

UPDATED 7/19/21

**RULES
OF
GEORGIA COMPOSITEE MEDICAL BOARD**

CHAPTER 360-3

INVESTIGATIONS AND DISCIPLINE

TABLE OF CONTENTS

Rule 360-3-0.10-.08 Practice Through Electronic or Other Such Means during a State of Emergency

Rule 360-3-0.10-.08 Practice Through Electronic or Other Such Means during a State of Emergency

(1) DEA registered practitioners may issue prescriptions during the State of Emergency for Continued COVID-19 Economic Recovery, as declared by the Governor of the State of Georgia, for controlled substances to patients for whom they have not conducted an in-person medical evaluation, provided all of the following conditions are met:

(A) The prescription is issued for a legitimate medical purpose by a practitioner acting in the usual course of his/her professional practice.

(B) The practitioner conducted a medical evaluation on the patient using telemedicine communication;

(B) The telemedicine communication is conducted using an audio-visual or audio only, real time, two-way interactive communication system; and

(C) The practitioner is acting within Federal and State law and otherwise following the provisions of Board Rule 360-3-.07.

(2) Rule 360-3-.07, requiring telemedicine notification to the board for PA and APRN, shall not be required for the duration of the emergency.

(3) This rule shall only be effective for the duration of the State of Emergency for Continued COVID-19 Economic Recovery.

Authority O.C.G.A. §§ 43-1-19, 43-34-5(c), 43-34-8(a), 50-13-4(b).



STATE OF GEORGIA
OFFICE OF THE GOVERNOR
ATLANTA 30334-0900

Brian P. Kemp
GOVERNOR

Certification of Active Supervision

To: Georgia Composite Medical Board

Docket Number: 21-07-001

Decision Date: July 19, 2021

Pursuant to the Georgia Professional Regulation Reform Act, O.C.G.A. § 43-1C-1, *et seq.*, the Governor is vested with the duty to "actively supervise the professional licensing boards of this state." In accordance with the Georgia Professional Regulation Reform Act, the Georgia Composite Medical Board (hereinafter "Board") seeks to adopt Ga. Comp. R. & Regs. r. 360-10-0.10-.08. The purpose of the rule is to allow DEA registered practitioners to issue prescriptions for controlled substances to patients without conducting an in-person medical evaluation so long as certain conditions are met. This rule is brought as a result of the State of Emergency for Continued COVID-19 Economic Recovery, pursuant to O.C.G.A. § 50-13-4.

Georgia law grants the Board authority to adopt emergency rules if there is an imminent peril to the public health, safety, or welfare, including but not limited to, summary processes such as quarantines, contrabands, seizures, and the like authorized by law without notice. *See* O.C.G.A. § 50-13-4(b). As such, the rule adopted by the Board is within its authority as granted by clearly articulated state policy. Therefore, I hereby approve the adoption of Ga. Comp. R. & Regs. r. 360-10-0.10-.08 for the purposes of active supervision review required by O.C.G.A. § 43-1C-3 for the duration of the State of Emergency for Continued COVID-19 Economic Recovery.

A handwritten signature in black ink, appearing to read "B.P.K.", written over a horizontal line.

Governor