Center for Connected Health Policy | THE NATIONAL TELEHEALTH POLICY RESOURCE CENTER

Telehealth Policy at Different Levels of Government

May 2022

Telehealth Policy

Federal Policy

HHS Office of Civil Rights (OCR)

- Enforces privacy and security of protected health information, namely HIPAA Rules, including how it applies to telehealth.

Drug Enforcement Agency (DEA)

- Prescribing controlled substances. States may also have stricter policies.

Centers for Medicaid and Medicare Services (CMS)

- Telehealth reimbursement in the Medicare program.
- May include Medicare Managed Care plans, however they may also offer additional telehealth coverage than fee-for- service Medicare offers.

State Policy

State Medicaid

- Medicaid reimbursement requirements. (does not include Medicare or private pay, but may include Medicaid managed care plan requirements).

Insurance Commissioner

- Requirements for private payers to reimburse for telehealth in the state.

Licensing Boards

- Licensing (including cross-state issues)
- Prescribing
- Practice standards (such as establishing provider-patient relationship)

© 2022 Center for Connected Heath Policy/Public Health Institute

This factsheet is made possible by Grant #U6743496 from the Office for the Advancement of Telehealth, Health Resources and Services Administration, DHHS.