



State of Idaho
Division of Occupational and Professional Licenses

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Idaho Virtual Care Access Act

COVID-19 Guidance

Previously, the State of Idaho operated under a federal declaration of emergency due to the ongoing occurrence and imminent threat to public health and safety arising from the effects of COVID-19. Pursuant to that emergency, the Division of Occupational and Professional Licenses (DOPL) assisted with our State's healthcare professional capacity by exercising enforcement discretion to provisions of the Virtual Care Access Act to restore allowances from 2020. This year, the Idaho Legislature passed [House Bill 162](#) (effective July 1, 2023) to address the ongoing needs of Idahoans through virtual care.

The Division will exercise enforcement discretion to allow early implementation for healthcare professionals who provide virtual care services in alignment with the provisions and allowances set forth in [House Bill 162](#) until July 1, 2023, to continue to enable the continuity of patient care.

- Consistent with Section 54-5705, Idaho Code, a provider-patient relationship may be established by use of virtual care technologies, provided that the applicable Idaho community standard of care is satisfied.
- Consistent with Section 54-5706, Idaho Code, a provider delivering health care services via virtual care has a duty to practice in a manner consistent with the provider's scope of practice and shall be held to the applicable Idaho community standard of care that applies in an in-person setting.
- Consistent with Section 54-5706, Idaho Code, treatment based solely on a static online questionnaire does not constitute an acceptable standard of care.
- Section 54-5713, Idaho Code, further details specific virtual care licensure exemptions and jurisdiction consent for a provider licensed and in good standing in another state or jurisdiction of the United States who is providing virtual care services into Idaho.

The Division enforcement discretion will remain in place until July 1, 2023.

Issued: September 9, 2021
Updated: March 15, 2022
Updated: August 1, 2022
Updated: January 5, 2023
Updated: April 3, 2023