

88 and

89 (ii) documenting the patient's relevant clinical history and current symptoms;
 90 ~~[(e)]~~ (d) be available to a patient who receives telehealth services from the provider for
 91 subsequent care related to the initial telemedicine services, in accordance with community
 92 standards of practice;

93 ~~[(d)]~~ (e) be familiar with available medical resources, including emergency resources
 94 near the originating site, in order to make appropriate patient referrals when medically
 95 indicated; ~~[and]~~

96 ~~[(e)]~~ (f) in accordance with any applicable state and federal laws, rules, and
 97 regulations, generate, maintain, and make available to each patient receiving telehealth services
 98 the patient's medical records~~[-]; and~~

99 (g) if the patient has a ~~H→~~ **[primary] designated health ←H** care provider who is not the
 99a telemedicine provider:

100 (i) consult with the patient regarding whether to provide the patient's ~~H→~~ **[primary]**
 100a **designated health ←H** care
 101 provider a medical record or other report containing an explanation of the treatment provided
 102 to the patient and the telemedicine provider's evaluation, analysis, or diagnosis of the patient's
 103 condition; ~~H→~~ **[and]**

103a (ii) collect from the patient the contact information of the patient's designated health
 103b care provider; and ~~←H~~

104 ~~H→~~ **[(iii)] (iii) ←H** within two weeks after the day on which the telemedicine provider
 104a provides

105 services to the patient, and to the extent allowed under HIPAA as that term is defined in
 106 Section 26-18-17, provide the medical record or report to the patient's ~~H→~~ **[primary] designated**
 106a **health ←H** care provider.

107 unless the patient indicates that the patient does not want the telemedicine provider to send the
 108 medical record or report to the patient's ~~H→~~ **[primary] designated health ←H** care provider.

109 (2) Subsection (1)(g) does not apply to prescriptions for eyeglasses or contacts.

110 (3) Except as specifically provided in Title 58, Chapter 83, Online Prescribing,
 111 Dispensing, and Facilitation Licensing Act, and unless a provider has established a
 112 provider-patient relationship with a patient, a provider offering telemedicine services may not
 113 diagnose a patient, provide treatment, or prescribe a prescription drug based solely on one of
 114 the following:

115 (a) an online questionnaire;

116 (b) an email message; or

117 (c) a patient-generated medical history.

118 ~~[(2)]~~ (4) A provider may not offer telehealth services if: