

Oklahoma

Medicaid Program: SoonerCare

Medicaid Program Administrator: Oklahoma Health Care Authority

Regional Telehealth Resource Center:

Heartland Telehealth Resource Center
 3901 Rainbow Blvd MS 1048
 Kansas City, KS 66160
 (877) 643-4872
heartlandtrc.org

STATE LAW/REGULATIONS	MEDICAID PROGRAM
Definition of telemedicine/telehealth	
<p>"Telemedicine means the practice of health care delivery, diagnosis, consultation, treatment, including but not limited to, the treatment and prevention of strokes, transfer of medical data, or exchange of medical education information by means of audio, video, or data communications. Telemedicine is not a consultation provided by telephone or facsimile machine."</p> <p><i>Source: OK Statutes, Title 36, Sec. 6802.</i></p> <p>"Telemedicine means the practice of health care delivery, diagnosis, consultation, treatment, including but not limited to, the treatment and prevention of strokes, transfer of medical data, or exchange of medical education information by means of audio, video, or data communications. Telemedicine is not a consultation provided by telephone, facsimile machine nor does it include administrative applications such as billing, contracted services, security systems, etc."</p> <p><i>Source: OK Admin Code Title 165: 59-1-4 & 435:10-1-4.</i></p> <p><i>This definition excludes phone or Internet contact or prescribing and other forms of communication, such as web-based video, that might occur between parties that does not meet the equipment requirements as specified in OAC 435:10-7-13 and therefore requires an actual face-to-face encounter.</i></p> <p><i>Source: OK Admin Code Title 435:10-1-4.</i></p> <p><i>(also see Medicaid column)</i></p>	<p>"Telehealth means the use of telecommunication technologies for clinical care (telemedicine), patient teaching and home health, health professional education (distance learning), administrative and program planning, and other diverse aspects of a health care delivery system."</p> <p><i>Source: OK Admin. Code Sec. 317:30-3-27.</i></p> <p>"Telemedicine means the practice of health care delivery, diagnosis, consultation and treatment and the transfer of medical data through interactive audio, video or data communications that occur in the real-time or near real-time and in the physical presence of the member."</p> <p><i>Source: OK Admin. Code Sec. 317:30-3-27 (b) (8).</i></p> <p>Telemedicine is the communication between an approved specialist and a SoonerCare member either by audio, video, or data interaction. The communication is in real-time or near real-time. Telemedicine does not cover store-and-forward of health care information, i.e., teleradiology, telepathology, images and/or interpretation of test that are transmitted electronically or referral services. Telemedicine is always done with the SoonerCare member present at the originating site. Providers must be listed as authorized originating and/or distant site provider and belong to a telemedicine network to be reimbursed.</p> <p><i>Source: Health Care Authority, Providers, Telemedicine</i></p>
Live Video Reimbursement	
<p>Oklahoma statute requires coverage of telemedicine services, which includes live video, by health care service plans, disability insurer programs, workers' compensation programs, and state Medicaid managed care program contracts, subject to contract terms and</p>	<p>SoonerCare (Oklahoma's Medicaid program) reimburses for live video if the health care provider determines the service to be appropriately provided via telemedicine. This applies to health care service plans, disability insurer programs, workers' compensation</p>

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<p>conditions.</p> <p><i>Source: OK Statute, Title 36 Sec. 6803.</i></p> <p><i>(see Medicaid column & “Private Payers” section)</i></p>	<p>programs or state Medicaid managed care program contracts.</p> <p>Eligible services:</p> <ul style="list-style-type: none"> • Consultations; • Office visits; • Individual psychotherapy; • Psychiatric diagnostic interview examinations and testing; • Mental health assessments; • Pharmacologic management. <p>Eligible distant-site providers:</p> <ul style="list-style-type: none"> • Physicians; • Advanced registered nurse practitioners; • Physician assistants; • Genetic counselors; • Licensed behavioral health professionals; • Dieticians; • An Indian Health Service facility, a Tribal health facility or an Urban Indian (I/T/U) clinic with specialty service providers as listed here. <p>Coverage of all telemedicine services is at the discretion of the Oklahoma Health Care Authority.</p> <p><i>Source: OK Admin. Code Sec. 317:30-3-27 & Health Care Authority, Providers, Telemedicine (accessed Jan. 15, 2015).</i></p> <p><i>Source: Health Care Authority, Providers, Telemedicine</i></p> <p>Office and outpatient visits count toward benefit limits.</p> <p><i>Source: OK Statute, Title 36 Sec. 6803.</i></p>
Store and Forward Reimbursement	
<p><i>(see Medicaid column)</i></p>	<p>SoonerCare will reimburse for “conventional health care delivery”, the service does not require face-to-face contact between the patient and the provider.</p> <p>Examples include:</p> <ul style="list-style-type: none"> • Tele-radiology; • Tele-pathology; • Fetal monitor strips; • Physician interpretation of electrocardiogram and electroencephalogram readings. <p>SoonerCare does not consider these services telemedicine as defined by OHCA.</p> <p><i>Source: OK Admin. Code Sec. 317:30-3-27(e).</i></p>

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Remote Patient Monitoring Reimbursement	
No reference found.	No reference found.
Email/Phone/FAX	
<p>No reference found for email. No reimbursement for telephone. No reimbursement for FAX.</p> <p><i>Source: OK Statute, Title 36 St. Sec. 6802.</i></p> <p><i>(also see Medicaid column)</i></p>	<p>No reimbursement for email. No reimbursement for telephone. No reimbursement for FAX.</p> <p><i>Source: OK Admin. Code Sec. 317:30-3-27(d).</i></p>
Online Prescribing	
<p>Telemedicine physicians who meet certain criteria are not subject to the face-to-face requirement to establish a physician-patient relationship.</p> <p><i>Source: OK Admin. Code Sec. 435:10-7-12.</i></p> <p>Prescribing or administering a drug or treatment without sufficient examination and the establishment of a valid physician-patient relationship is prohibited.</p> <p><i>Source: OK Statute, Title 59, Sec. 509.</i></p> <p>A physician-patient relationship includes an in-person patient exam.</p> <p><i>Source: OK Admin. Code Sec. 435:10-1-4.</i></p>	No reference found.
Consent	
<p>Written patient consent is required prior to the delivery of any telemedicine services. The provider who is in physical contact with the patient shall obtain this consent.</p> <p><i>Source: OK Statute, Title 36 Sec. 6804.</i></p> <p><i>(also see Medicaid column)</i></p>	<p>Written consent required.</p> <p><i>Source: OK Admin. Code Sec. 317:30-3-27(f) (6).</i></p>
Location	
No reference found.	<p>Coverage is limited to rural or geographic areas where there is a lack of local medical/psychiatric/mental health expertise.</p> <p><i>Source: OK Admin. Code Sec. 317:30-3-27(c) (2). Health Care Authority, Providers, Telemedicine (accessed Jan. 15, 2015).</i></p> <p><i>Source: Health Care Authority, Providers, Telemedicine</i></p> <p>Rural areas are defined as counties with fewer than 50,000 people.</p> <p><i>Source: OK Admin. Code Sec. 317:30-3-27(b) (5). Jan. 15, 2015</i></p>

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	<p>Eligible originating sites:</p> <ul style="list-style-type: none"> • Practitioner offices; • Hospitals; • Schools; • Outpatient behavioral health clinics; • Critical Access Hospitals; • Rural Health Clinics; • Federally Qualified Health Centers; • Indian Health Service, tribal health, or Urban Indian facility (I/T/U). <p>An appropriate certified or licensed health care professional at the originating site is required to present the member to the distant site and remain available as clinically appropriate.</p> <p><i>Source: OK Admin. Code Sec. 317:30-3-27(c) (5) & Oklahoma Health Care Authority, Providers, Telemedicine (accessed Jan. 15, 2015).</i></p> <p><i>Source: Health Care Authority, Providers, Telemedicine</i></p>
Cross-State Licensing	
<p>Physician treating patients in OK through telemedicine must be fully licensed in OK.</p> <p><i>Source: OK Admin Code Title 435:10-1-4.</i></p> <p>The State Board of Osteopathic Examiners has the authority to issue a telemedicine license.</p> <p><i>Source: OK Statute, Title 59, Sec. 633</i></p>	<p>No reference found.</p>
Private Payers	
<p>Requires coverage of telemedicine services by health care service plans, disability insurer programs, workers' compensation programs, and state Medicaid managed care program contracts, subject to contract terms and conditions.</p> <p><i>Source: OK Statute, Title 36 Sec. 6803.</i></p>	<p>No reference found.</p>
Site/Transmission Fee	
<p>(see Medicaid column)</p>	<p>Facility fee paid to originating site.</p> <p><i>Source: OK Admin. Code Sec. 317:30-3-27.</i></p> <p>No originating site fee for store and forward.</p> <p><i>Source: OK Admin. Code Sec. 317:30-3-27(e).</i></p>
Miscellaneous	
<p>OK provides, at no cost, one telecommunications line or wireless connection for telemedicine services to the following:</p>	

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<ul style="list-style-type: none"> • Not-for-profit hospitals; • County health departments; • City-county health departments; • Federally Qualified Health Centers. <p><i>Source: OK Statutes, Title 17 Sec. 139.109.</i></p>	

Comments: The OK Dept. of Health has begun to develop a statewide telemedicine network.
Oklahoma Statutes, Title 63 Sec. 1-2702.

OK New Regulations Passed:

- State Board of Medical Licensure and Supervision
OAC 435:10-11-3.