

GOVERNMENT OF THE DISTRICT OF COLUMBIA

Department of Health Care Finance



Office of the Senior Deputy Director and Medicaid Director

Transmittal # 23-11

TO: District of Columbia Medicaid Providers

FROM: Melisa Byrd
Senior Deputy Director and Medicaid Director

DATE: January 26, 2023

SUBJECT: Updated Telemedicine Provider Guidance with Revised Billing Requirements

Purpose

The purpose of this transmittal is to alert providers that an updated Telemedicine Provider Guidance document has been published with revised billing requirements to more accurately capture the type and location of telemedicine services. The updated Telemedicine Provider Guidance can be found here: <https://dhcf.dc.gov/page/telemedicine>

Background

Section 910 of Chapter 9 (Medicaid Program) of Title 29 (Public Welfare) of the District of Columbia Municipal Regulations is entitled “Medicaid-Reimbursable Telemedicine Services” and establishes standards by which telemedicine services can be delivered. Consistent with these regulations, DHCF has published and periodically updated the Telemedicine Provider Guidance document.

Updated Telemedicine Provider Guidance with Revised Billing Requirements

The Telemedicine Provider Guidance document was updated in January 2023. Changes were made in section V (Provider Reimbursement).

Previously, providers were directed to use the “GT” procedure modifier on all telemedicine claims. As detailed in the Telemedicine Provider Guidance document, distant site providers shall now enter the “GT” procedure modifier on claims only for services delivered via video-audio telemedicine. When billing for any audio-only telemedicine services, distant site providers shall enter the new “93” procedure modifier on the claim.

Additionally, the distant site provider must appropriately specify the place of service (POS) using the following POS codes:

- In the event the beneficiary’s home is the originating site, the distant site provider must specify the place of service “10” which is defined as “telehealth provided in patient’s home”.
- In the event a DC Public School (DCPS) or DC Public Charter School (DCPCS) is the originating site, the distant site provider must specify the place of service “03” which is defined as “school”.

- In the event the beneficiary is at any other eligible originating site (as defined in section IV of the Telemedicine Provider Guidance document), the distant site provider must specify the place of service “02” which is defined as “telehealth provided other than in patient’s home”. When utilizing place of service “02”, the distant site provider must also report the National Provider Identifier (NPI) of the originating site provider in the “referring provider” portion of the claim.

These billing requirement changes were made to maintain consistency with recently issued American Medical Association (AMA) and CMS guidance.

Effective March 1st, 2023, District health care providers rendering services to beneficiaries in Medicaid fee-for-service, Medicaid managed care, Health Care Alliance, and Immigrant Children’s programs must comply with these revised billing requirements.

Contact

For questions regarding this transmittal, please contact Allie Liss, Project Manager, Department of Health Care Finance (DHCF) at allie.liss@dc.gov or (202) 899-3686.

Cc: DC Hospital Association
DC Primary Care Association
DC Health Care Association
DC Home Health Association
DC Behavioral Health Association
DC Coalition of Disability Service Providers
Medical Society of DC

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Health Care Finance



TELEMEDICINE PROVIDER GUIDANCE
JANUARY 2023

I. Introduction

The D.C. Telehealth Reimbursement Act of 2013 directs Medicaid to “cover and reimburse for healthcare services appropriately delivered through telehealth if the same services would be covered when delivered in person.” Per the aforementioned Act, telehealth is defined as the delivery of healthcare services through the use of interactive audio, video, or other electronic media used for the purpose of diagnosis, consultation, or treatment, provided that services delivered through electronic mail messages or facsimile transmissions are not included. For the purposes of coverage by the Department of Health Care Finance (DHCF), telehealth and telemedicine shall be deemed synonymous.

The purpose of providing Medicaid reimbursement for medically necessary services via telemedicine is to improve beneficiaries’:

1. Access to healthcare services, with the aim of reducing preventable hospitalizations and emergency department utilization;
2. Compliance with treatment plans;
3. Health outcomes through timely disease detection and review of treatment options; and
4. Choice for care treatment in underserved areas.

Effective June 23, 2016 (for services rendered on or after that date), the District of Columbia Medical Assistance Program (“the Program”) will reimburse eligible providers for eligible healthcare services rendered to Program participants via telemedicine in the District of Columbia. The Program will implement this telemedicine service for both providers and participants in the Medicaid fee-for-service, Medicaid managed care, Health Care Alliance, and Immigrant Children’s programs. All requirements stipulated in this provider guidance apply to all programs DHCF administers.

Providers must be enrolled in the Program and licensed, by the applicable Board, to practice in the jurisdiction where services are rendered. For services rendered outside of

the District, providers shall meet any licensure requirements of the jurisdiction where the patient is physically located. See Appendix A for illustrative examples.

This manual contains information about the telemedicine service program, including provider and participant eligibility, covered services, and reimbursement, consistent with Section 910 of Chapter 9 (Medicaid Program) of Title 29 (Public Welfare) of the District of Columbia Municipal Regulations (DCMR).

II. Telemedicine Service Model

Telemedicine is a service delivery model that delivers healthcare services through a two-way, real-time interactive video-audio communication or audio-only communication for the purpose of evaluation, diagnosis, consultation, or treatment. Eligible services can be delivered via telemedicine when the beneficiary is at the originating site,¹ while the eligible “distant” provider renders services via the video-audio or audio-only connection.

Pursuant to the D.C. Telehealth Reimbursement Act of 2013, the Program will not reimburse for service delivery using e-mail messages or facsimile transmissions.

III. Participant Eligibility

The program shall reimburse approved telemedicine providers only if participants meet the following criteria:

1. Participants must be enrolled in the District of Columbia Medical Assistance Program;
2. Participants must be physically present at the originating site at the time the telemedicine service is rendered¹; and
3. Participants must provide written or verbal consent to receive telemedicine services in lieu of in-person healthcare services, consistent with all applicable District laws.

A provider shall document the beneficiary’s consent to receive telemedicine services. Written consent includes any method that documents in writing the beneficiary’s agreement to receive the service via telemedicine, including but not limited to an e-mail, text message, or signed PDF. If verbal consent is obtained, a detailed service note that describes the beneficiary’s verbal consent is required.

¹ When clinically indicated, an originating site provider or its designee shall be in attendance during the patient’s medical encounter with the distant site professional. An originating site provider shall not be required to be in attendance when the beneficiary prefers to be unaccompanied because the beneficiary feels the subject is sensitive. An originating site provider shall note their attendance status in the patient’s medical record.

IV. Provider Site Eligibility²

The following shall be considered an *originating site* for service delivery via telemedicine.³

- Hospital
- Nursing Facility
- Federally Qualified Health Center
- Clinic
- Physician Group/Office
- Nurse Practitioner Group/Office
- District of Columbia Public School (DCPS)
- District of Columbia Public Charter School (DCPCS)
- Mental Health Rehabilitation Service (MHRS) provider, Adult Substance Abuse Rehabilitation Service (ASARS) provider, and Adolescent Substance Abuse Treatment Expansion Program (ASTEP) provider⁴
- The beneficiary's home or other settings identified in guidance published on the DHCF website at dhcf.dc.gov.

The following providers shall be considered a *distant site* for service delivery via telemedicine.

- Hospital
- Nursing Facility
- Federally Qualified Health Center
- Clinic
- Physician Group/Office
- Nurse Practitioner Group/Office
- DCPS
- DCPCS
- MHRS provider, ASARS provider, and ASTEP provider⁵

At the discretion of the rendering provider, personnel delivering telemedicine services may work remotely, as long as all other requirements in the rule are met. See

² All individual practitioners shall be licensed in accordance with the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code §§ 3-1201 et seq. (2007 Repl. & 2012 Supp.)) or the jurisdiction where services are rendered and any implementing regulations.

³ Providers will not receive add-on payments such as transaction fees or facility fees; to receive reimbursement; originating site providers must deliver an eligible service, distinct from the service delivered at the distant site, in order to receive reimbursement

⁴ MHRS, ASARS, and ASTEP providers must have the appropriate required certification from the Department of Behavioral Health

⁵ Providers must have the appropriate required certification from the Department of Behavioral Health

subsequent sections for guidance on specific requirements related to technology (X), documentation in medical records (XI), and confidentiality (XII).

V. Provider Reimbursement

D.C. Medicaid enrolled providers are eligible to deliver telemedicine services, using fee-for-service reimbursement, at the same rate as in-person consultations. All reimbursement rates for services delivered via telemedicine are consistent with the District's Medical State Plan and implementing regulations. For originating site providers, exceptions to Medicaid reimbursement are outlined in Sections VI, VII, and VIII.

Telemedicine providers will submit claims in the same manner the provider uses for in person services.

When billing for services delivered via video-audio telemedicine, distant site providers shall enter the "GT" procedure modifier on the claim.

When billing for any audio-only telemedicine services, distant site providers shall enter the "93" procedure modifier on the claim.

Additionally, the distant site provider must appropriately specify the place of service (POS) using the following POS codes:

- In the event the beneficiary's home is the originating site, the distant site provider must specify the place of service "10" which is defined as "telehealth provided in patient's home".
- In the event a DCPS or a DCPCS is the originating site, the distant site provider must specify the place of service "03" which is defined as "school".
- In the event the beneficiary is at any other eligible originating site (see section IV above), the distant site provider must specify the place of service "02" which is defined as "telehealth provided other than in patient's home". When utilizing place of service "02", the distant site provider must also report the *National Provider Identifier* (NPI) of the originating site provider in the "referring provider" portion of the claim.

Services billed where telemedicine is the mode of service delivery, but the claim form and/or service documentation do not indicate telemedicine (using the appropriate procedure modifiers and appropriate POS codes) are subject to disallowances in the course of an audit.

VI. Federally Qualified Health Center (FQHC) Reimbursement

In accordance with the District's Prospective Payment System (PPS) or alternative payment methodology (APM) for FQHCs, the following reimbursement parameters will be established for the purposes of telemedicine in the District:

- Originating Site: An FQHC provider must deliver an FQHC-eligible service in order to be reimbursed the appropriate PPS, APM, or fee-for-service (FFS) rate at the originating site;
- Distant Site: An FQHC provider must deliver an FQHC-eligible service in order to be reimbursed the appropriate PPS, APM, or FFS rate; and
- Originating and Distant Site: If both the originating and the distant site are FQHCs, for both to receive reimbursement, each site must deliver a different PPS or APM service (e.g. medical or behavioral). If both sites submit a claim for the same PPS or APM service (e.g. medical), then only the distance site will be eligible to receive reimbursement.

VII. Education-Related Services Reimbursement

The scope of covered Medicaid telemedicine-services includes individual fee-for-service providers that deliver services under the Office of the State Superintendent of Education (OSSE) through the Strong Start DC Early Intervention Program (DC EIP). OSSE shall only bill for distant site services that are allowable healthcare services to be delivered by the individual fee-for-service providers delivering DC EIP services under them and can be delivered at the standard of care via telemedicine.

In accordance with the DCPS/DCPCS Medicaid payment methodology, the following reimbursement parameters will be established for the purposes of telemedicine in the District:

- The LEA shall only bill for distant site services that are allowable healthcare services to be delivered at DCPS/DCPCS and can be delivered at the standard of care via telemedicine;
- The LEA shall provide an appropriate primary support professional to attend the medical encounter with the member at the originating site. In instances where it is clinically indicated, an appropriate healthcare professional shall attend the encounter with the member at the originating site.¹

VIII. Covered Services

Services that can be delivered via telemedicine include:

- Evaluation and management;
- Consultation of an evaluation and management of a specific healthcare problem requested by an originating site provider;

- Behavioral healthcare services including, but not limited to, psychiatric evaluation and treatment, psychotherapies, and counseling; and,
- Speech therapy.

The provider shall determine if the service can reasonably be delivered at the standard of care via telemedicine.

IX. Excluded Services

The Program will not reimburse telemedicine providers for the following:

- Incomplete delivery of services via telemedicine, including technical interruptions that result in partial service delivery.
- When a provider is only assisting the beneficiary with technology and not delivering a clinical service.
- For a telemedicine transaction fee and/or facility fee.
- For store and forward and remote patient monitoring.

X. Technical Requirements

Providers delivering healthcare services through telemedicine shall adopt and implement technology in a manner that supports the standard of care to deliver the required service. Equipment utilized for telemedicine must be of sufficient audio quality and visual clarity as to be functionally equivalent to a face-to-face encounter for professional medical services.

Providers shall, at a minimum, meet the following technology requirements:

- A telemedicine provider that utilizes audio-only communication methods shall use audio equipment that ensures clear communication and includes echo cancellation
- A telemedicine provider that utilizes video-audio communication methods shall:
 - Use a camera that has the ability to manually, or, under remote control, provide multiple views of a patient with the capability of altering the resolution, focus, and zoom requirements according to the consultation;
 - Use audio equipment that ensures clear communication and includes echo cancellation;
 - Ensure internet bandwidth speeds sufficient to provide quality video to meet or exceed 15 frames per second;
 - Use a display monitor size sufficient to support diagnostic needs used in the telemedicine service; and
 - Use technology that creates video and audio transmission with less than 300 milliseconds.

- When a beneficiary's home is the originating site, the distant site provider shall ensure the technology in use meets the minimum requirements set forth in Subsection 910.13.

XI. Medical Records

The originating and distant site providers shall maintain documentation in the same manner as during an in-person visit or consultation, using either electronic or paper medical records, which shall be retained for a period of ten (10) years or until all audits are completed, whichever is longer.

XII. Confidentiality

A telemedicine provider shall develop a confidentiality compliance plan in accordance with guidance from the Department of Health and Human Services, Office of Civil Rights, available at: <http://www.hhs.gov/sites/default/files/hipaa-simplification-201303.pdf> to incorporate appropriate administrative, physical, and technical safeguards around data encryption (both in transit and at rest) and to protect the privacy of telemedicine participants and ensure compliance with the Health Insurance, Portability, and Accountability Act of 1996 and the Health Information Technology for Economic and Clinical Health Act of 2009.

XIII. Telemedicine Program Evaluation Survey

As a condition of participation, Medicaid providers delivering services via telemedicine will be required to respond to requests for information in the form of a telemedicine program evaluation survey from the Department of Health Care Finance. Effective 2017, DHCF shall send the survey to providers no more than once every three (3) months via email or regular US mail. A provider shall have thirty (30) calendar days to respond to the survey via email or regular US mail. The survey aims to evaluate the utilization of telemedicine services among the Medicaid beneficiaries.

XIV. Definitions

Bandwidth: A measure of the amount of data that can be transmitted at once through a communication conduit.

Data Encryption: The conversion of electronic data into another form which cannot be easily understood by anyone except authorized parties.

Designee: A person designated by the provider based on the person's clinical or administrative qualification to facilitate the delivery of health services by way of telemedicine at the originating site.

Distant Site: The remote setting of the eligible Medicaid provider who may furnish a healthcare service via a telecommunications system.

Echo Cancellation: A process which removes unwanted echoes from the signal on an audio and video telecommunications system.

Facility Fee: An add-on payment to a provider for the use of their facility for telemedicine.

Incomplete Service: A clinical service that is not full rendered, including but not limited to technical interruptions or other interruptions leading to the partial delivery of care.

Originating Site: The setting where an eligible Medicaid beneficiary is located at the time the healthcare service furnished via a telecommunications system occurs.

Primary Support Professional: An individual designated by the school to provide supervisory services for medically necessary services. Examples of who might fulfill this function include paraprofessionals, classroom teachers, resource room staff, library media specialists, any other certified or classified school staff members.

Remote Patient Monitoring: A digital technology that collects medical and/or health data from individuals in one location and electronically transmits that information securely to healthcare providers in a different location for assessment and recommendations.

Store and Forward: A technology that allows for the electronic transmission of medical information, such as digital images, documents, and pre-recorded videos through secure email transmission.

Supervisory Services: The oversight of services delivered via telemedicine by a primary support professional at the originating site.

Transaction Fee: An add-on payment to a provider for delivering a service via telemedicine.

Appendix A. Illustrative Examples of Telemedicine Licensure Requirements

Example 1: Both Providers and Patient Physically Located in DC

	Originating Site Provider	Distant Site Provider
Physical Location at Time of Service	DC	DC
Licensure Requirements	Licensed in DC, by the applicable Board	Licensed in DC, by the applicable Board

Example 2: Originating Site Provider and Patient Located in DC; Distant Site Provider in MD

	Originating Site Provider	Distant Site Provider
Physical Location at Time of Service	DC	MD
Licensure Requirements	Licensed in DC, by the applicable Board	Compliant with any applicable telemedicine-related requirements/regulations in MD; and Unless otherwise allowable, licensed in DC, by the applicable Board

Example 3: Originating Site Provider and Patient Located in MD; Distant Site Provider in DC

	Originating Site Provider	Distant Site Provider
Physical Location at Time of Service	MD	DC
Licensure Requirements	Licensed in MD, by the applicable Board	Licensed in DC, by the applicable Board; and Compliant with any applicable telemedicine-related requirements/regulations in MD

Example 4: Originating Site Provider and Patient Located in MD; Distant Site Provider in VA

	Originating Site Provider	Distant Site Provider
Physical Location at Time of Service	MD	VA
Licensure Requirements	Licensed in MD, by the applicable Board Compliant with any applicable telemedicine-related requirements/regulations in VA	Compliant with any applicable telemedicine-related requirements/regulations in MD