

Nebraska

Medicaid Program: Nebraska Medicaid

Program Administrator: NE Dept. of Health and Human Services

Regional Telehealth Resource Center:

Great Plains Telehealth Resource and Assistance Center

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STATE LAW/REGULATIONS	MEDICAID PROGRAM
Definition of telemedicine/telehealth	
<p>Telehealth means the use of medical information electronically exchanged from one site to another, whether synchronously or asynchronously, to aid a health care practitioner in the diagnosis or treatment of a patient. Telehealth includes services originating from a patient's home or any other location where such patient is located, asynchronous services involving the acquisition and storage of medical information at one site that is then forwarded to or retrieved by a health care practitioner at another site for medical evaluation, and telemonitoring.</p> <p><i>Source: NE Rev. Statute, 71-8503. (LB 1076) & LB 257 (2015).</i></p> <p>Telehealth consultation means any contact between a patient and a health care practitioner relating to the health care diagnosis or treatment of such patient through telehealth.</p> <p><i>Source: NE Rev. Statute, 71-8503. (LB 1076)</i></p>	<p>Telehealth is a Medicaid-covered service delivered by a health care practitioner that utilize an interactive audio and video telecommunications system that permits real-time communication between the health care practitioner at the distant site and the client at the originating site. Telehealth services do not include a telephone conversation, electronic mail message, facsimile transmission between a health care practitioner and a client, a consultation between two health care practitioners and asynchronous "store and forward" technology.</p> <p><i>Source: NE Admin. Code Title 471, Ch. 1 & Physician Provider Handbook, Manual Letter 63-2014 (accessed Mar. 23, 2016).</i></p>
Live Video Reimbursement	
<p>(see Medicaid column)</p>	<p>For managed care plans who contract with the Department, in-person contact is not required for reimbursable services only to the extent that:</p> <ul style="list-style-type: none"> • Services delivered via telehealth are covered and reimbursed under the fee-for-service program and • Managed care contracts are amended to add coverage of services delivered via telehealth <p>Telehealth services are not covered if a child has access to a comparable service within 30 miles of his/her place of residence.</p> <p>Exceptions to this requirement:</p>

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	<ul style="list-style-type: none"> Children receiving behavioral health services. <p>Reimbursement shall, at a minimum, be set at the same rate as a comparable in-person consult and the rate must not depend on the distance between the health care practitioner and the patient.</p> <p>NB Medicaid requires providers to be specifically enrolled as a telehealth site with Medicaid to bill for a telehealth services.</p> <p>A safety plan must be developed for clients, (except children receiving behavioral health services).</p> <p><i>Source (authorization and reimbursement): NE Revised Statutes Sec. 71-8506 (2012).</i> <i>Source (exceptions to 30-mile rule): NE Admin. Code Title 471, Ch. 1.</i> <i>Source: Physician Provider Handbook, Manual Letter 63-2014</i> <i>Source (Children’s behavioral health): LB 556 (Recently passed, effective Aug. 30, 2013). (Accessed Mar. 23, 2016).</i></p> <p><u>Federally Qualified Health Centers & Rural Health Clinics</u></p> <p>FQHC & RHC core services provided via telehealth are not covered under the encounter rate.</p> <p><i>Source: NE FQHC Provider Handbook, Manual Letter 11-2010 & NE RHC Provider Handbook, Manual Letter 11-2010. (Accessed Mar. 23, 2016).</i></p> <p><u>Children’s Behavioral Health</u></p> <p>A trained staff member must be immediately available to a child receiving telehealth behavioral health service. This requirement may be waived by a legal guardian.</p> <p><i>Source: Revised Statutes of NE. Sec. 71-8506.</i></p> <p><u>Assertive Community Treatment (ACT)</u></p> <p>ACT Team Interventions may be provided via telehealth when provided according to certain regulations.</p> <p><i>Source: NE Mental Health & Substance Abuse Provider Handbook, Ch. 35 Rehabilitative Psychiatric Services, Manual Letter 89-2008. (Accessed Mar. 23, 2016).</i></p>
Store and Forward Reimbursement	
(see Medicaid column)	<p>Nebraska Medicaid will reimburse for tele-radiology when it meets the American College of Radiology standards for tele-radiology. There is no other reference to reimbursing for other specialties.</p> <p><i>Source: NE Admin. Code Title 471, Ch. 1 & Physician Provider Handbook, Manual Letter 63-2014. (Accessed Mar. 23, 2016).</i></p>

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Remote Patient Monitoring Reimbursement	
No reference found.	No reference found.
Email/Phone/FAX	
<i>(see Medicaid column)</i>	No reimbursement for email. No reimbursement for telephone. No reimbursement for FAX. <i>Source: NE Admin. Code Title 471, Ch. 1.</i>
Online Prescribing	
Prescribing drugs to individuals the physician has never met, based solely on answers to questions provided by the internet, telephone, or FAX, or without first establishing a proper physician-patient relationship, is prohibited. <i>Source: NE Admin. Code Title 172, Ch. 88.</i> <i>(also see Medicaid column)</i>	Prescriptions over the Internet: Neither the prescribing health care practitioner service nor the pharmacy service is covered when the health care practitioner prescribing the medication has only reviewed an e-mail message or e-mail questionnaire about the client. <i>Source: NE Admin. Code Title 471, Ch. 1.</i>
Consent	
Written patient consent required prior to any service delivery. <i>Source: NE Revised Statutes Sec. 71-8505 (2012).</i> <i>(also see Medicaid column)</i>	Written or email consent required before initial service delivery. Must include this information: <ul style="list-style-type: none"> • The patient may refuse the service at any time with no loss of future treatment or program benefits patient is otherwise entitled to;; • A list of alternative care options, including in-person services; • Confidentiality protections; • Patient access to all medical information from the consult; • Prior consent for dissemination of any client-identifiable images or information from the consult; • Patient shall be informed of all parties present at both ends of the consult, and the patient may exclude anyone from either site; • The patient may see an appropriately trained staff or employee in person immediately after the consult, or be informed ahead of time that this is not available. Sample patient consent form available in Manual Appendix. <i>Source: NE Admin. Code Title 471, Ch. 1 & Physician Provider Handbook, Manual Letter 63-2014. (Accessed Mar. 23, 2016).</i>
Location	
	Telehealth Site means either a health care facility enrolled with Medicaid and licensed under Neb. Rev.

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	<p>Stat. Section 71-2017 to 71-2029, and effective January 1, 2001, licensed under the Health Care Facility Act or a health care practitioner facility whose practitioners are enrolled with Medicaid and credentialed under the Uniform Licensing Law.</p> <p><i>Source: NE Dept. of Health and Human Svcs., Title 471 NE Medical Assistance Svcs., p. 18 (July 11, 2009) & Physician Provider Handbook, Manual Letter 63-2014. (Accessed Mar. 23, 2016).</i></p> <p>Telehealth services are not covered if the patient has access to a comparable service within 30 miles of his/her place of residence.</p> <p>Exceptions to this requirement:</p> <ul style="list-style-type: none"> • Emergency or urgent medical situations; • When accessing in-person services at less than 30 miles poses a significant hardship on the patient, due to a medical condition or disability; • Nursing facility patients who require transportation via ambulance. • Recently Passed Legislation: Children receiving behavioral health services. <p><i>Source (exceptions to 30-mile rule): NE Admin. Code Title 471, Ch. 1.</i> <i>Source (Children's behavioral health): LB 556 (Recently passed, effective Aug. 30, 2013)</i></p> <p>Out-of-State Telehealth Services are covered:</p> <ul style="list-style-type: none"> • When the distant site is located in another state and the originating site is located in Nebraska if requirements are met. • When the Nebraska client is located at an originating site in another state, whether or not the provider's distant site is located in or out of Nebraska if certain requirements are met. <p><i>Source: NE Admin. Code Title 471, Ch. 1 & Physician Provider Handbook, Manual Letter 63-2014. (Accessed Mar. 23, 2016).</i></p>
Cross-State Licensing	
No reference found.	<p>Health care practitioners must be appropriately licensed, certified or registered by Nebraska.</p> <p><i>Source: Physician Provider Handbook, Manual Letter 63-2014. (Accessed Mar. 23, 2016).</i></p>
Private Payers	
Private payers and self-funded employee benefit plans must provide, upon request, a description of the telehealth and telemonitoring services covered under the relevant policy. The description must include:	No reference found.

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<ul style="list-style-type: none"> • Description of services in telehealth and telemonitoring; • Exclusions or limitations (including limitation on transmission costs); • Requirements for licensing status; • Requirements for signed written consent. <p><i>Source: LB 257 (2015).</i></p>	
Site/Transmission Fee	
<p><i>(see Medicaid column)</i></p>	<p>Medicaid coverage of transmission costs is available.</p> <p><i>Source: NE Admin. Code Title 471, Ch. 1 & Physician Provider Handbook, Manual Letter 63-2014. (Accessed Mar. 23, 2016).</i></p> <p><u>Federally Qualified Health Centers & Rural Health Clinics</u> Telehealth transmission cost related to non-core services will be the lower of:</p> <ul style="list-style-type: none"> • The provider's submitted charge; or • The maximum allowable amount <p><i>Source: NE FQHC Provider Handbook, Manual Letter 11-2010 & NE RHC Provider Handbook, Manual Letter 11-2010. (Accessed Mar. 23, 2016).</i></p> <p>Managed Care Telehealth transmission is covered as a part of the behavioral health benefits package.</p> <p><i>Source: NE Admin. Code Title 482, 5-004.</i></p>
Miscellaneous	
	<p>Telehealth Education for School Health (TESH) in the Division of Public Health offers nursing education in child and school health topics using telehealth, contributes to the development of collaborative relationships between schools and public health and medical providers and identifies and develops effective applications of telehealth in school and community health settings to benefit children and families.</p> <p><i>Source: NE Dep. Of Health and Human Services, School Health Program. TESH (Telehealth Education for School Health). (Accessed Mar. 2016).</i></p>