

## Oklahoma

**Medicaid Program:** SoonerCare

**Medicaid Program Administrator:** Oklahoma Health Care Authority

**Regional Telehealth Resource Center:**

Heartland Telehealth Resource Center  
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STATE LAW/REGULATIONS	MEDICAID PROGRAM
<b>Definition of telemedicine/telehealth</b>	
<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>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.</p> <p><i>Source: OK Admin Code Title 435:10-1-4</i></p> <p><b><u>Recently Passed Legislation (Eff. Nov. 1, 2016)</u></b> Telemedicine uses audio and video multimedia telecommunication equipment which permits two-way real-time communication between a health care practitioner and a patient who are not in the same physical location.</p> <p><i>Source: OK Statute, Title 22, Sec. 1161.1.</i></p> <p><i>(also see Medicaid column)</i></p>	<p>For purposes of SoonerCare reimbursement telemedicine is the use of interactive audio, video or other electronic media for the purpose of diagnosis, consultation or treatment that occur in real-time and when the member is actively participating during the transmission. Telemedicine does not include the use of audio only telephone, electronic mail, or facsimile transmission.</p> <p><i>Source: OK Admin. Code Sec. 317:30-3-27 (a) &amp; Health Care Authority, Providers, Telemedicine. (accessed Aug. 2016)</i></p>

<b>Live Video Reimbursement</b>	
<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 conditions.</p> <p><i>Source: OK Statute, Title 36 Sec. 6803.</i></p> <p><i>(see Medicaid column &amp; "Private Payers" section)</i></p>	<p>SoonerCare (Oklahoma's Medicaid program) reimburses for live video when:</p> <ul style="list-style-type: none"> <li>• The GT modifier is billed</li> <li>• Proper documentation to include services rendered, location and services provided via telemedicine is maintained</li> </ul> <p>OHCA has discretion and final authority to approve or deny telemedicine services based on agency and/or SoonerCare members' needs.</p> <p><i>Source: OK Admin. Code Sec. 317:30-3-27 &amp; Health Care Authority, Providers, Telemedicine (accessed Aug. 2016).</i></p> <p>Office and outpatient visits count toward benefit limits.</p> <p><i>Source: OK Statute, Title 36 Sec. 6803.</i></p>
<b>Store and Forward Reimbursement</b>	
<p><i>(see Medicaid column)</i></p>	<p>SoonerCare does not consider store and forward applications telemedicine but it may be utilized to deliver services.</p> <p><i>Source: OK Admin. Code Sec. 317:30-3-27(a).</i></p>
<b>Remote Patient Monitoring Reimbursement</b>	
<p>No reference found.</p>	<p>No reference found.</p>
<b>Email/Phone/FAX</b>	
<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>No reimbursement for email. No reimbursement for telephone. No reimbursement for FAX.</p> <p><i>Source: OK Admin. Code Sec. 317:30-3-27(a).</i></p>
<b>Online Prescribing</b>	
<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>	<p>No reference found.</p>
<b>Consent</b>	

STATE LAW/REGULATIONS	MEDICAID PROGRAM
(See Medicaid column)	Written consent required.  <i>Source: OK Admin. Code Sec. 317:30-3-27 &amp; Health Care Authority, Providers, Telemedicine (accessed Aug. 2016).</i>
<b>Location</b>	
No reference found.	A patient may receive telemedicine services outside of Oklahoma when medically necessary. Out of state providers must comply with all laws and regulations of the provider's location, including health care and telemedicine requirements.  <i>Source: Health Care Authority, Providers, Telemedicine &amp; OK Admin. Code Sec. 317:30-3-27. (Accessed Aug. 2016).</i>
<b>Cross-State Licensing</b>	
Physician treating patients in OK through telemedicine must be fully licensed in OK.  <i>Source: OK Admin Code Title 435:10-1-4.</i>  The State Board of Osteopathic Examiners has the authority to issue a telemedicine license.  <i>Source: OK Statute, Title 59, Sec. 633</i>	No reference found.
<b>Private Payers</b>	
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.  <i>Source: OK Statute, Title 36 Sec. 6803.</i>	No reference found.
<b>Site/Transmission Fee</b>	
(see Medicaid column)	No reference found.
<b>Miscellaneous</b>	
OK provides, at no cost, one telecommunications line or wireless connection for telemedicine services to the following:  <ul style="list-style-type: none"> <li>• Not-for-profit hospitals;</li> <li>• County health departments;</li> <li>• City-county health departments;</li> <li>• Federally Qualified Health Centers.</li> </ul> <i>Source: OK Statutes, Title 17 Sec. 139.109.</i>	

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

Professional Board Telehealth-Specific Regulations

- State Board of Medical Licensure and Supervision (*OAC 435:10-11-3*)