

# West Virginia

**Medicaid Program:** West Virginia Medicaid

**Medicaid Program Administrator:** Bureau for Medical Services, under the West Virginia Dept. of Health and Human Resources

**Regional Telehealth Resource Center**

Mid-Atlantic Telehealth Resource Center  
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STATE LAW/REGULATIONS	MEDICAID PROGRAM
<b>Definition of telemedicine/telehealth</b>	
<p>“The practice of telemedicine means the use of electronic information and communication technologies to provide health care when distance separates participants. It includes one or both of the following:</p> <ol style="list-style-type: none"> <li>1. The diagnosis of a patient within this state by a physician located outside this state, as a result of the transmission of individual patient data, specimens or other material by electronic or other means from within this state to the physician or his or her agent;</li> <li>2. The rendering of treatment to a patient within this state by a physician located outside this State as a result of transmission of individual patient data, specimens or other material by electronic or other means from within this State to the physician or his or her agent.”</li> </ol> <p><i>Source: WV Code Sec. 30-3-13.</i></p>	<p>“A tele-consultation is an interactive member encounter that meets specific criteria. This service requires the use of interactive telecommunications systems, defined as multimedia communication equipment that involves at least audio and video equipment, and which permits two-way consultation among the member, consultant and referring provider. Telephones, facsimile machines, and electronic mail systems do not qualify as interactive telecommunication systems.”</p> <p><i>Source: WV Dept. of Health and Human Svcs., Medicaid Provider Manual, Chapter–519 Covered Svcs., Limitations, And Exclusions For Practitioner Svcs. – Including Physicians, Physician Assistants, And Advanced Registered Nurse Practitioners, p. 25 (Jan. 16, 2012).</i></p>
<b>Live Video Reimbursement</b>	
<p>No reference found.</p>	<p>West Virginia Medicaid reimburses for live video consultations for medical services and nutrition and exercise services.</p> <p>Requirements:</p> <ul style="list-style-type: none"> <li>• The consult must involve real-time consultation as appropriate for the member’s medical needs, and as needed to provide information to and at the direction of the consulting physician;</li> <li>• Coverage of consult is limited to members in non-metropolitan statistical professional shortage areas as defined by the Centers for Medicare &amp; Medicaid Services. The referring provider must be located in the same non-</li> </ul>

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	<p>metropolitan area;</p> <ul style="list-style-type: none"> <li>• The referring provider may bill for an office, outpatient, or inpatient evaluation and management (E&amp;M) service that precedes the consultation, and for other Medicaid-covered services the consultant orders, or for services unrelated to the medical problem for which the consult was requested. However, the referring provider may not bill for a second visit for activities provided during the consult;</li> <li>• The consultant must be in control of the member's medical examination, with the referring provider participating, as needed. The patient must be present in real time, and telecommunication technology must allow the consultant to conduct a medical exam;</li> <li>• The consultant must provide the referring physician with a written report;</li> <li>• Separate payment is not made for the review and interpretation of medical records;</li> <li>• Coverage is limited to professional consultations that meet the criteria.</li> </ul> <p><i>Source: WV Dept. of Health and Human Svcs., Medicaid Provider Manual, Chapter-519 Covered Svcs., Limitations, And Exclusions For Practitioner Svcs. – Including Physicians, Physician Assistants, And Advanced Registered Nurse Practitioners, p. 25 (Jan. 16, 2012).</i></p> <p>Exercise and nutrition services may be delivered through a single site, or between two sites, with a formal agreement between the two parties.</p> <p><i>Source: WV Dept. of Health and Human Svcs., Medicaid Provider Manual, Chapter 527: Mountain Health Choices, p. 37 (Jan. 30, 2009).</i></p> <p>For facility-based fitness centers/certified trainer services, rural clinics may partner with a single-site provider to utilize their professional services. Scheduled appointments are then set up and video teleconferencing is used to deliver services to the member with at minimum a nurse present with the member during the consultation.</p> <p><i>Source: WV Dept. of Health and Human Svcs., Medicaid Provider Manual, Chapter 527: Mountain Health Choices, p. 40 (Jan. 30, 2009).</i></p> <p>Targeted case management can be conducted through telemedicine with the exception of the required 90 day face-to-face encounter with the targeted case manager.</p> <p><i>Source: WV Dept. of Health and Human Svcs., Medicaid Provider Manual, Chapter 523: Targeted Case Management, p. 11 (Jan. 1, 2013).</i></p> <p>WV Medicaid encourages providers to render services via telehealth in the Behavioral Health Clinic Services</p>

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	<p>program.</p> <p><i>Source: WV Dept. of Health and Human Svcs., Medicaid Provider Manual, Chapter–502 Covered Svcs., Limitations, And Exclusions For Behavioral Health Clinic Services, p. 14 (Jul. 4, 2014) &amp;</i></p> <p><i>Medicaid Provider Manual Chapter 503 Covered Svcs., Limitations, and Exclusions for Behavioral Health Rehabilitation Services, p. 13 (Jul. 1, 2014).</i></p>
<b>Store and Forward Reimbursement</b>	
No reference found.	<p>No reimbursement, based upon definition of teleconsultation, which describes it as using an “interactive telecommunications system that allows a “two-way consultation among the member, consultant and referring provider”.</p> <p><i>Source: WV Dept. of Health and Human Svcs., Medicaid Provider Manual, Chapter–519 Covered Svcs., Limitations, And Exclusions For Practitioner Svcs. – Including Physicians, Physician Assistants, And Advanced Registered Nurse Practitioners, p. 25 (Jan. 16, 2012).</i></p>
<b>Remote Patient Monitoring Reimbursement</b>	
No reference found.	No reference found.
<b>Email/Phone/FAX</b>	
No reference found.	<p>No reimbursement for FAX. No reimbursement for telephone. No reimbursement for email.</p> <p><i>Source: WV Dept. of Health and Human Svcs., Medicaid Provider Manual, Chapter–519 Covered Svcs., Limitations, And Exclusions For Practitioner Svcs. – Including Physicians, Physician Assistants, And Advanced Registered Nurse Practitioners, p. 25 (Jan. 16, 2012).</i></p>
<b>Online Prescribing</b>	
<p>A “valid patient-practitioner relationship” can be established through telemedicine in a manner approved by the appropriate board.</p> <p><i>Source: WV Code Sec. 30-5-4.</i></p> <p>Prohibits providers from issuing prescriptions, via electronic or other means, for persons without establishing an ongoing physician-patient relationship, wherein the physician has obtained information adequate to support the prescription.</p> <p>Exceptions:</p> <ul style="list-style-type: none"> <li>• Documented emergencies;</li> <li>• On-call or cross-coverage situations;</li> <li>• Where patient care is rendered in consultation</li> </ul>	No reference found.

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<p>with another physician who has an ongoing relationship with the patient, and who has agreed to supervise the patient's treatment, including use of any prescribed medications.</p> <p><i>Source: WV Code Sec. 11-1A-12.</i></p>	
<b>Consent</b>	
<p>No reference found.</p>	<p>Patient consent must be obtained.</p> <p><i>Source: WV Dept. of Health and Human Svcs., Medicaid Provider Manual, Chapter-502 Covered Svcs., Limitations, And Exclusions For Behavioral Health Clinic Services, p. 14 (Jul. 4, 2014) &amp; Medicaid Provider Manual Chapter 503 Covered Svcs., Limitations, and Exclusions for Behavioral Health Rehabilitation Services, p. 13 (Jul. 1, 2014).</i></p>
<b>Location</b>	
<p>No reference found.</p>	<p>Limited to members in CMS-defined non-metropolitan statistical professional shortage areas. The referring provider must be located in the non-metropolitan area.</p> <p><i>Source: WV Dept. of Health and Human Svcs., Medicaid Provider Manual, Chapter-519 Covered Svcs., Limitations, And Exclusions For Practitioner Svcs. – Including Physicians, Physician Assistants, And Advanced Registered Nurse Practitioners, p. 25 (Jan. 16, 2012).</i></p>
<b>Cross-State Licensing</b>	
<p><b><u>Recently Passed Legislation</u></b>  WV adopted the Federation of State Medical Board (FSMB)'s model language for an interstate medical licensure compact.</p> <p><i>Source: WV House Bill 2496 (2015).</i></p>	<p>No reference found.</p>
<b>Private Payers</b>	
<p>No reference found.</p>	<p>No reference found.</p>
<b>Site/Transmission Fee</b>	
<p>No reference found.</p>	<p>No reimbursement. Patients may not be billed for these fees.</p> <p><i>Source: WV Dept. of Health and Human Svcs, Medicaid Provider Manual, Chapter-519 Covered Svcs., Limitations, And Exclusions For Practitioner Svcs. – Including Physicians, Physician Assistants, And Advanced Registered Nurse Practitioners, p. 25 (Jan. 16, 2012).</i></p>
<b>Miscellaneous</b>	

