



**State of Florida
Department of Children and Families**

Rick Scott
Governor

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**Telemedicine & Florida's Baker Act:
FAQs**

What is telemedicine?

Telemedicine is the delivery of medical examination or consultation services via a live videoconference between a physician and a patient.

May telemedicine be used to form the basis of a professional certificate initiating Baker Act involuntary examination?

Yes. The professional must have examined the person within the preceding 48 hours (whether in person or by telemedicine) and must conclude that the individual meets criteria for examination.

May telemedicine be used by staff of a Baker Act receiving facility to conduct an involuntary examination of a patient who is located in an emergency department (ED) and has been medically cleared?

Yes, partially. Whether or not the ED is part of a receiving facility, telemedicine may be used by staff of a receiving facility to:

- Conduct the "initial mandatory involuntary examination" required by s. 394.463(2)(f), F.S.
- Form the basis for authorizing a patient's release from involuntary examination.
- Form the basis of a *second* opinion supporting involuntary *inpatient* placement.

However, telemedicine may *not* be used to:

- Form the basis of a *first* opinion supporting involuntary inpatient placement.
- Form the basis of a first or second opinion supporting involuntary outpatient placement.

May telemedicine be used by staff of an ED to authorize a patient's release from involuntary examination?

Yes.

- If the ED is part of a Baker Act receiving facility, the patient's release must be authorized by a psychiatrist, clinical psychologist, or ED attending physician.
- If the ED is *not* part of Baker Act receiving facility, then release may be authorized by any physician. No receiving facility needs to be involved.