT FORMS SUBMITTED FOR FILING IF DIFFERENT FROM THE PRIMARY CONTACT PERSON).*

Name: Emily Carr

Agency: Office of Professional Regulation, Secretary of State

Mailing Address: 89 Main St., Montpelier, VT 05620

Telephone: 802-828-1505 Fax:

E-Mail: emily.carr@vermont.gov

5. RECORDS EXEMPTION INCLUDED WITHIN RULE:

*(DOES THE RULE CONTAIN ANY PROVISION DESIGNATING INFORMATION AS CONFIDENTIAL; LIMITING ITS PUBLIC RELEASE; OR OTHERWISE, EXEMPTING IT FROM INSPECTION AND COPYING?)* No

IF YES, CITE THE STATUTORY AUTHORITY FOR THE EXEMPTION:

PLEASE SUMMARIZE THE REASON FOR THE EXEMPTION:

6. LEGAL AUTHORITY / ENABLING LEGISLATION:

*(THE SPECIFIC STATUTORY OR LEGAL CITATION FROM SESSION LAW INDICATING WHO THE ADOPTING ENTITY IS AND THUS WHO THE SIGNATORY SHOULD BE. THIS SHOULD BE A SPECIFIC CITATION NOT A CHAPTER CITATION).*

26 V.S.A. § 3061, "Rulemaking"

**7. EXPLANATION OF HOW THE RULE IS WITHIN THE AUTHORITY OF THE AGENCY:**

The agency is authorized to "adopt rules ... to carry out the purposes of [26 V.S.A. ch. 56], including, in consultation with the appropriate boards and advisor appointees for professions regulated by the Office, rules regarding any profession-specific requirements related to telehealth licenses and telehealth registrations." 26 V.S.A. § 3061. Ch. 56 also grants authority to make rules specifically about mandatory disclosures.

**8. CONCISE SUMMARY (150 WORDS OR LESS):**

These rules govern the licensing and registration of out-of-state healthcare professionals practicing with Vermont patients via telehealth only. These rules create the permanent system mandated by Act 4 (2023) to replace a system currently operating on an interim basis. The rules provide for eligibility requirements, standards of practice, and mandatory disclosures by out-of-state telehealth professionals.

These rules do not apply to practice via telehealth by professionals who hold regular Vermont credentials.

**9. EXPLANATION OF WHY THE RULE IS NECESSARY:**

Until these rules are in effect, telehealth registration is operating on a temporary basis. This means that no licensing fees are being collected and caps on patient numbers are not in effect. The rule is necessary to fully and permanently implement the intention behind 26 V.S.A. ch. 56.

**10. EXPLANATION OF HOW THE RULE IS NOT ARBITRARY AS DEFINED IN 3 V.S.A. § 801(b)(13)(A):**

The rules were developed after consultation with the advisors and governor-appointed Board members of every affected profession. We also solicited feedback from every current telehealth registrant. The rule rationally and appropriately operationalizes the requirements of Chapter 56.

**11. LIST OF PEOPLE, ENTERPRISES AND GOVERNMENT ENTITIES  
AFFECTED BY THIS RULE:**

Office of Professional Regulation  
Department of Vermont Health Access  
Current interim telehealth registrants

**12. BRIEF SUMMARY OF ECONOMIC IMPACT (150 WORDS OR LESS):**

Currently, interim telehealth registrants pay no fees. This rule will operationalize the application and renewal fee schedule in 26 V.S.A. ch. 56. Depending on the profession and credential, those fees are \$73 to \$285 for initial applications and \$109 to \$491 for biannual renewals.

We estimate the rule's implementation will generate approximately \$430,000 in the first year and \$280,000 annually after that.

**13. A HEARING IS SCHEDULED .**

**IF A HEARING WILL NOT BE SCHEDULED, PLEASE EXPLAIN WHY.**

**14. HEARING INFORMATION**

**(THE FIRST HEARING SHALL BE NO SOONER THAN 30 DAYS FOLLOWING THE POSTING OF NOTICES ONLINE).**

**IF THIS FORM IS INSUFFICIENT TO LIST THE INFORMATION FOR EACH HEARING, PLEASE ATTACH A SEPARATE SHEET TO COMPLETE THE HEARING INFORMATION NEEDED FOR THE NOTICE OF RULEMAKING.**

**Date:** 7/14/2026

**Time:** 06:00 PM

**Street Address:** 89 Main St., Ste. 3, Montpelier, VT

**Zip Code:** 05620

**URL for Virtual:**

<https://teams.microsoft.com/meet/284881494093673?p=d2V0kCVhviNMQlQtZ5>

**Meeting ID:** 284 881 494 093 673

**Passcode:** cM6i7cs9

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**Date:** 7/14/2026

**Time:** 01:00 PM

**Street Address:** 89 Main St., Ste. 3, Montpelier, VT

Zip Code: 05620

URL for Virtual: <https://teams.microsoft.com/meet/221232032731688?p=fo6S4yZFop7HcCxeD8>

Meeting ID: 221 232 032 731 688

Passcode: zK9rm2Wz

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Date:

Time: AM

Street Address:

Zip Code:

URL for Virtual:

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Date:

Time: AM

Street Address:

Zip Code:

URL for Virtual:

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15. DEADLINE FOR COMMENT (NO EARLIER THAN 7 DAYS FOLLOWING LAST HEARING):

16. KEYWORDS (PLEASE PROVIDE AT LEAST 3 KEYWORDS OR PHRASES TO AID IN THE SEARCHABILITY OF THE RULE NOTICE ONLINE).

Telehealth

Telemedicine

Remote medicine

Office of Professional Regulation

Remote

Telepractice

## Adopting Page

### **Instructions:**

This form must accompany each filing made during the rulemaking process:

Note: To satisfy the requirement for an annotated text, an agency must submit the entire rule in annotated form with proposed and final proposed filings. Filing an annotated paragraph or page of a larger rule is not sufficient. Annotation must clearly show the changes to the rule.

When possible, the agency shall file the annotated text, using the appropriate page or pages from the Code of Vermont Rules as a basis for the annotated version. New rules need not be accompanied by an annotated text.

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1. TITLE OF RULE FILING:

**Rules for Out-of-State Telehealth Licensure and Registration**

2. ADOPTING AGENCY:

Office of Professional Regulation, Secretary of State

3. TYPE OF FILING (*PLEASE CHOOSE THE TYPE OF FILING FROM THE DROPDOWN MENU BASED ON THE DEFINITIONS PROVIDED BELOW*):

- **AMENDMENT** - Any change to an already existing rule, even if it is a complete rewrite of the rule, it is considered an amendment if the rule is replaced with other text.
- **NEW RULE** - A rule that did not previously exist even under a different name.
- **REPEAL** - The removal of a rule in its entirety, without replacing it with other text.

This filing is **A NEW RULE** .

4. LAST ADOPTED (*PLEASE PROVIDE THE SOS LOG#, TITLE AND EFFECTIVE DATE OF THE LAST ADOPTION FOR THE EXISTING RULE*):

## Economic Impact Analysis

### **Instructions:**

In completing the economic impact analysis, an agency analyzes and evaluates the anticipated costs and benefits to be expected from adoption of the rule; estimates the costs and benefits for each category of people enterprises and government entities affected by the rule; compares alternatives to adopting the rule; and explains their analysis concluding that rulemaking is the most appropriate method of achieving the regulatory purpose. If no impacts are anticipated, please specify “No impact anticipated” in the field.

Rules affecting or regulating schools or school districts must include cost implications to local school districts and taxpayers in the impact statement, a clear statement of associated costs, and consideration of alternatives to the rule to reduce or ameliorate costs to local school districts while still achieving the objectives of the rule (see 3 V.S.A. § 832b for details).

Rules affecting small businesses (excluding impacts incidental to the purchase and payment of goods and services by the State or an agency thereof), must include ways that a business can reduce the cost or burden of compliance or an explanation of why the agency determines that such evaluation isn’t appropriate, and an evaluation of creative, innovative or flexible methods of compliance that would not significantly impair the effectiveness of the rule or increase the risk to the health, safety, or welfare of the public or those affected by the rule.

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**Rules for Out-of-State Telehealth Licensure and Registration**

#### 2. ADOPTING AGENCY:

Office of Professional Regulation, Secretary of State

#### 3. CATEGORY OF AFFECTED PARTIES:

*LIST CATEGORIES OF PEOPLE, ENTERPRISES, AND GOVERNMENTAL ENTITIES POTENTIALLY AFFECTED BY THE ADOPTION OF THIS RULE AND THE ESTIMATED COSTS AND BENEFITS ANTICIPATED:*

Affected entities: health care providers; hospitals; behavioral health care providers; Vermont Department of Health; Department of Vermont Health Access; Department of Mental Health.

We estimate that when these rules become effective

approximately \$430,000 in application fees will be generated in the first year. Thereafter, we expect roughly \$560,000 in renewal fees each biennium, or \$280,000 annually.

These fees will be part of the cost of doing business for telehealth licensees and registrants, and for current interim telehealth registration holders who choose to get regular Vermont licenses instead of telehealth credentials. Indirectly, the costs will be borne by these professionals' patients and their insurers.

OPR is funded solely through licensing fees, not taxes. These fees cover the administration of licensing programs for over 53 professions; policy work mandated by 26 V.S.A. ch. 57 and required any time a new profession becomes regulated; and a team of investigators and prosecutors who protect Vermonters by holding professionals accountable for unprofessional conduct.

These rules require telehealth professionals to pay their fair share of the cost of professional regulation. Currently, that cost is borne by the fee-paying holders of regular Vermont credentials. Charging fees to telehealth professionals will distribute the cost of professional regulation more fairly among providers.

#### 4. IMPACT ON SCHOOLS:

*INDICATE ANY IMPACT THAT THE RULE WILL HAVE ON PUBLIC EDUCATION, PUBLIC SCHOOLS, LOCAL SCHOOL DISTRICTS AND/OR TAXPAYERS CLEARLY STATING ANY ASSOCIATED COSTS:*

No impact on schools is anticipated due to the nature of the rules.

#### 5. ALTERNATIVES: *CONSIDERATION OF ALTERNATIVES TO THE RULE TO REDUCE OR AMELIORATE COSTS TO LOCAL SCHOOL DISTRICTS WHILE STILL ACHIEVING THE OBJECTIVE OF THE RULE.*

There are no anticipated costs to ameliorate.

## 6. IMPACT ON SMALL BUSINESSES:

*INDICATE ANY IMPACT THAT THE RULE WILL HAVE ON SMALL BUSINESSES (EXCLUDING IMPACTS INCIDENTAL TO THE PURCHASE AND PAYMENT OF GOODS AND SERVICES BY THE STATE OR AN AGENCY THEREOF):*

Interim telehealth registrants working in small businesses will be required to obtain telehealth licensure or telehealth registration. Small businesses may have to replace staff who choose not to obtain a telehealth or regular Vermont license.

OPR can't quantify this impact, because we have no way of predicting how many current interim telehealth registrants will choose to obtain a telehealth or regular Vermont credential. OPR also has no data on what portion of these professionals work in small businesses.

## 7. SMALL BUSINESS COMPLIANCE: *EXPLAIN WAYS A BUSINESS CAN REDUCE THE COST/BURDEN OF COMPLIANCE OR AN EXPLANATION OF WHY THE AGENCY DETERMINES THAT SUCH EVALUATION ISN'T APPROPRIATE.*

Small businesses can reduce the cost of compliance by ensuring that any employees who are interim telehealth registrants are prepared to apply for telehealth licensure or regular Vermont licensure when these rules become effective.

## 8. COMPARISON:

*COMPARE THE IMPACT OF THE RULE WITH THE ECONOMIC IMPACT OF OTHER ALTERNATIVES TO THE RULE, INCLUDING NO RULE ON THE SUBJECT OR A RULE HAVING SEPARATE REQUIREMENTS FOR SMALL BUSINESS:*

Having no rule would mean failing to operationalize 26 V.S.A. ch. 56. This would perpetuate the status quo, under which the cost of regulating telehealth professionals is borne by the fee-paying holders of regular Vermont licenses.

Having separate requirements for small businesses would be redundant. A large percentage of interim telehealth registrants are solo mental health practitioners or employees of small counseling practices. These rules are already designed with those professionals in mind.

9. SUFFICIENCY: *DESCRIBE HOW THE ANALYSIS WAS CONDUCTED, IDENTIFYING RELEVANT INTERNAL AND/OR EXTERNAL SOURCES OF INFORMATION USED.*

The analysis was conducted based on a count of current interim telehealth registrants and OPR's statutorily established fee schedule. We can only guess at one of the most important numbers: the percentage of current interim telehealth registrants who will apply for telehealth licensure or telehealth registration, rather than let their interim registrations lapse.

For this estimate, we assumed that 50% of current interim registrants will let their interim registrations lapse rather than obtain any Vermont credential; 20% will obtain telehealth licenses and renew them biannually; 20% will obtain regular Vermont credentials and renew them biennially; and 10% will obtain telehealth registrations.

## Environmental Impact Analysis

### **Instructions:**

In completing the environmental impact analysis, an agency analyzes and evaluates the anticipated environmental impacts (positive or negative) to be expected from adoption of the rule; compares alternatives to adopting the rule; explains the sufficiency of the environmental impact analysis. If no impacts are anticipated, please specify “No impact anticipated” in the field.

Examples of Environmental Impacts include but are not limited to:

- Impacts on the emission of greenhouse gases
- Impacts on the discharge of pollutants to water
- Impacts on the arability of land
- Impacts on the climate
- Impacts on the flow of water
- Impacts on recreation
- Or other environmental impacts

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#### 1. TITLE OF RULE FILING:

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#### 2. ADOPTING AGENCY:

Office of Professional Regulation, Secretary of State

#### 3. GREENHOUSE GAS: *EXPLAIN HOW THE RULE IMPACTS THE EMISSION OF GREENHOUSE GASES (E.G. TRANSPORTATION OF PEOPLE OR GOODS; BUILDING INFRASTRUCTURE; LAND USE AND DEVELOPMENT, WASTE GENERATION, ETC.):*

No greenhouse gas impact is anticipated due to the nature of the rules.

#### 4. WATER: *EXPLAIN HOW THE RULE IMPACTS WATER (E.G. DISCHARGE / ELIMINATION OF POLLUTION INTO VERMONT WATERS, THE FLOW OF WATER IN THE STATE, WATER QUALITY ETC.):*

No water impact is anticipated due to the nature of the rules.

#### 5. LAND: *EXPLAIN HOW THE RULE IMPACTS LAND (E.G. IMPACTS ON FORESTRY, AGRICULTURE ETC.):*

No land impact is anticipated due to the nature of the rules.

6. **RECREATION:** *EXPLAIN HOW THE RULE IMPACTS RECREATION IN THE STATE:*

NO recreation impact is anticipated due to the nature of the rules.

7. **CLIMATE:** *EXPLAIN HOW THE RULE IMPACTS THE CLIMATE IN THE STATE:*

No climate impact is anticipated due to the nature of the rules.

8. **OTHER:** *EXPLAIN HOW THE RULE IMPACT OTHER ASPECTS OF VERMONT'S ENVIRONMENT:*

No other environmental impact is anticipated due to the nature of the rules.

9. **SUFFICIENCY:** *DESCRIBE HOW THE ANALYSIS WAS CONDUCTED, IDENTIFYING RELEVANT INTERNAL AND/OR EXTERNAL SOURCES OF INFORMATION USED.*

No sources were used because no impacts are anticipated due to the nature of the rules.

## Public Input Maximization Plan

### **Instructions:**

Agencies are encouraged to hold hearings as part of their strategy to maximize the involvement of the public in the development of rules. Please complete the form below by describing the agency's strategy for maximizing public input (what it did do, or will do to maximize the involvement of the public).

This form must accompany each filing made during the rulemaking process:

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1. TITLE OF RULE FILING:

**Rules for Out-of-State Telehealth Licensure and Registration**

2. ADOPTING AGENCY:

Office of Professional Regulation, Secretary of State

3. PLEASE DESCRIBE THE AGENCY'S STRATEGY TO MAXIMIZE PUBLIC INVOLVEMENT IN THE DEVELOPMENT OF THE PROPOSED RULE, LISTING THE STEPS THAT HAVE BEEN OR WILL BE TAKEN TO COMPLY WITH THAT STRATEGY:

The Office has already shared draft rules and solicited input from:

- all current interim telehealth registrants
- all advisors and Board members of affected professions
- UVM Medical Center
- Vermont Department of Health
- Department of Financial Regulation
- Department of Vermont Health Access

All of these stakeholders were invited to submit written feedback. Additionally, advisors and Board members were invited to a hybrid meeting for discussion.

4. BEYOND GENERAL ADVERTISEMENTS, PLEASE LIST THE PEOPLE AND ORGANIZATIONS THAT HAVE BEEN OR WILL BE INVOLVED IN THE DEVELOPMENT OF THE PROPOSED RULE:

When the rules are filed with the Secretary of State and posted for public comment, the Office will inform

## Public Input

the above stakeholders in writing of the chance for further comment. The Office will also hold two public meetings, one during business hours and one in the evening.

## Incorporation by Reference

**THIS FORM IS ONLY REQUIRED WHEN INCORPORATING MATERIALS BY REFERENCE. PLEASE REMOVE PRIOR TO DELIVERY IF IT DOES NOT APPLY TO THIS RULE FILING:**

### **Instructions:**

In completing the incorporation by reference statement, an agency describes any materials that are incorporated into the rule by reference and how to obtain copies.

This form is only required when a rule incorporates materials by referencing another source without reproducing the text within the rule itself (e.g., federal or national standards, or regulations).

Incorporated materials will be maintained and available for inspection by the Agency.

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#### 1. TITLE OF RULE FILING:

**Rules for Out-of-State Telehealth Licensure and Registration**

#### 2. ADOPTING AGENCY:

Office of Professional Regulation, Secretary of State

#### 3. DESCRIPTION (*DESCRIBE THE MATERIALS INCORPORATED BY REFERENCE*):

Vermont statutes

Vermont administrative rules

#### 4. FORMAL CITATION OF MATERIALS INCORPORATED BY REFERENCE:

3 V.S.A. ch. 5, subch. 3

3 V.S.A. § 129a

18 V.S.A. § 9361

18 V.S.A. § 9362

26 V.S.A. § 3051

26 V.S.A. § 3052

26 V.S.A. § 3054

26 V.S.A. § 3385

26 V.S.A. § 4183

Code of Vermont Rules, Part 04-030

Board of Pharmacy Administrative Rules, C.V.R. 04-030-

5. **OBTAINING COPIES:** (*EXPLAIN WHERE THE PUBLIC MAY OBTAIN THE MATERIAL(S) IN WRITTEN OR ELECTRONIC FORM, AND AT WHAT COST*):

Vermont statutes are available free at  
[legislature.vermont.gov/statutes](http://legislature.vermont.gov/statutes)

Vermont administrative rules are available free at  
[lexisnexis.com/hottopics/codeofvtrules](http://lexisnexis.com/hottopics/codeofvtrules)

All authorities are available for free viewing by  
appointment at the Vermont State Library, located at 60  
Washington Street, Suite 2, Barre, VT.

6. **MODIFICATIONS** (*PLEASE EXPLAIN ANY MODIFICATION TO THE INCORPORATED MATERIALS E.G., WHETHER ONLY PART OF THE MATERIAL IS ADOPTED AND IF SO, WHICH PART(S) ARE MODIFIED*):

Run Spell Check

## Rules for Out-of-State Telehealth Licensure & Registration

|                                                           |          |
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### Part 1 Definitions

- 1-1 “Credential”** means a government-issued professional license, certification, or registration.
- 1-2 “Office”** means the Vermont Office of Professional Regulation.
- 1-3 “Out-of-state health care professional”** means a health care professional who:
- (a) is credentialed in a U.S. jurisdiction other than Vermont; and
  - (b) does not reside primarily within Vermont.
- 1-4 “Patient”** means patient or client.
- 1-5 “Telehealth”** is defined in 26 V.S.A. § 3052.

# Rules for Out-of-State Telehealth Licensure & Registration

- 1-6 “Telehealth credential”** means a Vermont telehealth license or telehealth registration.
- 1-7 “Telehealth license”** means a professional credential that:
- (a) authorizes the practice of telehealth under 26 V.S.A. § 3054(a);
  - (b) limits practice to up to 20 unique patients per 2-year term; and
  - (c) is renewable on a 2-year cycle.
- 1-8 “Telehealth professional”** means an out-of-state health care professional who holds a Vermont telehealth credential.
- 1-9 “Telehealth registration”** means a professional credential that:
- (a) authorizes the practice of telehealth under 26 V.S.A. § 3054(b);
  - (b) limits practice to up to 10 unique patients per 120-day term; and
  - (c) is not renewable.

## Part 2 General provisions.

- 2-1 Eligibility.** To qualify for a telehealth credential, an applicant must:
- (a) be an out-of-state health care professional;
  - (b) hold a professional credential that:
    - (1) is for a profession listed in 26 V.S.A. § 3051(a);
    - (2) is not an ineligible credential type under 2-2;
    - (3) is in good standing as defined in 26 V.S.A. § 3052;
    - (4) was issued by a state of the United States, the District of Columbia, or any territory or insular area under U.S. jurisdiction;
    - (5) authorizes the same or a broader scope of practice than the equivalent full Vermont credential; and
    - (6) is not:
      - (A) a temporary, student, trainee, provisional, telehealth, or other type of credential that limits the full professional scope of practice; or
      - (B) issued under an interjurisdictional licensing compact.

## Rules for Out-of-State Telehealth Licensure & Registration

- (c) not hold a full Vermont credential in the same profession;
- (d) submit a sample copy of required disclosures;
- (e) pass any Vermont Statutes and Rules examination required for the corresponding full Vermont credential;
- (f) answer all required questions, make all required attestations, submit all required documents, and pay the required fee; and
- (g) meet any further profession-specific requirements.

### 2-2 Exceptions to eligibility.

- (a) **No supervised professions.** Credential types that require supervision by another professional, as determined by the Director of the Office, are not available as telehealth credentials.
- (b) **No in-person specialties.** Specialties that can be practiced only in person, as determined by the Director of the Office, are not available to telehealth professionals.
- (c) **Pharmacy alternative credential.** The practice of pharmacy by telehealth (telepharmacy) is governed by the *Board of Pharmacy Administrative Rules*, C.V.R. 04-030-230. Pharmacy professionals should see those rules for information on telepharmacy licensure.

### 2-3 Renewal.

- (a) **Licenses.** Telehealth licenses are valid for 2 years and renew on the same cycle as the corresponding full Vermont credential. To renew a telehealth license, a licensee must demonstrate continued eligibility under 2-1.
- (b) **Registrations.** Telehealth registrations are valid for 120 days and are not renewable.

### 2-4 Limited scope of practice. A telehealth credential authorizes practice:

- (a) only by telehealth, not in person;
- (b) with a patient physically located in Vermont; and
- (c) for a license, with up to 20 unique patients during the 2-year license term; or

# Rules for Out-of-State Telehealth Licensure & Registration

(d) for a registration, with up to 10 unique patients during the 120-day registration term.

**2-5 Standard of care.** A telehealth professional must follow the same established standard of care as for in-person practice. When this standard cannot be met by virtual means, telehealth practice is inappropriate. Failure to meet the standard of care is unprofessional conduct under 3 V.S.A. § 129a.

**2-6 Vermont laws applicable.** A telehealth professional must follow all statutes and rules applicable to their profession, including but not limited to:

- (a) 3 V.S.A. Ch. 5, subch. 3, which governs all Office professions;
- (b) the profession-specific chapter of 26 V.S.A.;
- (c) for non-veterinarians, 18 V.S.A. §§ 9361–9362; and
- (d) any profession-specific administrative rules, which appear in part 04-030 of the Code of Vermont Rules and on the Office website.

**2-7 Mandatory disclosures.** A telehealth professional must make disclosures as follows.

- (a) **Timing.** A telehealth professional must make required disclosures before first delivering telehealth services, even if they have seen the patient before in person.
- (b) **Form.** Disclosures must be in writing, easily readable, and documented in patient health records. They may be electronic or tangible.
- (c) **Contents.** A telehealth professional's disclosures must include:
  - (1) their name, email address, and phone number;
  - (2) the credential, credential number, and issuing jurisdiction of their full professional credential;
  - (3) for non-veterinarians, all information required by 18 V.S.A. § 9361 (telehealth informed consent);
  - (4) the definition of unprofessional conduct under 3 V.S.A. § 129a and the profession-specific chapter of 26 V.S.A.;
  - (5) the method for filing a complaint with the Office; and

# Rules for Out-of-State Telehealth Licensure & Registration

- (6) any additional disclosures required by Part 3, below, or the profession's administrative rules or statutes.

## Part 3 Requirements for Specific Professions.

**3-1 Applied behavior analysts** must disclose their professional qualifications and experience.

**3-2 Dietitians.** A dietetics applicant must qualify for licensure under 26 V.S.A. § 3385.

**3-3 Midwives.**

(a) **Eligibility.** A midwifery applicant must:

- (1) qualify for licensure under 26 V.S.A. § 4183; and
- (2) have a written agreement with a Vermont-based birth provider to provide in-person services as needed.

(b) **Disclosures.** A midwife must disclose the name and contact information of the collaborating provider required by 3-3(a)(2).

**3-4 Nurses.**

(a) **APRN Eligibility.** An Advanced Practice Registered Nurse (APRN) applicant must:

- (1) be nationally certified for their patient population focus; and
- (2) meet any transition-to-practice requirements of Vermont law. The collaborating provider must hold a Vermont telehealth or full license in good standing.

(b) **Disclosures.** All nurses must disclose the name and contact information of any entity on whose behalf they are working.

**3-5 Nursing home administrators** must disclose the name and contact information of any entity on whose behalf they are working.