DISCLAIMERS

• Any information provided in today’s talk is not to be regarded as legal advice. Today’s talk is purely for informational purposes.

• Always consult with legal counsel.

• CCHP has no relevant financial interest, arrangement, or affiliation with any organizations related to commercial products or services discussed in this program.
CCHP is an independent, *public interest* organization that strives to advance state and national telehealth policies that promote better systems of care improved health outcomes and provide greater *health equity of access to quality, affordable care and services.*
TELEHEALTH STATE-BY-STATE POLICIES, LAWS & REGULATIONS

The Center for Connected Health Policy helps you stay informed about telehealth-related laws, regulations, and Medicaid programs. We cover current and pending rules and regulations for the U.S. and all fifty states.

- **All Current Laws and Policies**
- **All Pending Legislation and Regulations**
- **Full Report “State Telehealth Laws and Reimbursement Policies”**

**Interactive Policy Map**

**Current Laws, Regulations, Pending Bills State & Federal**

**Calendar**

Government Health Care Congress 2015 / Medicaid Summit
JULY 14-16, 2015
Arlington, Virginia

Don't miss the opportunity to hear CCHP's executive director, Mario Gutierrez, speak at the 2015 Government Health Care Congress; Medicaid Summit. Health insurance executives, state and federal officials will gather across three summits to discuss the future of Medicaid expansion, Medicare regulations, access to care, cost savings and Dual Eligible demonstrations. For more information or to register for this conference, visit the CCHP website.
## TELEHEALTH MODALITIES

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**Store and Forward**

- **Patient Involved**
  - Transmission of recorded health data through an electronic communications system to a specialist for a diagnosis.

**Synchronous**

- **Live Video**
  - Two-way interaction between a patient and a provider for diagnosis & treatment as well as enhanced communication (portal).

- **eConsult (Expert Opinion)**
  - Electronic message exchange initiated by a primary care physician to a specialist for expert opinion and advice. Can become a referral if deemed necessary.

- **Project ECHO**
  - Videoconferencing to help specialists increase the capacity of primary care doctors in rural settings to provide specialty care that would otherwise be unavailable to patients in these areas.

- **Remote Monitoring**
  - Data collected in one location from patient via electronic communication technologies, which is transmitted to a provider in a different location for use in care and related support.
TELEHEALTH & BEHAVIORAL HEALTH

• One of the more widely accepted uses of telehealth to provide services
• Primarily done via live video
  – Some explored using S&F/apps, especially for CBT
• Treat many conditions
  – Autism
  – Pain management
  – Addiction
• One benefit is greater privacy/stigma
• Works well with young people
Many view telehealth as a rural tool, but increased use in urban areas.
- States have moved more towards eliminating geographic limits.
- LA County – eConsult
- NY State Office of Mental Health Telepsychiatry Guidelines
TELEHEALTH POLICY HISTORICALLY

FEDERAL BILLS 2014-2016

- Medicare reimbursement still limited
- Restrictions on geography, facility, provider & services remain
- Movement on telehealth has been limited to demonstrations/pilots

STATE BILLS 2014-2017

- Increased introduction and passage of telehealth related policies
- Primary issues have been reimbursement, licensing (Compact), prescribing
- Varied policies across state lines create confusion for providers practicing in multiple states
- Utilization has not necessarily increased as rapidly as anticipated
FEDERAL TELEHEALTH POLICY

• AGENCY ACTIONS
  – Department of Justice
    • Increased interest in use of telehealth to combat opioid epidemic
  – MEDPAC
    • MEDPAC looking for data on telehealth’s cost savings and efficacy. Recent comments from some commissioners include expanding Medicare geographic restrictions beyond rural areas.
  – HHS
    • Interested in Opioid, Childhood obesity
STATE TELEHEALTH POLICY

45 states (and DC) have a definition for **telemedicine**

34 states (and DC) have a definition for **telehealth**

1 state
Alabama has **no definition** for either

As of August 2017
MEDICAID REIMBURSEMENT BY SERVICE MODALITY

**Live Video**
48 states and DC

**Store and Forward**
Only in 13 states

**Remote Patient Monitoring**
22 states

As of August 2017
Iowa & Rhode Island Medicaid lack or have a unclear telehealth policy. Usually other limitations on what is reimbursed & who.
MEDICAID GEOGRAPHIC LIMITS

As of August 2017

New Hampshire – Follows Medicare geographic limits

South Dakota – Not within same community

Utah – Limit on SNF, related to a pilot

Likely limitations on site/facility.
STATE TELEHEALTH POLICY

• **State Trends in 2017**
  - **Top Policy Topics**
    • Modifications to existing telehealth private payer laws that include coverage for RPM, adding specific conditions, covering workers’ comp
    • Modifications to Medicaid reimbursement
    • Enact the physician licensure compact
    • Practice standards and prescribing
  - **Interesting Issues Addressed**
    • Network adequacy (5 bills introduced)
    • Controlled substances (2 bills)
    • Prohibiting insurance companies from restricting telemedicine coverage to specific telemedicine vendor (2 bills)
ISSUES FACED BY BEHAVIORAL HEALTH PROVIDERS

- Reimbursement
- Licensing
- Prescribing
  - Controlled substances
  - Patient-provider relationship
- Privacy
- Malpractice
POTENTIAL TRENDS

• Increased focus on using telehealth to combat opioid addiction
• Network Adequacy
• Reimbursement/Licensing
• Prescribing
RESOURCES

• Center for Connected Health Policy
  ❖ www.cchpca.org

• Telehealth Resource Centers
  ❖ www.telehealthresourcecenters.org
THANK YOU!

MEIK@CCHPCA.ORG