This drafted policy is open for a two-week public comment period. This box is not part of the drafted policy language itself and is intended for use only during the comment period to provide readers with a summary of what has changed.

HHSC is performing a targeted review of the Telehealth Services benefit for Medicaid clients.

The following is a summary of changes in scope for this policy review:

* Described and defined audio-only services
* Moved information about use of telehealth for specific programs and services, as this information will be relocated to individual policies and TMPPM handbooks
* Clarified coverage of audio-only services is not optional for health plans
* Added language regarding the use of the 93 and FQ modifiers
* Added language regarding when audio-only services may be authorized for use
* Moved all procedure codes from the policy and relocated them into the appropriate policies
* Removed all provider type and place of service codes from the policy
* Clarified where providers can find information regarding which services are authorized for delivery via telehealth

Note: The current language regarding the Telehealth Services benefit can be found in the Texas Medicaid Provider Procedures Manual (TMPPM), Vol 2 Handbook, Telecommunications Handbook

**Texas Medicaid**

# Telehealth Services (Non-Physician Delivered Services)

## Statement of Benefits

1. Telehealth services Texas Medicaid. Telehealth services have the meaning assigned by Texas Occupation Code §111.001. Telehealth services are defined as healthcare services, other than a telemedicine medical service or a teledentistry service, delivered by a health professional licensed, certified or otherwise entitled to practice in Texas and acting within the scope of the health professional’s license, certification, or entitlement to a patient at a different physical location than the health professional using telecommunications or information technology.
2. Telecommunications means the exchange of information by electronic and electrical means.
3. Platform means the technology, system, software, application, modality, or other method through which a health professional remotely interfaces with a patient when providing a health care service or procedure as a telehealth service or telehealth service.
4. Audio-visual technology means synchronous audiovisual telecommunications or store and forward technology in conjunction with synchronous audio-only telecommunications.
5. Synchronous audio-visual technology means interactive, two-way audio and video telecommunications platform that meets the privacy requirements of the Health Insurance Portability and Accountability Act.
6. Synchronous audio-only technology means an interactive, two-way audio telecommunication platform, including telephone technology, that uses only sound and meets the privacy requirements of the Health Insurance Portability and Accountability Act. Audio-only includes the use of telephonic communication.
7. Store and forward technology means a telecommunications platform that stores and transmits or grants access to a person’s clinical information for review by a health professional at a different physical location than the person.
8. In-person (or in person) means within the physical presence of another person.
9. Not all Medicaid-covered services are authorized by HHSC for telehealth services delivery in fee-for-service. Providers must always ensure the covered service is authorized by HHSC for telehealth services delivery.
10. Additionally, when providing a Medicaid-covered service via telehealth services, providers must always ensure the delivery method is authorized by HHSC.

* For example, if a service is authorized for telehealth services delivery only when using synchronous audio-visual telecommunications, that service may not be delivered using asynchronous store and forward technology, asynchronous store and forward technology in conjunction with synchronous audio-only telecommunications, synchronous audio-only telecommunications, or asynchronous audio-only telecommunications.

## Policy Overview/Scope

1. Removed the following sections:

* School-Based Telehealth Services
* SHARS Telehealth Services
* ECI Telehealth Services

1. The following modalities may be used to deliver telehealth medical services within fee-for-service (FFS) Medicaid:

* Synchronous audiovisual interaction between the distant site provider and the patient in another location.
* Synchronous audio-only interactions between the distant site provider and the patient in another location.

1. A health benefit plan, including a Texas Medicaid managed care organization (MCO), is not required to provide reimbursement for telehealth medical services that are provided through only synchronous or asynchronous audio interactions, including the following modalities:

* A text-only email message, or
* A facsimile transmission.

1. Texas Medicaid MCOs may optionally provide reimbursement for telehealth services that are provided through asynchronous audio interactions. Distant site providers should contact each MCO to determine whether an MCO provides reimbursement for a specified modality.
2. Conditions for reimbursement applicable to telehealth service provided using a synchronous audio-visual technology platform:

* Telehealth services provided via a synchronous audio-visual technology platform must be designated for reimbursement by HHSC. Telehealth services provided via a synchronous audio-visual technology platform designated for reimbursement are those that are clinically effective and cost-effective, as determined and published in policy by HHSC. Telemedicine services that HHSC has determined are clinically effective and cost-effective when provided via a synchronous audio-visual technology platform can be found in the appropriate TMPPM handbooks.
* The provider must be enrolled in Texas Medicaid.
* Telehealth services provided using a synchronous audio-visual technology platform must be provided in compliance with Chapter 111 of the Texas Occupations Code and standards established by the respective licensing or certifying board of the professional providing the telemedicine service.
* Telehealth services provided using a synchronous audio-visual technology platform may not be denied solely because an in-person medical service between a provider and patient did not occur.
* The provider’s choice of a synchronous audio-visual technology platform for providing a telemedicine service may not be limited by requiring the provider to use a particular synchronous audio-visual technology platform to receive reimbursement for the service.
* Other conditions for reimbursement applicable to services may vary by service type. Please refer to the appropriate TMPPM handbook for additional information on synchronous audio-visual technology platform coverage conditions.

1. Conditions for reimbursement applicable to telehealth services provided using store and forward technology in conjunction with synchronous audio-only technology:

* Telehealth provided via store and forward technology in conjunction with synchronous audio-only technology must be designated for reimbursement by HHSC. Telehealth provided via store and forward technology in conjunction with synchronous audio-only technology designated for reimbursement are those that are clinically effective and cost-effective, as determined and published in policy by HHSC. Telehealth services that HHSC has determined are clinically effective and cost-effective when provided via store and forward technology in conjunction with synchronous audio-only technology can be found in the appropriate TMPPM handbooks.
* The provider must be enrolled in Texas Medicaid.
* Telehealth services provided using store and forward technology in conjunction with synchronous audio-only technology must be provided in compliance with Chapter 111 of the Texas Occupations Code and standards established by the respective licensing or certifying board of the professional providing the telehealth service.
* Telehealth provided using store and forward technology in conjunction with synchronous audio-only technology may not be denied solely because an in-person medical service between a provider and patient did not occur.
* The provider’s choice of platform when using store and forward technology in conjunction with synchronous audio-only technology for providing a telehealth service may not be limited by requiring the provider to use a particular store and forward or synchronous audio-only technology platform to receive reimbursement for the service.

1. Conditions for reimbursement applicable to non-behavioral health services provided using a synchronous audio-only technology platform:

* Non-behavioral health services provided via a synchronous audio-only technology platform must be designated for reimbursement by HHSC. Non-behavioral health services provided via a synchronous audio-only technology platform designated for reimbursement are those that are clinically effective and cost-effective, as determined and published in policy by HHSC. Non-behavioral health services that HHSC has determined are clinically effective and cost-effective when provided via a synchronous audio-only technology platform can be found in the appropriate TMPPM handbooks.
* The provider must be enrolled in Texas Medicaid.
* The services must be provided in compliance with Chapter 111 of the Texas Occupations Code and standards established by the respective licensing or certifying board of the professional providing the telehealth service.
* The non-behavioral health service provided through a synchronous audio-only technology platform may not be denied solely because an in-person medical service between a provider and patient did not occur.
* The provider’s choice of audio-only technology platform for providing a telehealth service may not be limited by requiring the provider to use a particular synchronous audio-only technology platform to receive reimbursement for the service.
* Other conditions for reimbursement applicable to services may vary by service type. Please refer to the appropriate TMPPM handbook for additional information on synchronous audio-visual technology platform coverage conditions.

1. Conditions for reimbursement applicable to behavioral health services provided using a synchronous audio-only technology platform:

* Behavioral health services provided via a synchronous audio-only technology platform must be designated for reimbursement by HHSC. Behavioral health services provided via a synchronous audio-only technology platform designated for reimbursement are those that are clinically effective and cost-effective, as determined and published by HHSC. Behavioral health services that HHSC has determined are clinically effective and cost-effective when provided via a synchronous audio-only technology platform can be found in the appropriate TMPPM handbooks.
* The provider must be enrolled in Texas Medicaid.
* The provider must obtain informed consent from the client, client’s parent, or the client’s legally authorized representative prior to rendering a behavioral health service through a synchronous audio-only technology platform; except when doing so is not feasible or could result in death or injury to the client. Verbal consent is permissible and must be documented in the client’s medical record.
* The services must be provided in compliance with Chapter 111 of the Texas Occupations Code and standards established by the respective licensing or certifying board of the professional providing the telehealth service.
* The behavioral health service provided through a synchronous audio-only technology platform may not be denied solely because an in-person medical service between a provider and patient did not occur.
* The provider’s choice of synchronous audio-only technology platform for providing a telehealth service may not be limited by requiring the provider to use a particular synchronous audio-only technology platform to receive reimbursement for the service.
* Other conditions for reimbursement applicable to non-behavioral health services may vary by service type. Please refer to the appropriate TMPPM handbook for additional information on audio-only coverage conditions.

1. In the event of a Declaration of State of Disaster, HHSC will issue direction to providers regarding the use of telehealth services, including the use of a synchronous audio-only platform to provide covered services otherwise not authorized for delivery via a telehealth service.

* Declaration of State of Disaster refers to an executive order or proclamation by the governor declaring a state of disaster in accordance with Texas Government Code §418.014.

1. Deleted the list of Provider Types from the policy
2. Deleted the list of Place of Service codes from the policy

## Authorization Requirements

## Reimbursement/Billing Guidelines

1. Conditions for reimbursement applicable to non-behavioral health services and behavioral health services may vary by service type. Please refer to the appropriate TMPPM handbook for additional information on telehealth coverage.
2. Procedure codes that are benefits for distant site providers when billed with the 95 modifier (Synchronous audio-visual technology) are included in individual TMPPM Medicaid services handbooks and policies. Procedure codes that indicate remote (telehealth service) delivery in their description do not need to be billed with the 95 modifier.
3. Procedure codes that are benefits for distant site providers when billed with the 93 modifier (synchronous audio-only technology) are included in individual TMPPM Medicaid services handbooks and policies. Procedure codes that indicate telephone or audio-only delivery in their description do not need to be billed with the 93 modifier.
4. Behavioral health procedure codes that are benefits for distant site providers when billed with the FQ modifier (synchronous audio-only technology) are included in individual TMPPM Medicaid services handbooks and policies. Procedure codes that indicate telephone or audio-only delivery in their description do not need to be billed with the FQ modifier.
5. Texas Medicaid MCOs must reimburse for services when delivered via telehealth
   1. Texas Medicaid MCOs must consider reimbursement for all medically necessary Medicaid- covered benefits delivered via telehealth.
6. Removed the table of procedure codes in this policy.
7. Removed the adjudication table from this policy.

Table B: Modifiers

|  |  |
| --- | --- |
| Modifier | Additional Information |
| 95 | Audio-visual |
| 93 | Audio-only |
| FQ | Audio-only |

## Documentation Requirements

N/A

## Exclusions

N/A