

Comparison of State Statutes and Regulations That Address Requirements and Permissible Practices for Teledentistry or Telehealth Conducted by Oral Health Practitioners

The chart below provides a brief comparison of common state teledentistry/telehealth policies. It is meant to be a quick reference guide to whether or not a state's laws and regulations address these topics. A statement of "yes" means that state statutes and regulations include the topic or allow the practitioners to utilize the method of teledentistry/telehealth in question. A statement of "no" means that state statutes and regulations specifically prohibit the practice in question. A statement of "not addressed" means that state laws and regulations do not address the topic in question. This document only focuses on state statutes and regulations and does not include analysis of temporary rules or opinions.

This document is intended to provide an overview of state teledentistry/telehealth policies as they apply to oral health care providers. Because this analysis focuses only on laws as they apply to oral health care providers, it may not include telehealth policies that apply to other groups of health care practitioners.

This document is meant to be a companion to the compilations of state teledentistry and telehealth laws that can be found [here](#). Please refer to the compendiums for more information on source materials.

Research is current as of September 2021. This document is intended for educational purposes only and should not be considered legal advice. Please contact Phil Mauller at maullerp@adea.org with any updates or information that may be relevant to this document.

State	Is Teledentistry Defined	Telehealth Laws and Regs Include Oral Health Professionals	Synchronous	Asynchronous	Remote Monitoring	Out of State Practitioners	Requires Provider Patient Relationship	Requires Informed Consent	Allows Specified Practices to be Delegated to Members of Dental Team
Alabama	Not addressed	Not addressed	Not addressed	Not addressed	Not addressed	Not addressed	Not addressed	Not addressed	Not addressed
Alaska	No	See note ¹	Yes	Yes	Not addressed	Not addressed	Not addressed	Not addressed	Not addressed
Arizona	Yes	Teledentistry is separate from other state telehealth laws	Yes	Yes	Not addressed	No	Not addressed	Yes	Yes
Arkansas	No	Yes	Yes	Yes	Yes	Permitted to provide "episodic consultation"	Yes ²	Yes	Not addressed
California	No	Yes	Yes	Yes	Not addressed	No	Yes ³	Yes	Yes
Colorado	"Telehealth supervision" is defined in dental practice act	Yes	Yes	Yes	Yes	No	See note ⁴	See note ⁵	Yes
Connecticut	No	Yes ⁶	Yes	Yes	Yes	Yes	Yes	Yes	Not addressed
Delaware	Dental board regulations define telehealth and telemedicine	Yes	Yes	Yes	Yes	No	Yes ⁷	Yes	Not addressed
District of Columbia	No	Yes ⁸	Yes	Not addressed	Not addressed	Not addressed	Not addressed	Medicaid patients only	Not addressed
Florida	Yes	Yes	Yes	Yes	Yes	Yes ⁹	No	Not addressed	Not addressed

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Georgia	No	Yes ¹⁰	Yes	Yes	Yes	Not addressed	Not addressed	Not addressed	Not addressed
Hawaii	No	Yes ⁸	Yes	Yes	Yes	No	Yes	Not addressed	Not addressed
Idaho	See note ¹¹	Yes	Yes	Yes	Yes	No	Yes ¹²	Yes	Not addressed
Illinois	Yes	Yes	Yes	Yes	Yes	No	Not addressed	Not addressed	Not addressed
Indiana	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Not addressed
Iowa	Yes	Yes	Not addressed	Not addressed	Not addressed	No	Yes	Yes	Yes
Kansas	No	No	Not addressed	Not addressed	Not addressed	Not addressed	Not addressed	Not addressed	Not addressed
Kentucky	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes
Louisiana	Yes	Yes	Yes	Yes	Not addressed	No ¹³	Not addressed	Yes	Yes
Maine	Yes	No	Yes	Yes	Yes	No	Not addressed	Yes	Not addressed
Maryland	No	Yes	Yes	Yes	Yes	No	Yes	Yes	Not addressed
Massachusetts	No	Yes	Yes	Yes	Yes	Not addressed	Not addressed	Yes	Not addressed
Michigan	No	Yes	Yes	Yes	Not addressed	No	Not addressed	Yes	Not addressed
Minnesota	No	Yes ⁸	Yes	Yes	See Note ¹⁴	No	Not addressed	Not addressed	Not addressed
Mississippi ¹⁵	No	Not addressed	Not addressed	Not addressed	Not addressed	Not addressed	Not addressed	Not addressed	Not addressed
Missouri	No	Yes ⁸	Yes	Yes	Under specified circumstances	No with exceptions ¹⁶	Not addressed	Not addressed	Not addressed

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Montana	No	Yes	Yes	Yes	Not addressed	No	Not addressed ¹⁷	Not addressed	Not addressed
Nebraska	Yes	Yes	Yes	Yes	Yes	Medicaid will reimburse under conditions	Yes	Required for Medicaid	Not addressed
Nevada	No	Yes	Yes	Yes	Not addressed	No	See note ¹⁸	See note ¹⁹	Not addressed
New Hampshire	No	Yes	Yes	Yes	Yes	No	Not addressed	Not addressed	Not addressed
New Jersey	No	Yes	Yes	Yes	Yes	No	Yes	See note ²⁰	Not addressed
New Mexico	Yes	Yes	Yes	Yes	Not addressed	No	Not addressed	Not addressed	Yes ²¹
New York	No	Yes	Yes	Yes	No ²²	No	Yes	Not addressed	Not addressed
North Carolina	Yes	No	Yes	Yes	Not addressed	No	Yes	Yes	Yes
North Dakota	See note ²³	Yes	Yes	Yes	Yes	No	May be established through telehealth	Not addressed	Not addressed
Ohio	Yes ²⁴	Yes	Yes	No	No	See note ²⁵	Not addressed	See note ²⁶	Yes
Oklahoma	Yes	Yes	Yes	Yes	Yes	No	Not addressed	See note ²⁷	No
Oregon	Yes	Yes	Yes	Yes	Yes	See note ²⁸	For Medicaid Reimbursement	Yes	Not addressed
Pennsylvania	Not addressed	Not addressed	Not addressed	Not addressed	Not addressed	Not addressed	Not addressed	Not addressed	Not addressed
Rhode Island	Telemedicine is defined	Yes	Yes	Yes	Not addressed	No	Not addressed	Not addressed	Not addressed

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	under dental practice act								
South Carolina	Not addressed	Not addressed	Not addressed	Not addressed	Not addressed	Not addressed	Not addressed	Not addressed	Not addressed
South Dakota	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Not addressed
Tennessee	Yes	Yes	Yes	Yes	Not addressed	See note ²⁹	Yes	See note ³⁰	Yes
Texas	Yes	Yes	Yes	Yes	Not addressed	No	Yes	Yes	Yes
Utah	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes
Vermont	No	Yes	Yes	Yes	Not addressed	Study committee created to examine	Not addressed	Yes	Not addressed
Virginia	Yes	See note ³¹	Yes	Yes	Not addressed	No	Yes	Yes	Not addressed
Washington	No	Yes ⁸	Yes	Yes	Not addressed	No	See note ³²	Yes	Not addressed
West Virginia	No	Yes	Yes	Yes	Yes	Yes ³³	Yes	Not addressed	Not addressed
Wisconsin	No	Yes ⁸	Yes	Yes	Yes	See note ³⁴	Not addressed	Not addressed	Not addressed
Wyoming	Not addressed	Not addressed	Not addressed	Not addressed	Not addressed	Not addressed	Not addressed	Not addressed	Not addressed

¹Alaska statutes and regulations do not specifically authorize the practice of teledentistry or telehealth by oral health care practitioners. The state Medicaid system does reimburse a medical service covered by Medicaid and provided within the scope of the provider’s license. Businesses providing telemedicine services must also register with the Department of Commerce, Community and Economic Development.

² Requirement for a “professional relationship” is exempted in emergency situations where the life or health of the patient is in danger or imminent danger; or simply providing information of a generic nature, not meant to be specific to an individual patient.

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³ California also requires any individual, partnership, corporation, or other entity that provides dental services through telehealth to make available the name, telephone number, practice address, and California state license number of any dentist involved in the provision of services to a patient prior to the rendering of services and when requested by a patient.

⁴ Health benefit and dental plans are prohibited from requiring a covered person to have a previously established patient-provider relationship with a specific provider in order for the covered person to receive medically necessary telehealth services from the provider.

⁵ Informed consent is required for Medicaid patients.

⁶ Connecticut law temporarily includes dentists who are (1) in-network providers for fully-insured health plans or (2) Connecticut Medical Assistance Program providers under the definition of “telehealth provider”. Legislation that included dentists who meet definition of “telehealth provider” will expire on June 30, 2023.

⁷ Exceptions to patient relationship requirement apply under specified circumstances. See Title 24 [Chapter 60 § 6005](#) of the Delaware Code for more information.

⁸ This state does not specifically authorize or prohibit oral health practitioners from using telehealth or teledentistry through laws or statutes. State law does, however, require Medicaid and private insurers to reimburse providers for telehealth services. Oral health providers are included under the definition of providers entitled to reimbursement. For more information, please review relevant statutes and regulations.

⁹ Out-of-state oral health providers who wish to provide services in the state must register with the state dental board. The requirement to register does not apply when a practitioner licensed in another state provides telehealth services in response to an emergency medical condition as defined, or in consultation with a health care professional licensed in this state who has ultimate authority over the diagnosis and care of the patient.

¹⁰ Georgia does not specifically authorize or prohibit oral health practitioners from using telehealth or teledentistry. State law does, however, require private insurers to reimburse for oral health practitioners when telehealth is used.

¹¹ Idaho does not define the term “teledentistry”, but the Idaho Board of Dentistry has issued regulations regulating the practice of telehealth by dentists.

¹² Requirement for a “professional relationship” is exempted in an emergency situation in which there is an occurrence that poses an imminent threat of a life-threatening condition or severe bodily harm.

¹³ An exception to the requirement that the provider of teledentistry services hold a Louisiana license is when a Louisiana licensed dentist with an in-person relationship with a patient consults an expert with a valid dental license in another United States jurisdiction for advice regarding the patient’s treatment or diagnosis; in this case the expert consulted need not have a Louisiana license.

¹⁴ “Telemonitoring” is not included under the definition of telehealth under Medicaid statutes, but state statutes do require health carriers to provide coverage for “telemonitoring” under specified circumstances.

¹⁵ This state defines telemedicine and establishes practices for reimbursement of certain telemedicine services in its insurance code. State law does not clearly establish that oral health providers that are permitted to practice telemedicine.

¹⁶ Permits out-of-state practitioners to (1) conduct informal consultations outside of the context of a contractual relationship, and on an irregular or infrequent basis without the expectation or exchange of direct or indirect compensation; (2) furnish health care services in case of an emergency or disaster, provided that, no charge is made for the medical assistance; or (3) episodic consultation on request to a physician in the state.

¹⁷ State law specifically states a previously established patient-provider relationship is not necessary under reimbursement requirements for private insurance. Provider-patient relationships are not addressed in other telehealth laws.

¹⁸ A bona fide relationship, which may be established through telehealth, is required for some prescriptions.

¹⁹ Informed consent is not required, but third-party payers are prohibited from requiring informed consent.

²⁰ Affirmative consent is required for the transfer of medical information to a primary care provider following the provision of telehealth.

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²¹ The definition of teledentistry includes dental hygienists and dental therapists.

²² New York limits the practice of remote patient monitoring to specified conditions and only permits physicians, nurse practitioners, and midwives, with whom a patient has a substantial and ongoing relationship to order remote patient monitoring.

²³ The term “teledentistry” is not defined in North Dakota statutes and regulations. Statute does outline permissible practices and requirements for dentists who practice telehealth.

²⁴ Ohio requires dentists to obtain a teledentistry permit before they can practice teledentistry.

²⁵ Medicaid reimbursement laws include “a dentist practicing in a state other than Ohio who meets the requirements established by the dental examining board in that state” under the definition of “provider of dental services.”

²⁶ Ohio requires informed consent to be obtained before the placement of interim therapeutic restorations or the application of silver diamine fluoride, when services are provided under a teledentistry permit and the patient is not examined in person by the authorizing dentist.

²⁷ Informed consent must be obtained from parent/guardian when telehealth services are provided to minors enrolled in Medicaid.

²⁸ Dentists providing Medicaid services must be licensed to practice dentistry within the State of Oregon or within the contiguous area of Oregon and must be enrolled as a Health Systems Division provider.

²⁹ Out-of-state practitioners can practice telehealth while providing healthcare services on a volunteer basis through a free clinic.

³⁰ Consent can be implied and can be “created by mutual consent and mutual communication, except in an emergency, between the patient and the provider.” “The duties and obligations created by the relationship do not arise until the healthcare provider: (1) Affirmatively undertakes to diagnose or treat the patient; or (2) Affirmatively participates in the diagnosis or treatment.”

³¹ Virginia law requires private payers to provide reimbursement for telehealth services. Eligible providers are not defined in this law.

³² Washington will require the establishment of a provider-patient relationship for audio only telehealth services beginning in 2023.

³³ Out-of-state practitioners must register as an interstate telehealth practitioner with the appropriate board in West Virginia.

³⁴ Providers who are granted a temporary credential during the period covered by a national emergency declared by the U.S. president in response to the 2019 novel coronavirus or during the 30 days immediately after the national emergency ends may provide telehealth services under W.S.A. 440.094 to residents of the state. Individuals granted a temporary credential while applying for a permanent state license by reciprocity under W.S.A. 440.094 may provide telehealth services for residents of the state.