

Louisiana

Medicaid Program: Louisiana Medicaid

Program Administrator: LA Dept. of Health and Hospitals

Regional Telehealth Resource Center:

TexLa Telehealth Resource Center

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STATE LAW/REGULATIONS	MEDICAID PROGRAM
Definition of telemedicine/telehealth	
<p>“Telemedicine is the practice of health care delivery, diagnosis, consultation, treatment, and transfer of medical data using interactive telecommunication technology that enables a health care practitioner and a patient at two locations separated by distance to interact via two-way video and audio transmissions simultaneously. Neither a telephone conversation nor an electronic mail message between a health care practitioner and patient, or a true consultation as may be defined by rules promulgated by the board pursuant to the Administrative Procedure Act, constitutes telemedicine.”</p> <p><i>Source: LA Revised Statutes 37:1262 & LA Admin. Code 46:XL V.75.http://www.lsbme.la.gov/sites/default/files/documents/Rules/Individual%20Rules/Physicians%20Oct%202015.pdf</i></p> <p>Telehealth means a mode of delivering healthcare services that utilizes information and communication technologies to enable the diagnosis, consultation, treatment, education, care management and self-management of patients at a distance from healthcare providers. Telehealth allows services to be accessed when providers are in a distant site and patients are in the originating site. Telehealth facilitates patient self-management and caregiver support for patients and includes synchronous interactions and asynchronous store and forward transfers.</p> <p><i>Source: LA Revised Statutes HB 1280 (2014) & Title 40 Sec. 1300.383.</i></p>	<p>“Telemedicine is the use of medical information exchanges from one site to another via electronic communications to improve a recipient’s health. Electronic communication means the use of interactive telecommunications equipment that includes, at a minimum, audio and video equipment permitting two-way, real time interactive communication between the patient at the originating site, and the physician or practitioner at the distant site.”</p> <p><i>Source: LA Dept. of Health and Hospitals, Professional Svcs. Provider Manual, Chapter Five of the Medicaid Svcs. Manual, p. 158 (As revised on Oct. 1, 2015). (Accessed Mar. 2016).</i></p>
Live Video Reimbursement	
<p>Louisiana law requires reimbursement to the originating site physician for a live video consultation if he/she is physically present during the exam and interacts with the distant-site physician. (See “Private Payers” section below)</p> <p><i>Source: LA Revised Statutes 22:1821 (2012).</i></p>	<p>Louisiana Medicaid reimburses for “services provided via an interactive audio and video telecommunications system.”</p> <p><i>Source: LA Register, Volume 31, 2032 (2012).</i></p> <p>Louisiana Medicaid only reimburses the distant site</p>

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	<p>provider.</p> <p><i>Source: LA Dept. of Health and Hospitals, Professional Svcs. Provider Manual, Chapter Five of the Medicaid Svcs. Manual, p. 158 (As revised on Oct. 1, 2015). (Accessed Mar. 2016).</i></p>
Store and Forward Reimbursement	
<p>There is no reimbursement requirement based upon the definition of “telemedicine” which describes telemedicine as an interaction “via two-way video and audio transmission”.</p> <p><i>Source: LA Revised Statutes 37:1262 (2012).</i></p>	<p>Louisiana Medicaid will not provide reimbursement for store and forward based upon the definition of “telemedicine” which describes telemedicine as including “audio and video equipment permitting two-way, real time interactive communication” therefore excluding store and forward.</p> <p><i>Source: LA Dept. of Health and Hospitals, Professional Svcs. Provider Manual, Chapter Five of the Medicaid Svcs. Manual, p. 156 (As revised on Oct. 1, 2015). (Accessed Mar. 2016).</i></p>
Remote Patient Monitoring Reimbursement	
<p>No reference found.</p>	<p>Under the Community Choices Waiver, Louisiana Medicaid will reimburse an installation fee and a monthly maintenance fee for:</p> <ul style="list-style-type: none"> • TeleCare Activity and Sensor Monitoring, • Health status monitoring, and • Medication and monitoring. <p><u>Activity and Sensor Monitoring</u></p> <p>At a minimum the system must:</p> <ul style="list-style-type: none"> • Monitor the home’s points of egress and entrance; • Detect falls; • Detect movement or lack of movement; • Detect whether doors are opened or closed; and • Provide a push button emergency alert system. <p>Providers of assistive devices and medical equipment must be a licensed home health agency.</p> <p>Certain standards apply for the medical equipment and supplies used.</p> <p>Limitations</p> <ul style="list-style-type: none"> • Services must be pre-approved • Services must be based on verified need. • Benefit must be determined by an independent assessment on any item that costs over \$500. • All items must reduce reliance on other Medicaid state plan or waiver services • All items must meet applicable standards of manufacture, design and installation • The items must be on the Plan of Care developed by the support coordinator. <p>A recipient is not able to receive Telecare Activity and Sensor Monitoring services and traditional PERS</p>

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	<p>services.</p> <p>Where applicable, recipients must use Medicaid State Plan, Medicare or other available payers first.</p> <p><i>Source: LA Dept. of Health and Hospitals, Community Choices Waiver Provider Manual, Chapter Seven of the Medicaid Svcs. Manual, p. 29-30 (as revised on Oc. 1, 2016). (Accessed Mar. 2016).</i></p>
Email/Phone/FAX	
<p>No reimbursement for email. No reimbursement for telephone. No reference found for FAX.</p> <p><i>Source: LA Revised Statutes 37:1262 (2012).</i></p>	No reference found.
Online Prescribing	
<p>Only physicians certificated by a specialty board of the American Board of Medical Specialties or the American Osteopathic Association shall use telemedicine to prescribe amphetamines or narcotics.</p> <p>Telemedicine, including the issuance of any prescription via electronic means, shall be held to the same prevailing and usually accepted standards of medical practice as those in traditional, face-to-face settings.</p> <p>An online, electronic or written mail message, or a telephonic evaluation by questionnaire or otherwise, does not satisfy the standards of appropriate care.</p> <p>To establish a physician-patient relationship an in-person visit is not required if the technology is sufficient to provide the physician the pertinent clinical information.</p> <p><i>Source: LA Admin. Code 46:XLV.75.</i></p> <p>No physician practicing telemedicine can prescribe a controlled dangerous substance prior to conducting an appropriate in-person patient history or physical examination of the patient.</p> <p><i>Source: LA Revised Statutes Sec. 1300.381 & HB 1280 (2014).</i></p>	<p>Greater New Orleans Community Health Connection Provider Manual</p> <p>The use of a telemedicine communications system may substitute for a face-to-face, "hands on" encounter for consultation, office visits, individual psychotherapy and pharmacologic management.</p> <p><i>Source: LA Dept. of Health and Hospitals, Greater New Orleans Community Health Connection Provider Manual, Chapter Forty-seven of the Medicaid Svcs. Manual, p. 65 (as revised Oct. 1, 2015). (Accessed Mar. 2016).</i></p>
Consent	
<p>Physicians must inform telemedicine patients of the relationship between the physician and patient, and the role of any other health care provider with respect to management of the patient. The patient may decline to receive telemedicine services and withdraw from such care at any time.</p> <p><i>Source: LA Admin. Code 46:XLV.7511 (2012).</i></p>	No reference found.
Location	

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No reference found.	No reference found.
Cross-State Licensing	
<p>A telemedicine license may be issued to out-of-state physicians, as long as they hold a full and unrestricted license in another state or U.S. territory.</p> <p>Out-of-state telemedicine providers cannot open an office, meet with patients or receive calls from patients within Louisiana.</p> <p>A licensed health care provider must be in the examination room with the patient during telemedicine services.</p> <p><i>Source: LA Revised Statutes 37:1276.1 (2012).</i></p> <p>LA state agencies and professional boards can regulate the use of telehealth including licensing of out-of-state healthcare providers.</p> <p><i>Source: LA Revised Statutes Sec. 1300.381 & HB 1280 (2014).</i></p>	No reference found.
Private Payers	
<p>Reimbursement must be made to the originating site physician if he/she is physically present during the exam and interact with the distant-site physician.</p> <p>Originating-site physician fees shall be at least 75 percent of the normal fee for an intermediate office visit.</p> <p>No reference found for distant-site physician reimbursement.</p> <p><i>Source: LA Revised Statutes 22:1821 (2012).</i></p>	No reference found.
Site/Transmission Fee	
No reference found.	No reference found.
Miscellaneous	
<p>Louisiana law requires that a physician who uses telemedicine establish a proper physician-patient relationship. Physicians must:</p> <ul style="list-style-type: none"> • Verify the identity of the patient; • Conduct an appropriate exam; • Establish a proper diagnosis; • Establish a treatment plan; • Create a written plan for follow up care. <p><i>Source: LA Admin. Code 46:XLV.7509 (2012).</i></p>	

Comments:Professional Board Telehealth-Specific Regulations

- Louisiana Medical Board (*Title 46, Part XLV, Subpart 1, Subchapter C, Ch. 75*)
<http://www.lsbme.la.gov/sites/default/files/documents/Rules/Individual%20Rules/Physicians%20Oct%202015.pdf>

Louisiana has specific standards for its telemedicine physicians.

Source: LA Statute Sec. 1300.381 & House Bill 1280 (2014).

Louisiana created a Task Force on Telehealth access to advise the legislature and the Department of Health and Hospitals on policies and practices that expand access to telehealth services.

Source: LA House Concurrent Resolution 88 (2014).