

## Chuck Ingoglia's Town Hall – March 31, 2020 – Q&A Summary

### Telehealth

- Are there funds available to help behavioral health providers purchase needed IT equipment to provide telehealth services?
  - The [Federal Communication Commission \(FCC\)](#) intends to make about [\\$200 million in funds](#) available for health care providers to purchase needed equipment. Details are not yet available, but we'll keep you informed as we learn more.
  - The National Council will advocate for these funds in the next legislative package and is exploring philanthropic efforts to meet some of these needs.
  - Visit FCC's [Keep Americans Connected](#) webpage.
- What new flexibilities do behavioral health providers have to offer telehealth via Medicare?
  - [Centers for Medicare and Medicaid Services \(CMS\)](#) issued [guidance](#) on March 20 about new flexibilities under Medicare to increase access to care for vulnerable populations through the duration of the pandemic.
  - Specifically, new billing codes have been opened up for behavioral health services via telehealth, including psychological assessments and care planning.
  - Physicians are now able to bill for an initial assessment via telehealth, which was not true before.
  - Visit the CMS [Coronavirus](#) webpage.
- What progress has been made on allowing behavioral health providers to offer services with audio-only technology, versus audio and video encounters under Medicare?
  - Behavioral health providers are now able to bill Medicare for initial assessments via audio-only telehealth, but psychotherapy services still require audio and video components to remain billable. The National Council continues to work on this.
  - See CMS' [Telemedicine Health Care Provider Fact Sheet](#) and [Flexibilities to Fight COVID-19](#) fact sheet.
- What changes have been made regarding Medicare's incident-to billing in this new virtual landscape?
  - Our interpretation of the latest guidance is that incident-to billing requirements for supervision can now be satisfied if a physician provides supervision via audio and video technology. We are doing a detailed analysis and will provide more information.
  - CMS [Flexibilities to Fight COVID-19](#) fact sheet.
- What changes have been made for providers who prescribe medications via telehealth?
  - The Drug Enforcement Agency (DEA) has [relaxed the requirement](#) that prescribers be registered in every single state where they provide services.
  - The National Council has advocated for these changes for years and hopes to continue them beyond the end of the pandemic.

- What changes have been made regarding sharing patient's substance use disorder treatment information?
  - 42 CFR Pt 2 restrictions have been eased for the duration of the pandemic. Sharing these records still requires a patient to sign a consent form but does align 42 CFR Pt 2 with Health Insurance Portability and Accountability Act (HIPAA) for coordination, billing purposes and the like.
  - SAMHSA's [COVID-19 Public Health Emergency Response and 42 CFR Part 2 Guidance](#).

### **Certified Community Behavioral Health Clinics (CCBHCs)**

- What provisions were included in the third COVID-19 response package regarding CCBHCs?
  - The [CCBHC demonstration](#) has been extended for the original eight participating states through November 30, 2020. The program has also been expanded to two new states.
- When will the new CCBHC states be selected?
  - States should be selected within the next six months, but the Substance Abuse and Mental Health Services Administration (SAMHSA) could move more quickly.
- Do you expect CCBHCs to be extended beyond November 30?
  - We expect another extension beyond November 30 pending Congressional movement. The National Council will continue advocating and we have bipartisan support in Congress for continuation of this program.

### **General Q&A**

- How can behavioral health providers access [personal protective equipment \(PPE\)](#) to keep their staff healthy and safe?
  - The National Council has [raised this issue](#) with federal leadership asking them to prioritize behavioral health providers when distributing PPE.
  - We have also been introduced to a supplier of surgical face masks and have ordered 2 million masks from them to make available to our members at cost. Members interested in purchasing masks should contact [Communications@TheNationalCouncil.org](mailto:Communications@TheNationalCouncil.org).
  - Centers for Disease Control and Prevention (CDC) [Strategies to Optimize the Supply of PPE and Equipment](#).
- How can I take care of my personal mental health throughout this pandemic?
  - The National Council is organizing many resources to address this question and others and will be creating a webinar series that includes information on self-care during the COVID-19 crisis.
- Now that Congress is moving beyond its third COVID-19 response package, what can we expect in the next package?
  - Congress is on recess until April 20, but we have heard speculation that the next package will focus on providing additional funding for health providers, workforce protections and technical corrections for the third package.

- The National Council plans to continue advocating for a number of fixes in the fourth package, including the following:
  - Expanding provider types, settings and services eligible for billing under Medicare.
  - Additional continuing funds for behavioral health providers.
  - Funding that will help the country's behavioral health providers remain stable after the pandemic is over.
- In the coming weeks, we will be fielding a survey of behavioral health organizations asking how the pandemic has affected their clinical and financial operations. This data will help inform what we ask for in next legislative package.