

# Virgin Islands



## At A Glance

### MEDICAID REIMBURSEMENT

- Live Video: No
- Store-and-Forward: No
- Remote Patient Monitoring: No
- Audio-Only: No

### Private Payer Law

- Law Exists: Yes
- Payment Parity: No

### PROFESSIONAL REQUIREMENTS

- Licensure Compacts: NLC
- Consent Requirements: No

### FQHCs

- Originating sites explicitly allowed for Live Video: No
- Distant sites explicitly allowed for Live Video: No
- Store and forward explicitly reimbursed: No
- Audio-only explicitly reimbursed: No
- Allowed to collect PPS rate for telehealth: No

### STATE RESOURCES

1. Medicaid Program: United States Virgin Islands Medicaid
2. Administrator: U.S. Virgin Islands Department of Human Services
3. Regional Telehealth Resource Center: Southeast Telehealth Resource Center

# Private Payer

## DEFINITIONS

*Last updated 03/25/2024*

As used in this subchapter the term—

- Telemedicine means the use of medical information exchanged from one distant site to another via electronic communications to improve, maintain, or assist patients' health status. Videoconferencing, transmission of still images, and e-health including patient centers are all considered part of telemedicine and telehealth.
- Telemedicine services means specialist referral services, patient consultations, remote patient monitoring, medical education, and consumer medical and health information, that are performed as part of a telemedicine

Source: Title 22, Chapter 65, Subchapter IV, Sec. 1901 (a) & (b). (Accessed Mar. 2024).

## REQUIREMENTS

*Last updated 03/25/2024*

A health care insurer that offers, issues for delivery, delivers, executes, adjusts, uses, or renews a health care insurance plan shall provide coverage for the costs of telemedicine services and treatment that are medically necessary.

SOURCE: V.I. Code Tit. 22, § 1902 (2019). (Accessed Mar. 2024).

## PARITY

*Last updated 03/25/2024*

### Service Parity

A health care insurer that offers, issues for delivery, delivers, executes, adjusts, uses, or renews a health care insurance plan shall provide coverage for the costs of telemedicine services and treatment that are medically necessary.

SOURCE: V.I. Code Title 22, § 1902 (2019). (Accessed Mar. 2024).

### Payment Parity

No reference found.

# Medicaid

## OVERVIEW

*Last updated 03/25/2024*

Currently there is no permanent policy regarding telehealth and the Medicaid program, however, legislation was passed for the establishment of a Crisis Intervention and Prevention Services program. See Medicaid Miscellaneous section for more information.

## DEFINITIONS

*Last updated 03/25/2024*

### Crisis Intervention Program

Telehealth Services. Delivery of health care services, through the use of interactive real-time visual and audio or other electronic media for the purpose of consultation and education concerning diagnosis, treatment, care management and self-management of patient's physical and mental health and includes real-time interaction between the patient and the telehealth provider, synchronous encounters, asynchronous encounters, store, and forward transfers and telemonitoring.

- SOURCE: VI Code annotated 19 VIC Sec. 1020. (Accessed Mar. 2024).

## LIVE VIDEO

*Last updated 03/25/2024*

### Policy

No reference found.

### Eligible Services/Specialties

No reference found.

**Eligible Providers**

No reference found.

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**Eligible Sites**

No reference found.

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**Geographic Limits**

No reference found.

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**Facility/Transmission Fee**

No reference found.

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**STORE-AND-FORWARD**

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*Last updated 03/25/2024*

**Policy**

No reference found.

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**Eligible Services/Specialties**

No reference found.

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**Geographic Limits**

No reference found.

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Facility/Transmission Fee

No reference found.

REMOTE PATIENT MONITORING

Last updated 03/25/2024

Policy

No reference found.

Conditions

No reference found.

Provider Limitations

No reference found.

Other Restrictions

No reference found.

EMAIL, PHONE & FAX

Last updated 03/25/2024

No reference found.

CONSENT REQUIREMENTS

Last updated 03/25/2024

No reference found.

OUT OF STATE PROVIDERS

*Last updated 03/25/2024*

No reference found.

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## MISCELLANEOUS

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*Last updated 03/25/2024*

### Crisis Intervention Program

The Director with the approval of the Commissioner shall establish Crisis Intervention and Prevention Services. This is a community-based program shall provide counseling, consultation, evaluation, treatment and referral, education, and training services, delivered by a crisis intervention team. The program must be designed for persons with behavioral challenges, mental health disorders or substance use disorders who experience a behavioral crisis that threatens their ability to live a full, productive life due to hospitalizations, law enforcement involvement, or placement in restrictive settings. The Department of Health, Division of Behavioral Health shall support persons in the development of behavioral assessments, individualized behavior treatment plans, and intensive intervention with a focus on family coaching.

The program shall provide the following services:

- Emergency room services. Crisis intervention and psychiatric emergency services based in a hospital emergency room;
- Outreach services. Outreach services and crisis intervention beyond the hospital setting;
- Telephone hot-line services. A community-based telephone crisis intervention hot-line offering 24-hour, 7-days-a-week counseling, consultation, evaluation, treatment and referral services;
- Telehealth Services. Delivery of health care services, through the use of interactive real-time visual and audio or other electronic media for the purpose of consultation and education concerning diagnosis, treatment, care management and self-management of patient's physical and mental health and includes real-time interaction between the patient and the telehealth provider, synchronous encounters, asynchronous encounters, store, and forward transfers and telemonitoring;
- Transportation of persons in crisis to and from the hospital or institution; and
- Suicide Prevention and School Counseling Program: a program in cooperation and coordination with the Department of Education, Department of Human Services, and the Police shall develop a suicide prevention strategy and an evidence-based model suicide prevention program, counseling for bullying, cyberbullying, and peer pressure counseling to be presented in the elementary, junior, middle, and high schools in the Territory which must include the preparation of relevant educational materials that must be distributed in the schools.

SOURCE: VI Code annotated 19 VIC Sec. 1020. (Accessed Mar. 2024).

# Professional Requirements

## DEFINITIONS

*Last updated 03/25/2024*

### For Medicine, Surgery, Dentistry, Pharmacy, Nursing and Nurse-Midwifery

Telemedicine means the use of medical information exchanged from one distant site to another via electronic communications to improve, maintain, or assist patients’ health status. Videoconferencing, transmission of still images, and e-health including patient centers are all considered part of telemedicine and telehealth.

Telemedicine services means specialist referral services, patient consultations, remote patient monitoring, medical education, and consumer medical and health information, that are performed as part of a telemedicine procedure.

Telemedicine services agreement” means a cooperative agreement within the Territory or between a hospital or licensed physician in the Territory and one outside the Territory for improved health care delivery, including but not limited to tele-stroke/neurology and tele-radiology, in order to decrease patient and physician travel and enhance inter-facility cooperation.

Source: V.I. Code Title 27, § 45a (2019). (Accessed Mar 2024).

## CONSENT REQUIREMENTS

*Last updated 03/25/2024*

No reference found.

## ONLINE PRESCRIBING

*Last updated 03/25/2024*

The Board of Medical Examiners shall establish by rules and regulations the requirements for telemedicine licensure in accordance with this subchapter, provided that the rules and regulations include the following: ...

The physician, when examining a patient by telemedicine, shall establish a bona fide physician-patient relationship by:

- Establishing a relationship and coordinating with the patient's Virgin Islands-licensed healthcare professional.
- Establishing a diagnosis through the use of accepted medical practices including, but not limited to, patient history, mental status and appropriate diagnostic and laboratory testing.
- Discussing with the patient any diagnosis as well as the risks and benefits of various treatment options.
- Ensuring the availability for appropriate follow-up care.
- Fulfilling any other requirements as deemed appropriate and necessary by the Board of Medical Examiners.

SOURCE: 27 V.I. Code Section 45d(c)(2). (Accessed Mar. 2024).

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## CROSS-STATE LICENSING

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*Last updated 03/25/2024*

### For Medicine, Surgery, Dentistry, Pharmacy, Nursing and Nurse-Midwifery

The Board of Medical Examiners may establish regulations for telemedicine licensure as follows:

The Board of Medical Examiners shall issue a telemedicine license to authorize certain physicians, who hold a full and unrestricted license to practice medicine in another state or territory of the United States, to provide telemedicine services in the Virgin Islands. Telemedicine licenses shall be without private practice rights and without subversion of reciprocity. Any healthcare professional licensed in the Virgin Islands may practice telemedicine without restriction.

The Board of Medical Examiners shall establish by rules and regulations the requirements for telemedicine licensure in accordance with this subchapter, provided that the rules and regulations include the following:

- A physician holding only a telemedicine license under this subchapter shall not open an office in the Virgin Islands, shall not meet with patients in the Virgin Islands, and shall not receive calls from patients in the Virgin Islands.

Source: V.I. Code Title 27, § 45d (2019). (Accessed Mar. 2024).

The Virgin Islands Board of Medical Examiners shall regulate the practice of telemedicine in the Territory in accordance with the provisions of this subchapter and the following:



- No person shall practice or attempt to practice medicine at a distant site between the Virgin Islands and a foreign jurisdiction.
- No person shall practice or attempt to practice medicine at a distant site between the Virgin Islands and another United States jurisdiction without first complying with the provisions of this subchapter and without being a holder, of a Virgin Islands medical license.
- Telemedicine services in the Territory shall operate in accordance with current accepted core standards for telemedicine

SOURCE: V.I. Code Title 27, § 45c (2019). (Accessed Mar. 2024).

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## LICENSURE COMPACTS

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*Last updated 03/25/2024*

Member of Nurse Licensure Compact.

SOURCE: Nurse Licensure Compact (awaiting implementation). (Accessed Mar. 2024).

\* See Compact websites for implementation and license issuing status and other related requirements.

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## PROFESSIONAL BOARDS STANDARDS

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*Last updated 03/25/2024*

No reference found.

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## MISCELLANEOUS

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*Last updated 03/25/2024*

### For Medicine, Surgery, Dentistry, Pharmacy, Nursing and Nurse-Midwifery

The Board of Medical Examiners may establish regulations for telemedicine licensure as follows:

- The Board of Medical Examiners shall issue a telemedicine license to authorize certain physicians, who hold a full and unrestricted license to practice medicine in another state or territory of the United States, to provide telemedicine services in the Virgin Islands.
- Telemedicine licenses shall be without private practice rights and without subversion of reciprocity. Any healthcare professional licensed in the Virgin Islands may practice telemedicine without restriction.
- The Board of Medical Examiners shall establish by rules and regulations the requirements for telemedicine licensure in accordance with this subchapter, provided that the rules and regulations include the following:

1. A physician holding only a telemedicine license under this subchapter shall not open an office in the Virgin Islands, shall not meet with patients in the Virgin Islands, and shall not receive calls from patients in the Virgin Islands.
2. The physician, when examining a patient by telemedicine, shall establish a bona fide physician-patient relationship by:
  - Establishing a relationship and coordinating with the patient's Virgin Islands-licensed healthcare professional.
  - Establishing a diagnosis through the use of accepted medical practices including, but not limited to, patient history, mental status and appropriate diagnostic and laboratory testing.
  - Discussing with the patient any diagnosis as well as the risks and benefits of various treatment options.
  - Ensuring the availability for appropriate follow-up care.
  - Fulfilling any other requirements as deemed appropriate and necessary by the Board of Medical Examiners.
- Any physician licensed to practice telemedicine in accordance with this subchapter, shall be subject to the provisions of this subchapter, the jurisdiction of the Board of Medical Examiners, applicable Virgin Islands law, and the jurisdiction of the courts of the Virgin Islands with respect to providing medical services to Virgin Islands residents.
- The Department of Health and the Territory's hospitals and medical centers and Virgin Islands-licensed health care professionals are authorized to bill third-party payers for consultations and follow-up care provided by licensed providers of telemedicine services.

SOURCE: V.I. Code Title 27, § 45d (2019). (Accessed Mar. 2024).

## Federally Qualified Health Center (FQHC)

### DEFINITION OF VISIT

*Last updated 03/25/2024*

No reference found.

### MODALITIES ALLOWED

*Last updated 03/25/2024*

Live Video

No reference found.

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**Store and Forward**

No reference found.

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**Remote Patient Monitoring**

No reference found.

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**Audio-Only**

No reference found.

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**SAME DAY ENCOUNTERS**

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*Last updated 03/25/2024*

No reference found.

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**ELIGIBLE ORIGINATING SITE**

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*Last updated 03/25/2024*

No reference found.

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**ELIGIBLE DISTANT SITE**

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*Last updated 03/25/2024*

No reference found.

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**FACILITY FEE**

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*Last updated 03/25/2024*

No reference found.

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**PPS RATE**

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*Last updated 03/25/2024*

No reference found.

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## **HOME ELIGIBLE**

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*Last updated 03/25/2024*

No reference found.

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## **PATIENT-PROVIDER RELATIONSHIP**

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*Last updated 03/25/2024*

No reference found.