



Advisory Opinion: Telehealth Advanced Practice Nursing Care Services
Adopted: 3/12/2021
Reviewed/Revised: 1/10/2025
Rescinded:
RN, LPN, NT, and NA: [Nursing Practice Inquiry](#)
ARNP: ARNPPPractice@doh.wa.gov Telephone: 360 236-4703

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Summary

The Washington State Board of Nursing (WABON) provides guidance for ARNPs in Telehealth.

Background

Telehealth includes the delivery of advanced practice nursing services through the use of interactive audio and video technology, permitting real-time communication between the patient at the originating site and the nurse, for the purpose of diagnosis, consultation, or treatment.

An ARNP using telehealth to care for a patient located in Washington must be licensed to practice nursing in Washington. This includes practitioners who treat or prescribe to Washington patients through online service sites. Regardless of the setting, telehealth does not expand the scope of practice of an ARNP.

ARNPs using telehealth to deliver care will be held to the same standard of care as practitioners engaging in more traditional in-person care delivery, including the requirement to meet all technical, clinical, confidentiality and ethical standards required by law [WAC 246-840-700](#). Some elements of the standard of care as applied to telehealth include:

1. An ARNP should obtain and document appropriate informed consent for telehealth encounters to include the credentials of the practitioner.
2. An appropriate history and evaluation of the patient must precede the rendering of any care, including provision of prescriptions. Not all patient situations will be appropriate for telehealth. Evaluating the adequacy and significance of any surrogate examination remains the responsibility of the telehealth practitioner.
3. ARNPs providing telehealth services must document the encounter appropriately and completely so that the record clearly, concisely and accurately reflects what occurred during the encounter ([WAC 246-840-700](#)).



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4. Prescribing medications, whether in person or via telehealth, is at the professional discretion of the ARNP. The ARNP must have appropriate licensure to prescribe medications. Telehealth prescriptions entail the same professional accountability as prescriptions incident to an in-person contact.
5. Especially careful consideration should apply before prescribing controlled substances as defined in [Chapter 69.50 RCW](#), and compliance with all laws and regulations pertaining to such prescriptions is expected ([21 U.S.C. 829\(e\)](#)).
6. The ARNP should recognize that the legal risks performing telehealth services may be higher because of the risk of error. The ARNP should consider what they are trying to accomplish based on the individual/patient health care needs, safety, and within their scope of practice. It is up to the ARNP, using nursing judgment, to determine which patients and services are appropriate using telehealth services.
7. The ARNP must ensure that the technological means used to conduct telehealth services complies with state and federal privacy laws (see [HIPAA and Telehealth | HHS.gov](#)).

Laws and Rules

The nursing statutes and regulations do not reference the delivery of telehealth nursing services. This advisory opinion is intended as a broad statement on telehealth and is not meant to encompass all practice settings and related laws and rules.

The terms “telehealth” and “telemedicine” are often used interchangeably to refer to the use of digital technology to deliver health care. The nursing laws and rules currently do not define these terms. There are many definitions used in laws and rules, by the public, institutions, professional organizations, regulatory bodies, and others to define these terms. Examples include:

1. [RCW 43.70.495 Telemedicine Training for Health Care Professionals](#)
2. [RCW 70.41.020 Hospital Licensing and Regulation - Definitions \(Telemedicine\)](#)
3. [RCW 41.05.700: Reimbursement of health care services provided through telemedicine or store and forward technology—Audio-only telemedicine](#)
4. [RCW 48.43.735 Reimbursement of Health Care Services Provided through Telemedicine or Store and Forward Technology](#)
5. [RCW 74.09.325: Reimbursement of a health care service provided through telemedicine or store and forward technology—Audio-only telemedicine](#)



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6. [Chapter 18.134 RCW: Uniform Telehealth Act](#)
7. [WAC 182-531-1730 Health Care Authority Physician-Related Services](#)
8. [WAC 246-335-610 Hospice Definitions \(Telehealth and Telemedicine\)](#)
9. [WAC 246-915-187 Physical Therapists and Physical Therapy Assistants Definition \(Telehealth\)](#)

Nurse Licensure

The person practicing as an ARNP must have the appropriate Washington State license/credential to provide telehealth services to individuals/patients located in Washington. The ARNP providing telehealth services to an individual/patient located in another state or country must check with that state or country to determine if they need a license or credential in that state or country. [RCW 18.79.240](#) defines exceptions that might apply. [Chapter 70.15 RCW](#) allows exceptions in emergencies for practitioners registered with the Department of Health ([Healthcare Providers Emergency Volunteers Practice Act Information and Resources](#)).

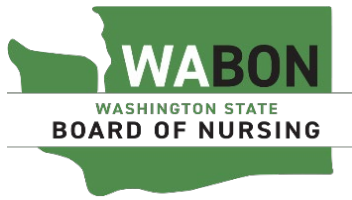
[RCW 43.70.117 Health Care Professionals Licensed in another state or United States Territory or the District of Columbia - In-State Practice on a Limited Basis - Requirements - Limitations](#) allows in-state practice on a limited voluntary (uncompensated) basis up to thirty days per calendar year.

Telemedicine Training Requirement

On or after January 1, 2021, [RCW 43.70.495](#) requires any licensed, registered or certified health care provider (excluding physicians or osteopathic physicians) to take approved telemedicine training if they are performing these functions. [RCW 70.41.020](#) defines “telemedicine” as: “the delivery of health care services through the use of interactive audio and video technology, permitting real-time communication between the patient at the originating site and the provider, for the purpose of diagnosis, consultation, or treatment. “Telemedicine” includes audio-only telemedicine, but does not include facsimile or email.”

The training must include information on current state and federal law, liability, informed consent, and other criteria outlined by the [Washington State Telehealth Collaborative](#). Alternative training offered by an employer continuing education courses or training developed by a health care professional board or commission must include similar components of the [Telemedicine Training developed by the Washington State Telehealth Collaborative](#). For more information on the Washington State Telehealth Collaborative, see [RCW 28b.20.830](#).

The ARNP must sign and retain an attestation of completion but does not need to send this to the WABON unless requested.



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Discipline

The Board may investigate and take disciplinary action against a practitioner under its jurisdiction who treats a resident of Washington via telehealth and fails to meet the required standard of care. An out-of-state practitioner is also subject to action by the Department of Health for the unlicensed practice of a profession under [RCW 18.130.190](#).

Reimbursement for services

The WABON does not have authority regarding reimbursement. The ARNP should contact the insurance provider, Centers for Medicare, Medicaid Services (CMS), or the Health Care Authority (HCA) for reimbursement questions.

For more information, see:

1. [RCW 41.05.700: Reimbursement of health care services provided through telemedicine or store and forward technology—Audio-only telemedicine](#)
2. [RCW 48.43.735 Reimbursement of Health Care Services Provided through Telemedicine or Store and Forward Technology](#)
3. [RCW 74.09.325: Reimbursement of a health care service provided through telemedicine or store and forward technology—Audio-only telemedicine](#)

Statement of Scope

The ARNP may provide telehealth services within their legal and individual scope of practice ([RCW 18.79](#) and [WAC 246-840](#)), recognizing that the care delivered will be held to the same standard of care as practitioners engaging in more traditional in-person care delivery, including the requirement to meet all technical, clinical, confidentiality and ethical standards required by law.

The ARNP performing telehealth nursing services must have the required education and training to ensure competency related to its use to deliver nursing care and must comply with the state and federal laws, rules and standards of practice. Telehealth nursing services does not expand the scope of ARNP practice or change the scope. The ARNP is responsible and accountable for the quality of nursing care using telehealth nursing services to clients, just like face-to-face care. The ARNP must use nursing judgment to consider whether using telehealth services is safe for the patient.



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Requirements and Recommendations

The Washington State Board of Nursing (WABON) concludes that the advanced registered nurse practitioner (ARNP) may perform telehealth services, in settings appropriate for telehealth care, within their legal and individual scope of practice. The ARNP must have a Washington State license/credential to provide telehealth services to individuals/patients located in Washington. The ARNP providing telehealth services to an individual/patient located in another state or country must comply with licensing and practice requirements of the state in which the patient is located.

References

1. Fathi, J, Modin, H, Scott, J. (2017). Nurses Advancing Telehealth Services in the Era of Reform, OJIN <http://ojin.nursingworld.org/MainMenuCategories/ANAMarketplace/ANAPeriodicals/OJIN/TableofContents/Vol-22-2017/No2-May-2017/Nurses-Advancing-Telehealth-Services.html>
2. American Health Information Management Association. (2017). American Health Information Management Association. Retrieved September 17, 2020, from <https://healthsectorcouncil.org/wp-content/uploads/2018/08/AHIMA-Telemedicine-Toolkit.pdf>
3. Washington State Telehealth Collaborative. (2020). Retrieved September 18, 2020, <https://www.wsha.org/policy-advocacy/issues/telemedicine/washington-state-telemedicine-collaborative/>
4. Der-Martirosian, C., Griffin, A. R., Chu, K., & Dobalian, A. (2018). Telehealth at the US Department of Veterans Affairs after Hurricane Sandy - Claudia Der-Martirosian, Anne R Griffin, Karen Chu, Aram Dobalian, 2019. Retrieved May 7, 2020, from <https://pubmed.ncbi.nlm.nih.gov/29384428/>
5. National Council of State Boards of Nursing (2014). The NCSBN Position Paper on Telehealth Nursing Practice, interview Jill Winters, Retrieved May 7, 2020, from <https://www.ncsbn.org/3847.htm>
6. Tri-Council for Nursing. (2017). The Essential Role of the Registered Nurse and Integration of Community Health Workers into Community Team-Based Care. Retrieved January 10, 2017, from <https://tricouncilfornursing.org/publications-%26-resources>



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7. US Department of Health and Human Services (2020). HIPAA FAQs for Professionals. Retrieved May 11, 2020, from <https://www.hhs.gov/hipaa/for-professionals/faq/index.html>.
8. Washington State Nurses Association [WSNA], (2018) Retrieved September 22, 2020, from <https://www.wsna.org/news/2018/frequently-asked-questions-about-telehealth>

Resources

Other Statutes and Rules

1. American Association of Nurse Practitioners. <https://www.aanp.org/legislation-regulation/federal-legislation/medicare/68-articles/326-medicare-update>
2. Cannabis authorization. <https://app.leg.wa.gov/rcw/default.aspx?cite=69.51A.030>
3. Department of Health. (2018). Definitions-In Home Services-Hospice. Retrieved May 7, 2020, from <https://app.leg.wa.gov/wac/default.aspx?cite=246-335-610>
4. Reimbursement – Audio-only telemedicine. [RCW 41.05.700](#), [RCW 48.43.735](#), [RCW 74.09.325](#)
5. Telemedicine law. <https://app.leg.wa.gov/RCW/default.aspx?cite=18.71&full=true>
6. Uniform Telehealth Act. [Chapter 18.134 RCW](#)
7. US Code of Federal Regulations. (2018). Healthcare Practitioners Practicing via Telehealth. Retrieved September 17, 2020, from https://www.govregs.com/regulations/title38_chapter1_part17_subgrp207_section17.417
8. Washington Health Care Authority (HCA) <https://apps.leg.wa.gov/wac/default.aspx?cite=182-531-1730>

Guidelines

1. Advanced Registered Nurse Practitioner Professional Associations. <https://www.doh.wa.gov/portals/1/Documents/6000/ARNPLinks.pdf>
2. AMD Telemedicine Services (2014). School-Based Telemedicine Webinar Question and Answer Summary. Retrieved September 16, 2020, from <https://www.amdtelemedicine.com/wp-content/uploads/2020/08/School-BasedTelemedicineWebinarQASessionSummary.pdf>
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5. Center for Medicaid and Medicare Services. <https://www.cms.gov/Medicare/Medicare-General-Information/Telehealth/>
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7. Telehealth Guidebook <https://www.dshs.wa.gov/sites/default/files/BHSIA/FMHS/DSHSTelehealthGuidebook.pdf>
8. Veterans Affairs. <https://telehealth.va.gov/>
9. Washington State Nurses Association. Risk Management statement. <https://www.wsna.org/news/2018/telemedicine-risk-management-issues-strategies-and-resources>

Policy Resources

1. Washington State Department of Health. Telehealth. <https://doh.wa.gov/public-health-provider-resources/telehealth>
2. Center for Connected Health Policy. <https://www.cchpca.org/>
3. National Consortium of Telehealth Resource Centers. <https://www.telehealthresourcecenter.org/>
4. National Telehealth Technology Assessment Resource Center. <https://telehealthtechnology.org/>
5. NCSBN position statement. <https://www.ncsbn.org/papers/the-ncsbn-position-paper-on-telehealth-nursing-practice>
6. Washington Medical Commission. Telemedicine Policy Statement. <https://wmc.wa.gov/sites/default/files/public/Telemedicine%20policy%2011%2019%2021.pdf>
7. All HHS press releases, fact sheets and other news materials are available at <https://www.hhs.gov/news>

Practice Resources can be found here: [Support for Practicing Nurses | WABON](#)



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Appendix A: Glossary of telehealth and telemedicine definitions in Washington state law

Health Care Authority definition of telemedicine

The Health Care Authority describes telemedicine as “the delivery of health care services using interactive audio and video technology, permitting real-time communication between the client at the originating site and the provider, for the purpose of diagnosis, consultation, or treatment. Telemedicine includes audio-only telemedicine, but does not include the following services:

- (i) Email and facsimile transmissions;
- (ii) Installation or maintenance of any telecommunication devices or systems;
- (iii) Purchase, rental, or repair of telemedicine equipment; and
- (iv) Incidental services or communications that are not billed separately, such as communicating laboratory results.” ([WAC 182-501-0300](#))

Home Health Services definition of telemedicine

For home health services, telemedicine means the use of telemonitoring to enhance the delivery of certain home health skilled nursing services by collecting clinical data and data transmission between patients at a distant location and the home health provider through electronic processing technologies. Objective clinical data that may be transmitted includes, but is not limited to, weight, blood pressure, pulse, respiration, blood glucose, and pulse oximetry; and education related to health care services using audio, video, or data communication instead of a face-to-face visit.” ([WAC 182-551-2010](#)).