

# Montana

**Medicaid Program:** Montana Medicaid

**Program Administrator:** MT Dept. of Public Health and Human Services

**Regional Telehealth Resource Center:**

Northwest Regional Telehealth Resource Center

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STATE LAW/REGULATIONS	MEDICAID PROGRAM
<b>Definition of telemedicine/telehealth</b>	
<p>“Telemedicine means the practice of medicine by a physician located outside the state, who performs an evaluative or therapeutic act relating to the treatment or correction of a patient’s physical or mental condition, ailment, disease, injury, or infirmity, and who transmits that evaluative or therapeutic act into Montana through any means, method, device, or instrumentality under the following conditions:</p> <ul style="list-style-type: none"> <li>• The information or opinion is provided directly to a patient in Montana for compensation or with the expectation of compensation;</li> <li>• The physician does not limit the physician’s services to an occasional case;</li> <li>• The physician has an established or regularly used connection with the state, including but not limited to: (i) an office or another place for the reception of a transmission from the physician; (ii) a contractual relationship with a person or entity in Montana related to the physician’s practice of medicine; or (iii) privileges in a Montana hospital or another Montana health care facility.”</li> </ul> <p><i>Source: MT Code Annotated, § 37-3-342 (2011).</i></p> <p>Telemedicine means the use of interactive audio, video, or other telecommunications technology that is:</p> <ul style="list-style-type: none"> <li>• Used by a health care provider or health care facility to deliver health care services at a site other than the site where the patient is located; and</li> <li>• Delivered over a secure connection that complies with the requirements of HIPPA. <ul style="list-style-type: none"> <li>• The term includes the use of electronic media for consultation relating to the health care diagnosis or treatment of a patient in real time or through the use of</li> </ul> </li> </ul>	<p><b>Healthy Montana Kids</b></p> <p>Telemedicine is “the use of a secure interactive audio and video, or other telecommunications technology by a health care provider to deliver health care services at a site other than the site where the patient is located. Does not include audio only (phone call), e-mail, and/or facsimile transmission.”</p> <p><i>Source: MT Children’s health Insurance Plan, Healthy Montana Kids (HMK). Evidence of Coverage (Eff. July 1, 2015), p. 10. (Accessed Jul. 2015).</i></p>

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<p>store-and-forward technology.</p> <ul style="list-style-type: none"> <li>The term does not include the use of audio-only telephone, e-mail, or facsimile transmissions.</li> </ul> <p><i>Source: MT Code Sec. 33-22-138.</i></p> <p><b><u>Recently Passed Legislation (Currently Effective)</u></b>            Telemedicine means the practice of medicine using interactive electronic communication information technology, or other means between a licensee in one location and a patient in another location with or without an intervening health care provider. Telemedicine typically involves the application of secure videoconferencing or store-and-forward technology, as defined in 33-22-138. The term does not mean an audio-only telephone conversation, an e-mail or instant messaging conversation, or a message sent by facsimile transmission.</p> <p><i>Source: MT Code Sec. 37-3-102.</i></p>	
<b>Live Video Reimbursement</b>	
<p>Private payers are required to provide coverage for services delivered through live video, equivalent to in-person coverage.</p> <p>Eligible providers under this law include:</p> <ul style="list-style-type: none"> <li>Physicians</li> <li>Registered professional nurse</li> <li>Advanced practice registered nurse</li> <li>Genetic counselor certified by the American board of genetic counseling</li> <li>Diabetes educator certified by the national certification board for diabetes</li> </ul> <p>Eligible facilities under this law include:</p> <ul style="list-style-type: none"> <li>Critical access hospital</li> <li>Hospice</li> <li>Hospital</li> <li>Long-term care facility</li> <li>Mental health center</li> <li>Outpatient center for primary care</li> <li>Outpatient center for surgical services</li> </ul> <p><i>Source: MT Code Sec. 33-22-138.</i></p>	<p>Montana Medicaid will reimburse for live video services when the consulting provider is enrolled in Medicaid.</p> <p>The requesting provider need not be enrolled in Medicaid nor be present during the telemedicine consult.</p> <p><i>Source: MT Dept. of Public Health and Human Svcs., Medicaid and Medical Assistance Programs Manual, Physician Related Svcs., p 25 (Jul. 2014). (Accessed Jul. 2015).</i></p> <p><b><u>Healthy Montana Kids</u></b>            Services provided by telemedicine are allowed.</p> <p><i>Source: MT Children's health Insurance Plan, Healthy Montana Kids (HMK). Evidence of Coverage (Eff. July 1, 2015), p. 24. (Accessed Jul. 2015).</i></p>
<b>Store and Forward Reimbursement</b>	
<p>Private payers are required to provide coverage for services delivered through store and forward technology, equivalent to in-person coverage.</p> <p>Eligible providers under this law include:</p>	<p>No reference found.</p>

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<ul style="list-style-type: none"> <li>• Physicians</li> <li>• Registered professional nurse</li> <li>• Advanced practice registered nurse</li> <li>• Genetic counselor certified by the American board of genetic counseling</li> <li>• Diabetes educator certified by the national certification board for diabetes</li> </ul> <p>Eligible facilities under this law include:</p> <ul style="list-style-type: none"> <li>• Critical access hospital</li> <li>• Hospice</li> <li>• Hospital</li> <li>• Long-term care facility</li> <li>• Mental health center</li> <li>• Outpatient center for primary care</li> <li>• Outpatient center for surgical services</li> </ul> <p><i>Source: MT Code Sec. 33-22-138.</i></p>	
<b>Remote Patient Monitoring Reimbursement</b>	
No reference found.	No reference found.
<b>Email/Phone/FAX</b>	
<p>No Email No Phone No Fax</p> <p><i>Source: MT Code Sec. 33-22-138.</i></p>	<p>No reimbursement for telephone services in home.</p> <p><i>Source: MT Dept. of Public Health and Human Svcs., Medicaid and Medical Assistance Programs Manual, Audiology Svcs., p 11 (Jul. 2014); Rural Health Clinics &amp; Federally Qualified Health Center (Mar. 2015); Physical Therapy, Occupational Therapy and Speech Therapy, (Aug. 2005), p. 15; Critical Access Hospital Services, (Apr. 2015), p. 22; Hospital Outpatient Services, (May 2015), p. 11; Hospital Inpatient Services, (May 2015), p. 20. (Accessed Jul. 2015).</i></p>
<b>Online Prescribing</b>	
No reference found.	No reference found.
<b>Consent</b>	
No reference found.	No reference found.
<b>Location</b>	
No reference found.	<p>The place of service is considered to be the location of the provider providing the telemedicine service.</p> <p><i>Source: MT Dept. of Public Health and Human Svcs., Medicaid and Medical Assistance Programs Manual, Physician Related Svcs., pg. 54 (Jul. 2014). (Accessed Jul. 2015).</i></p>
<b>Cross-State Licensing</b>	
<p><b><u>Recently Passed Legislation (Effective Oct. 1. 2015)</u></b> Montana adopted the Federation of State Medical Board (FSMB)'s model language for an interstate medical licensure compact.</p>	No reference found.

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<i>Source: MT House Bill 429.</i>	
<b>Private Payers</b>	
Private payers are required to provide coverage for services delivered through telemedicine, equivalent to in-person coverage.  <i>Source: MT Code Sec. 33-22-138.</i>	No reference found.
<b>Site/Transmission Fee</b>	
No reference found.	No reimbursement for network use charges.  <i>Source: MT Dept. of Public Health and Human Svcs., Medicaid and Medical Assistance Programs Manual, Physician Related Svcs., pg. 25 (Jul. 2014).</i>  FQHCs and RHCs can bill a telehealth originating site code if applicable.  <i>Source: MT Dept. of Public Health and Human Svcs., Medicaid and Medical Assistance Programs Manual, Rural Health Clinics &amp; Federally Qualified Health Center, p. 19 (Mar. 2015). (Accessed Jul. 2015).</i>
<b>Miscellaneous</b>	

**Comments:**

*New Regulations Passed:*

- MT Board of Speech-Language Pathology (*MT Admin Rules, Sec. 24.222.9*)

