



FTC Staff Comment: Delaware Dietetics/Nutrition Board Proposal to Expand Access to Telehealth Services Could Benefit Consumers

FOR YOUR INFORMATION

August 17, 2016

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Federal Trade Commission staff [submitted a comment](#) to the Delaware Board of Dietetics/Nutrition regarding its proposed telehealth regulation that would require in-person initial evaluations of patients, and then allow licensed dietitians and nutritionists to determine whether to use telehealth thereafter.

Responding to the Board's request for public comments, Staff of the FTC's Office of Policy Planning and its Bureaus of Competition and Economics stated that by allowing licensed dietitians/nutritionists to determine whether telehealth is an appropriate level of care for a patient, the proposed regulation could promote the use of telehealth potentially enhancing competition in the provision of nutrition services, as well as reducing patient travel costs. However, because the proposed regulation also would require that all initial evaluations be conducted in person, it may unnecessarily discourage the use of telehealth and restrict consumer choice.

"FTC staff encourages the Board to consider whether the proposed regulation could be improved by eliminating the prohibition on the use of telehealth for initial evaluations and expressly stating that, consistent with Delaware law's definition of telemedicine, licensees have the option to use electronic communications for assessment and diagnosis," the comment stated."

The Commission vote to issue the staff comment was 3-0. It was sent to the Delaware Board of Dietetics/Nutrition, on August 16, 2016. (FTC File No. V160015; the staff contact is Karen A. Goldman, Office of Policy Planning, 202-326-2574).

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