



Medicaid Telehealth Policy & Audio-Only September 17, 2021

CENTER FOR CONNECTED HEALTH POLICY (CCHP)

is a non-profit, non-partisan organization that seeks to advance state and national telehealth policy to promote

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ABOUT CCHP

- Established in 2009 as a program under the Public Health Institute
- Became federally designated national telehealth policy resource center in 2012 through a grant from HRSA
- Work with a variety of funders and partners on the state and federal levels
- Administrator National Consortium of Telehealth Resource Centers
- Convener for California Telehealth Policy Coalition







NATIONAL CONSORTIUM OF TRCS

TelehealthResourceCenter.org



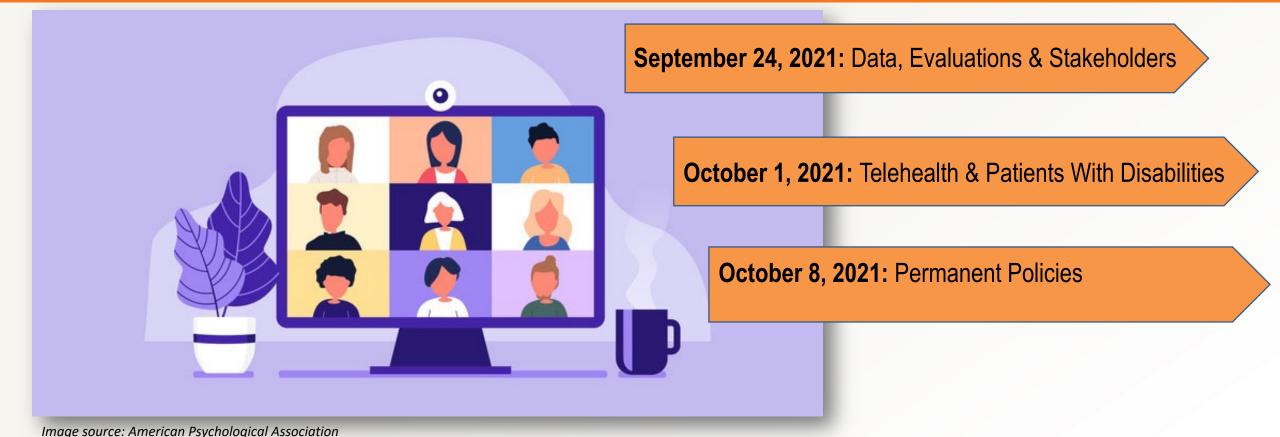






2 National Resource Centers

Telehealth & Medicaid: A Policy Webinar Series



This webinar series was made possible by grant number GA5RH37470 from the Office for the Advancement of Telehealth, Health Resources and Services Administration, U.S. Department of Health & Human Services.



Today's Webinar



Nissa James, PhD,
Health Care Director
Department of Vermont Health Access

Sara Salek, MD
Chief Medical Officer
Arizona Health Care Cost Containment System





Mary C Shelton
Director, Behavioral Health Operations
Division of TennCare



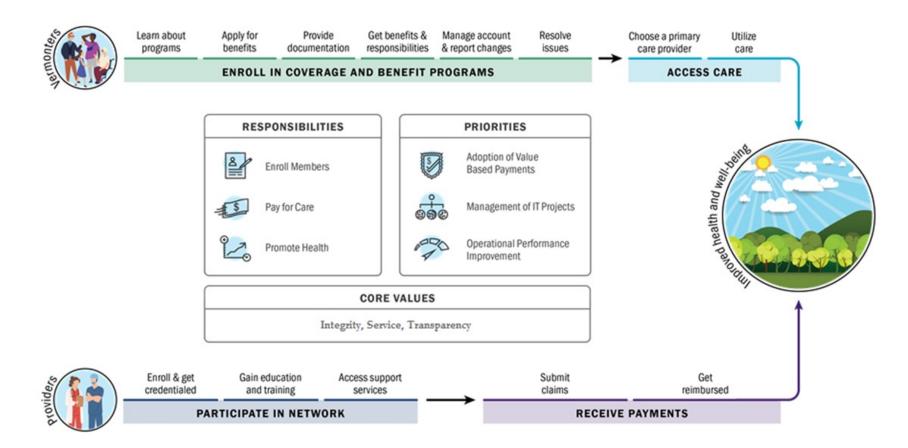
Vermont Medicaid: Health Care Service Delivery through the Audio-Only Modality During the COVID-19 Public Health Emergency

Nissa L. James, Ph.D., Health Care Director Department of Vermont Health Access September 17, 2021



Mission of the Department of Vermont Health Access: Improve the Health and Well-Being of Vermonters by Providing Access to Quality Health Care Cost-Effectively

The Department of Vermont Health Access is responsible for administering Vermont's publiclyfunded health insurance program known as Vermont Medicaid and Vermont's health insurance marketplace.





Developing a Temporary Policy for Health Care Service Delivery through Audio-Only in Response to the COVID-19 Public Health Emergency

- Consulted with our partners to understand what providers would need to deliver care during the Emergency.
- Convened a multidisciplinary team to assess clinical appropriateness, access to care, quality of care, and patient safety concerns in the context of the circumstances of a public health emergency.

- •Commenced system modifications for certain procedure and revenue codes to be submitted with a specific modifier (V3) to identify audio-only delivery
- Created an initial list of health care services approved for audio-only delivery during the public health emergency when medically necessary and clinically appropriate.

- Held a live webinar for providers to describe the new, temporary policy and answer questions.
- Developed a Frequently Asked
 Questions document that was
 publicly posted along with
 guidance on the temporary audio only policy and reference charts
 of approved procedure/revenue
 codes.

March 20, 2020





Summary of Vermont Medicaid's Temporary Policy for Health Care Service Delivery through Audio-Only in Response to the COVID-19 Public Health Emergency

- 1. Vermont Medicaid-participating providers were encouraged to continue to use telemedicine (i.e., 2-way, real-time audio and video interactive communication) to care for their Vermont Medicaid members during the federal COVID-19 public health emergency and State of Emergency in Vermont.
- 2. As telemedicine may not be possible for Medicaid providers to reach all of their Medicaid members requiring care during the Emergency, Vermont Medicaid implemented several changes to support Medicaid-participating providers in responding effectively to the Emergency and to assure access to care, effective for March 23, 2020:
 - o Providing coverage and reimbursement for 3 'triage' codes G0071, G2012, and G2010.
 - o Providing reimbursement for medically necessary, clinically appropriate services delivered by audio-only at the same rate as currently established for Medicaid-covered services delivered through telemedicine/face-to-face as long as the claim was submitted to Vermont Medicaid with a V3 modifier and a place of service of "99 other" to indicate the service was delivered through audio-only.

Excerpt of Vermont Medicaid's Guidance on the Temporary Policy for Health Care Service Delivery through Audio-Only in Response to the COVID-19 Public Health Emergency

EXAMPLE:

In this emergency situation, Vermont Medicaid would expect to see claims submitted for medically necessary and clinically appropriate services provided by Vermont Medicaid-participating providers with claims indicating service codes of 99202-99205 [new patient office visits], 99211-99215 [established patient office visits], 90791-90792 [psychiatric diagnostic evaluation], 90832-90840 [psychotherapy], 90846-90847 [family psychotherapy], and 90863 [pharmacologic management] with the new V3 modifier and a place of service code of 99-other.



Vermont Medicaid Data for Telemedicine, Audio-Only, and Brief Communication Technology-Based Services

| Month*,** | Telemedicine ¹ | Audio-Only ² | Brief Communication ³ |
|-------------------|---------------------------|-------------------------|----------------------------------|
| March of 2020 | 19,080 | 4,847 | 322 |
| April of 2020 | 58,177 | 15,860 | 637 |
| May of 2020 | 53,461 | 11,642 | 403 |
| June of 2020 | 45,703 | 9,911 | 446 |
| July of 2020 | 41,769 | 8,851 | 361 |
| August of 2020 | 37,611 | 7,148 | 339 |
| September of 2020 | 40,581 | 7,348 | 301 |

By contrast, from January 2019 to February 2020, the highest total number of telemedicine services per month was just over 1,700 per month (January of 2020).**



^{*}Based on claims submitted for dates of service through August of 2021. **Service counts change as more claims are submitted, claims are adjusted, etc.

¹ Two-way, real-time, audio and video (visual) interactive communication.

² Audio-only is also referred to telephonic; temporary coverage and reimbursement parity for medically necessary and clinically appropriate specific services furnished by audio-only became effective for dates of service on/after March 13, 2020.

³Brief communication technology-based services, commonly referred to as the 'triage codes,' include G0071, G2012 ('virtual check-in'), & G2010 ('remote evaluation of recorded video/images', i.e., patient to provider store and forward).

Vermont Medicaid Data for Telemedicine, Audio-Only, and Brief Communication Technology-Based Services

| Month*,** | Telemedicine ¹ | Audio-Only ² | Brief Communication ³ | |
|----------------|---------------------------|-------------------------|----------------------------------|--|
| March of 2021 | 54,658 | 8,320 | 512 | |
| April of 2021 | 46,493 | 6,882 | 429 | |
| May of 2021 | 41,020 | 5,364 | 295 | |
| June of 2021 | 37,719 | 4,972 | 221 | |
| July of 2021 | 27,971 | 3,717 | 160 | |
| August of 2021 | 22,783 | 3,362 | 145 | |

By contrast, from January 2019 to February 2020, the highest total number of telemedicine services per month was just over 1,700 per month (January of 2020).**



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Planning for the Termination of the COVID-19 Public Health Emergency: Revising the Telehealth Rule to include Audio-Only

- Continued engagement with Medicaid members, Medicaid-participating providers, and our Medicaid and Exchange Advisory Committee to develop recommendations for audio-only coverage and reimbursement after the public health emergency ends.
- Reviewed the Medicare Program Calendar Year 2021 Payment Policies Under the Physician Fee Schedule, <u>Final</u> <u>Rule</u> published 12/28/2020; Effective January 1, 2021:

"Some commenters stated that if CMS continues payment for the audio-only E/M visits, these should continue to be paid at rates commensurate to the level 2-4 established patient office visits, consistent with how these services have been paid during the PHE for COVID-19. Other commenters disagreed, stating that outside the circumstances of the PHE for COVID-19, these services should not have the same payment rate as in-person services."

CMS Response: "After the end of the PHE, there will be no separate payment for the audio-only E/M visit codes. At the conclusion of the PHE, we will assign a status of 'bundled' and post the RUC-recommended RVUs for these codes in accordance with our usual practice."

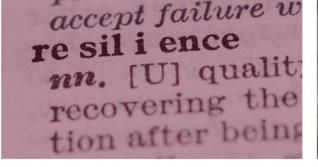
Planning for the Termination of the COVID-19 Public Health Emergency: Revising the Telehealth Rule to include Audio-Only

- Act 6 of 2021: An act relating to extending health care regulatory flexibility during and after the COVID-19 pandemic and to coverage of health care services delivered by audio-only telephone.
 - O **Health insurance plans** shall provide coverage for all medically necessary, clinically appropriate health care services delivered by audio-only to the same extent that the plan would cover the services if they were provided through inperson consultation.
 - o **Health insurance plans** shall <u>not</u> require a health care provider to have an existing relationship with the patient in order to be reimbursed for health care services delivered by audio-only.
 - **Health care providers** delivering health care services by audio-only shall "include or document" in the patient's medical record: patient's informed consent and reason(s) the provider determined it was clinically appropriate to deliver the service by audio-only.
 - A patient must elect to receive the service by audio-only and health care providers shall not require a patient to receive health care services by audio-only if the patient does not wish to receive services that way.
- Reviewing the Medicare Program Calendar Year 2022 Payment Policies Under the Physician Fee Schedule Proposed Rule, published 07/23/2021.
- Revising Vermont Medicaid's health care administrative rule on telehealth to include audio-only.











Audio-Only Telehealth Coverage in Arizona Medicaid

Dr. Sara Salek Chief Medical Officer, AHCCCS



AHCCCS At A Glance



Largest insurer in AZ, covering over 2 million individuals and families...



AHCCCS uses federal, state and county funds to provide health care coverage to the state's Medicaid population.



...more than 50% of all births in AZ...



More than 106,566 health care providers are registered with AHCCCS.



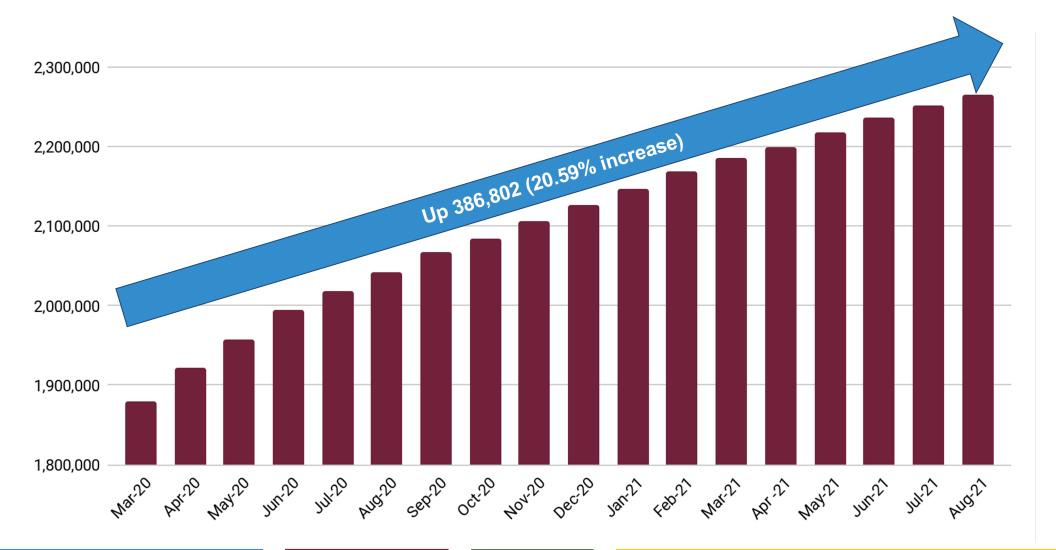
...and two-thirds of nursing facility days.



Payments are made to 15 contracted health plans that are responsible for the delivery of care to members.



AHCCCS Enrollment: March 2020- August 2021





Arizona Medicaid Audio-Only Coverage: Pre-Pandemic



Arizona Medicaid Telehealth Coverage Pre-Pandemic Telehealth Policy Changes (October 1, 2019)



Broadening of POS allowable for distant and originating sites

No restrictions on distant site (where provider is located) Broadening of originating site (where member is located) to include home for many service codes



Broadening of coverage for telemedicine, remote patient monitoring, and asynchronous



No rural vs. urban limitations



MCOs retained their ability to manage network and leverage telehealth strategies as they determine appropriate



Audio-Only Coverage

- Total of 13 service codes available via audio-only
- Examples include telephone assessment and management services, telephone evaluation and management services, BH case management, ongoing support to maintain employment, and self-help/peer services
- POS 02 required



Arizona Medicaid Audio-Only Coverage: Intra-Pandemic



Arizona Medicaid Telehealth Coverage Intra-Pandemic (March 2020-Current)

- Held multiple provider/stakeholder forums
- Created temporary telephonic code set
- Managed Care Organizations (MCOs) required to:
 - Reimburse at the same rate for services provided in-person and services provided audio-only
 - Cover all contracted services via telehealth modalities, including audio-only



AHCCCS Telehealth Coverage Summary

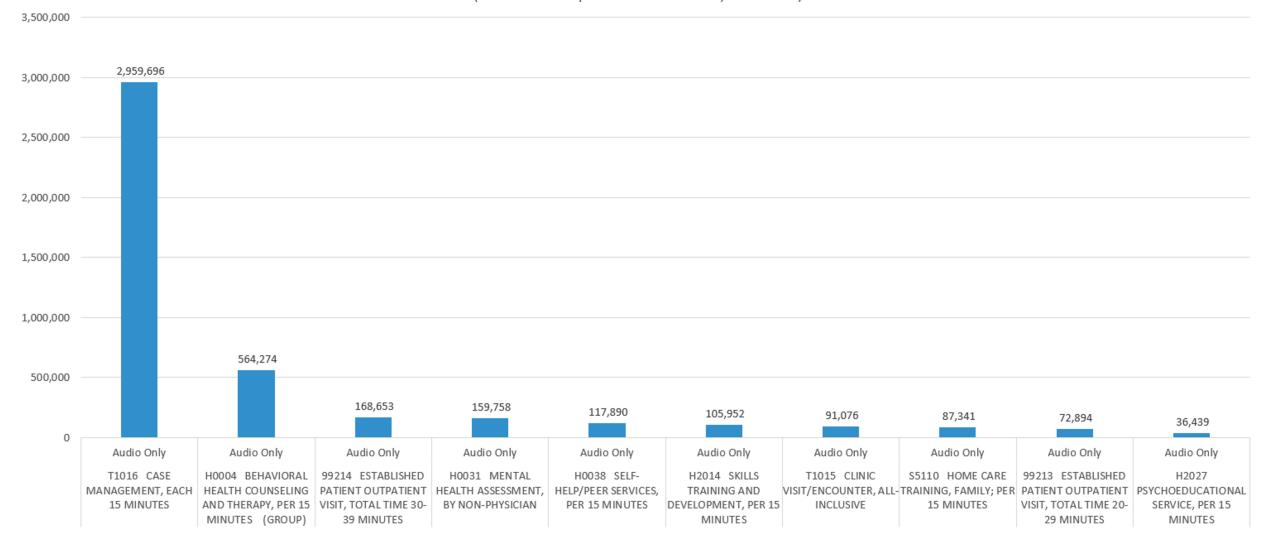
| WHAT | TECHNOLOGY | TELEHEALTH MODIFIER ¹ OR APPLICABLE DENTAL CODE | PLACE OF SERVICE (POS) | CODE SET AVAILABLE | CODE SET AVAILABLE AFTER COVID 19 EMERGENCY |
|---------------------------------|---|--|-------------------------------|------------------------|---|
| Telemedicine (Synchronous) | Interactive Audio + Video | GT | Originating Site ² | Telehealth Code Set | YES |
| Asynchronous (Store+Forward) | Transmission of recorded health history through a secure electronic communications system | GQ | Originating Site ² | Telehealth Code Set | YES |
| Remote Patient Monitoring | Synchronous (real-time) or asynchronous (store and forward) | GT-Synchronous GQ-Asynchronous | Originating Site ² | Telehealth Code Set | YES |
| Teledentistry | Synchronous (real-time) or asynchronous (store and forward) | D9995-Synchronous D9996-Asynchronous | Originating Site ² | Teledentistry Code Set | YES |
| Telephonic | Audio | None | 02-Telehealth | Telehealth Code Set | YES |
| Telephonic (Temporary) | Audio | UD | Originating Site ² | Telehealth Code Set | UNDER EVALUATION |

¹ All other applicable modifiers apply

² Location of the AHCCCS member at the time the service is being furnished via telehealth or where the asynchronous service originates

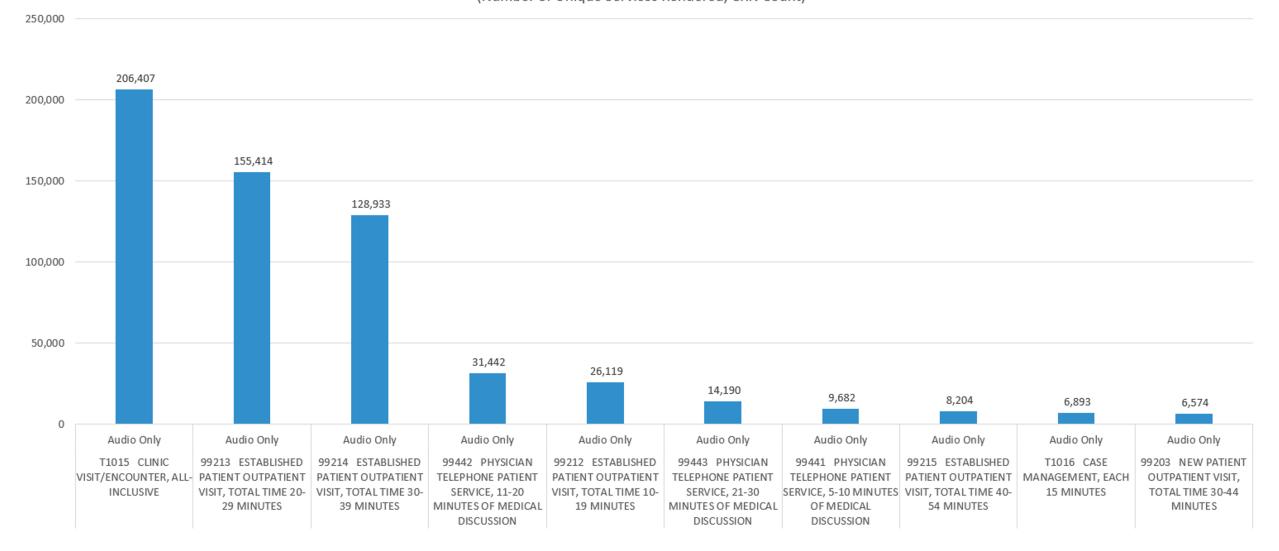


Telehealth Utilization - Most Common Behavioral Health Services Via Audio Only March 2020 - February 2021 (Number of Unique Services Rendered, CRN Count)





Telehealth Utilization - Most Common Physical Health Services Via Audio Only March 2020 - February 2021 (Number of Unique Services Rendered, CRN Count)





Arizona Medicaid Audio-Only Coverage: Post-Pandemic Planning



Arizona Medicaid Audio-Only Coverage: Post-Pandemic Planning Highlights

Evaluating and weighing the following variables:

- Member preference
- Clinical appropriateness of audio-only coverage
- HCPCS code description/availability
- Healthcare access for in-person care
- Broadband access for A/V healthcare delivery



Audio-Only Coverage: Clinical Pearls

- Information that can be obtained via audio-only includes:
 - Subjective information
 - Healthcare history
 - Primary presenting concerns
 - Objective information
 - Quality and quantity of speech
 - Thought process
 - Thought content



House Bill 2454 36-3607: Telehealth Advisory Committee

- Requires adoption of telehealth best practice guidelines
- Requires recommendations regarding the health care services that may be appropriately provided through an audio-only telehealth format
- Requires the Advisory Committee, before making its recommendations, to:
 - 1. Analyze medical literature and national practice guidelines;
 - 2. Consider the comparative effectiveness, safely and benefit to the patient of performing a service through an audio-only telehealth format instead of in person or through an audio-visual format; and
 - 3. Consider the appropriate frequency and duration of audio-only telehealth encounters.



House Bill 2454 Title 20 Insurance

Defines telehealth for the purposes of health care services coverage to include:

- a) the use of an audio-only telephone encounter between a subscriber who has an existing relationship with a health care provider or provider group if:
- i. an audio-visual telehealth encounter is not reasonably available due to the subscriber's functional status, lack of technology or telecommunications infrastructure limits, as determined by the health care provider; and
- ii. the telehealth encounter is initiated at the request of the subscriber or authorized by the subscriber before the telehealth encounter; and
- b) the use of an audio-only encounter between the subscriber and health care provider, regardless of whether there is an existing relationship between the health care provider or provider group, if the telehealth encounter is for a behavioral health or substance use disorder service and the outlined conditions apply.



House Bill 2454 Title 20 Insurance

- Requires reimbursement of health care providers at the same level of payment for equivalent in-person behavioral health and substance use disorder services if provided through telehealth using an audio-only format
- May apply only the **same limits or exclusions** on a health care service provided through telehealth that are applicable to an in-person encounter for the same service, except for procedures or services for which the weight of evidence, determines the service is not appropriate to be provided through telehealth based on practice guidelines, peer-reviewed clinical publications or research, or recommendations by the Advisory Committee.
- Requires a health care provider, to submit a claim for an audio-only, to make telehealth services generally available to patients through the interactive use of audio, video or other electronic media.
- Allows covered telehealth services to be provided regardless of where the subscriber is located or the type of site.



Arizona Telehealth Resources

HB2454

https://www.azleg.gov/legtext/55leg/1R/bills/HB2454S.pdf

https://www.azleg.gov/legtext/55leg/1R/summary/S.2454FIN_ASPASSEDCOW.pdf

AHCCCS Telehealth Webpage

https://www.azahcccs.gov/AHCCCS/Initiatives/Telehealth/

COVID Telehealth FAQs

https://azahcccs.gov/AHCCCS/AboutUs/covid19FAQ.html#telehealth

Telehealth Advisory Committee

https://www.azahcccs.gov/AHCCCS/CommitteesAndWorkgroups/telehealthadvisorycommittee.html





CCHP Medicaid Webinar Audio-Only

Mary Shelton

Director, Behavioral Health

TennCare

TennCare is Tennessee's Medicaid program, which provides health insurance coverage to around 1.5 million low-income Tennesseans, including 20% of the state's adult population and 50% of the state's children*



Children (714,500)



Older adults (41,100)



Pregnant women (60,000)



Individuals with disabilities (213,500)



Caretaker relatives of young children (270,900)



TennCare is 100% managed care with 3 statewide Managed Care Organizations (MCOs):







- Our experience has shown that managed care allows for better coordinated, more efficient, and higher quality care
- It also reduces avoidable emergency room visits and hospital stays

TennCare Mission:

Improving lives through high-quality, cost-effective care

TennCare Vision:

A healthier Tennessee



TennCare Telehealth Timeline in Response to COVID

Last day in TennCare
Offices

First
TennCare
memo with
Telehealth
direction

Updated
memos for
group
therapy &
psychosocial
rehab



Statewide Partnerships Assisted with Quick Pivot to Telebehavioral Health



Partnerships developed over years of collaboration

- State Depts: have personal contacts at Executive level
- MCOs: contracted since 2007/2008 and designed and implemented many initiatives together
- Providers: meet with various agencies throughout each week and discuss members and programs



Decision Process for Allowing Audio-Only Treatment

What was considered:

- Understanding the availability and limitations of data and screens for our members
- Coming to terms that fidelity to the treatment models may be compromised, at least in the beginning
- Needing the behavioral health providers to keep connected to the members



Decision Process for Allowing Audio-Only Treatment

- Initially, not all decision makers agreed with audio-only allowance
- We were delayed in allowing for group therapy for about a week
- Eventually allowed outpatient behavioral heath services to be rendered via audio-only





To: TennCare Providers

From: Victor Wu, Chief Medical Officer

Mary Shelton, Director, Behavioral Health Operations

Date: March 18, 2020

Re: Behavioral Health Telehealth Services for TennCare Enro

Dear TennCare Behavioral Health Providers,

Thank you for all that you are doing to provide care to our TennCare epidemic. TennCare and our health plans, Amerigroup, BlueCare Ten Plan, are fully committed to supporting our members to continue recaccustomed. We are also committed to supporting our front-line pro TennCare and our health plans are meeting frequently to identify propportunities that will help serve the needs of our members and pro

MEMO



MEMO

To: TennCare Providers

From: Victor Wu, Chief Medical Officer

Mary Shelton, Director, Behavioral Health Operations

Date: March 25, 2020

Re: Behavioral Health Psychosocial Rehabilitation Telehealth Services for TennCare Enrollees -

Novel COVID-19

Dear TennCare Behavioral Health Providers,

This is an undate to the March 18, 2020 Rehavioral Health Telehealth Service Memo to offer guidance



To: TennCare Providers

From: Victor Wu, Chief Medical Officer

Mary Shelton, Director, Behavioral Health Operations

Date: March 25, 2020

Re: Behavioral Health Group Therapy Telehealth Service

Dear TennCare Behavioral Health Providers,

This is an update to the March 18, 2020 Behavioral Health on Group Therapy services.

Providers and members are encouraged to use video-enabled appropriate to maintain behavioral health treatment during the who do not have access to the technology required to conduct accept telephonic sessions in a member's home when that me use standard CPT/HCPCS and a Place of Service of 02 for both



MEMO

To: TennCare Providers

From: Victor Wu, Chief Medical Officer

Mary Shelton, Director, Behavioral Health Operations

Date: March 25, 2020

2: UPDATED Behavioral Health Telehealth Services for TennCare Enrollees - Novel COVID-19

This memo replaces the original memo dated March 18, 2020

Dear TennCare Behavioral Health Providers,

Thank you for all that you are doing to provide care to our TennCare members during the novel COVID-19 epidemic. TennCare and our health plans, Amerigroup, BlueCare Tennessee, UnitedHealthcare Community Plan, are fully committed to supporting our members to continue receiving the high-quality care they are accustomed. We are also committed to supporting our front-line providers delivering this essential care. TennCare and our health plans are meeting frequently to identify proactive solutions and to respond to opportunities that will help serve the needs of our members and providers as the COVID-19 situation continues to evolve. All of us are consistently evaluating and implementing TDH and CDC clinical treatment recommendations and guidelines around limiting the spread of disease.

To that end, our health plans are all committed to assisting providers in offering telehealth and telephonic



Guidance from 3/18/20 Memo

Behavioral Health Guidance:

- Providers and members are encouraged to use video-enabled virtual visits or telephonic care when appropriate to maintain behavioral health treatment during the COVID outbreak. For members or providers who do not have access to the technology required to conduct a video-enabled virtual session, we will now accept telephonic sessions in a member's home when that member has concerns about COVID-19. Please use standard CPT/HCPCS and a Place of Service of 02 for both virtual visits and telephonic sessions to indicate the visit was conducted remotely. Documentation should identify the use of telehealth or telephonic sessions and the treatment format and include supporting documentation to reflect active treatment. Per standard practice, documentation is subject to review for medical necessity and appropriateness of care.
- For those services that are usually 2 or more hours long, consider billing the individual components of treatment in lieu per diem rates (i.e. IOP, PHP, PSR). Telehealth options that would permit actual visual connection with the member is preferred. For those services that are rendered via group sessions, please schedule these as individual sessions with the members to ensure privacy.



Legislation Allowing Audio-Only



State of Tennessee

PUBLIC CHAPTER NO. 191

SENATE BILL NO. 429

By Gardenhire, Walley, Yager

Substituted for: House Bill No. 620

By Rudder, Sparks, Helton, Ramsey, White, Howell, Smith, Powers, Hazlewood, Curcio, Terry, Cepicky

AN ACT to amend Tennessee Code Annotated, Title 56, Chapter 7, relative to telehealth.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 56-7-1003(a)(6), is amended by adding the following as a new subdivision:

(C) Notwithstanding subdivisions (a)(6)(A) and (B), includes Health Insurance Portability and Accountability Act (HIPAA) (42 U.S.C. § 1320d et seq.) compliant audio-only conversation for the provision of behavioral health services when the means described in subdivision (a)(6)(A) are unavailable;

In 2020, during a special summer legislative session, HIPAA complaint audio-only services were approved when no other options are available.

This is now in Tennessee State Law



TennCare Program Description for Audio-Only

TennCare and it's 3 contracted MCOs developed a Program
Description based on the 2020 memos for audioonly telehealth.









Audio-only (Telephonic) Telehealth Behavioral Health Services Program Description

For behavioral health providers contracted with TennCare Managed Care Organizations
August 2021

When the COVID-19 pandemic began, TennCare made allowances through various memos for Behavioral Telehealth Services for TennCare Enrollees during the COVID-19 pandemic. On April 22, 2021, Public Chapter 191 was signed, which amended Tennessee Code Annotated, Section 56-7-1003(a)(6) and allows audio-only conversation for the provision of behavioral health services.

To comply with the new state law, the audio-only service:

- must be HIPAA compliant just like any other form of telemedicine under state law; and
- should only be used when other means of telemedicine are unavailable per state law.

Providers and members are encouraged to use video-enabled virtual visits or audio-only care when appropriate to maintain behavioral health treatment during the COVID-19 outbreak.

The intent of this program description is to provide specific guidance as it relates to the delivery of the audio-only method of behavioral health telehealth services. Telehealth is defined as the use of electronic information and communication technologies to deliver health care to patients at a distance. Medicaid covered services provided via telehealth include assessment, diagnosis, consultation, treatment, education, care management, and/or self-management of a Medicaid member.

This program description was developed in collaboration with TennCare, Amerigroup, BlueCare Tennessee, and UnitedHealthcare.

Behavioral Health Audio-Only Guidance:

The provider is to take extra steps at the beginning of the telehealth session to confirm the
patient's identity, review confidentiality and privacy concerns.



Billing and Documentation for Audio-only

- TennCare is currently requiring Place of Service Code 02 for audio-only behavioral health services
- We are waiting for new audio-only modifiers to be released for behavioral health services and plan to require those
- Providers must document in the medical record if the service was rendered via telehealth (audio-only or video/audio)





Mary Shelton
mary.c.shelton@tn.gov
tn.gov/tenncare

Panel Q&A

Please submit questions using the Q&A function.



Thank You!



Nissa James, PhD,
Health Care Director
Department of Vermont Health Access

Sara Salek, MD
Chief Medical Officer
Arizona Health Care Cost Containment System

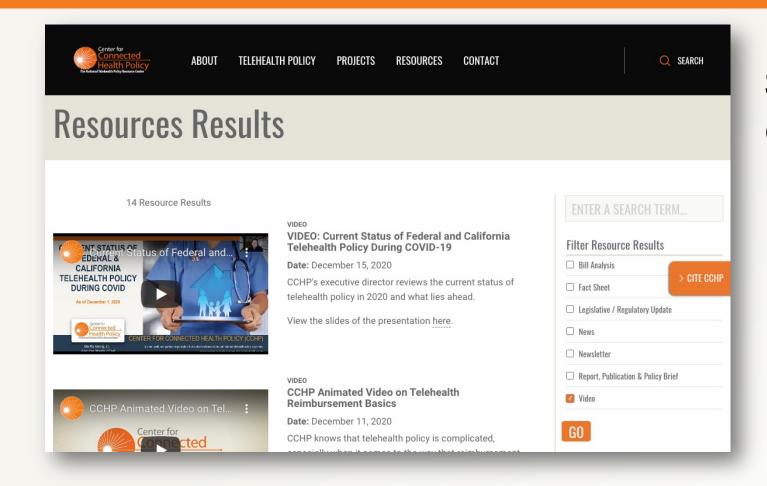




Mary C Shelton
Director, Behavioral Health Operations
Division of TennCare



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Join us September 24, 2021 for *Data, Evaluations & Stakeholders*



Tracy Johnson, PhD

Medicaid Director

Colorado Department of Health Care Policy & Financing

Other Speakers to be Announced



EVALUATION FORM

Please don't forget to fill out your evaluation form!

Thank you and have a great day!

