

Colorado

Medicaid Program: Colorado Medicaid

Program Administrator: Colorado Dept. of Health Care Policy and Financing

Regional Telehealth Resource Center:

Southwest Telehealth Resource Center

PO Box 245105

Tucson, AZ 85724

(520) 626-4498

www.southwesttrc.org

STATE LAW/REGULATIONS	MEDICAID PROGRAM
Definition of telemedicine/telehealth	
<p>“Telemedicine means the delivery of medical services and any diagnosis, consultation, or treatment using interactive audio, interactive video, or interactive data communication.”</p> <p><i>Source: CO Revised Statutes 12-36-102.5 (2012).</i></p> <p>Telehealth means a mode of delivery of healthcare services through telecommunications systems, including information, electronic, and communication technologies, to facilitate the assessment, diagnosis, consultation, treatment, education, care management, or self-management of a covered person’s health care while the covered person is located at an originating site and the provider is located at a distant site. The term includes synchronous interactions, store-and-forward transfers and services provided through HIPAA Compliant interactive audio visual communication or the use of a HIPAA compliant application via a cellular telephone. Telehealth does not include the delivery of health care services via voice only telephone communication or text messaging, facsimile machine or electronic mail.</p> <p><i>Source: CO Revised Statutes 10-16-123(2) (h) (4) (e) (I & II) (2015).</i></p> <p>“Telehealth” means a mode of delivery of health care services through telecommunication systems, including information, electronic, and communication technologies, to facilitate the assessment, diagnosis, consultation, treatment, education and care management of a resident’s health care when the resident and practitioner are located at different sites. Telehealth includes ‘telemedicine’ as defined in Section 12-36-102.5(8), C.R.S.”</p> <p><i>Source: 6 CO Regs. Rule 1011-1. Ch. 5.</i></p> <p>“Telemedicine” or “telehealth” means, for the purposes of this regulation, a mode of delivery of health care</p>	<p>Telemedicine is not a unique service, but a means of providing selected services approved by Health First Colorado through live interactive audio and video telecommunications equipment.</p> <p><i>Source: CO Department of Health Care Policy and Financing. “Telemedicine” 2/17. (Accessed Mar. 2017).</i></p> <p>Telehealth services include the installation and on-going remote monitoring of clinical data through technologic equipment in order to detect minute changes in the client’s clinical status that will allow Home Health agencies to intercede before a chronic illness exacerbates requiring emergency intervention or inpatient hospitalization.</p> <p><i>Source: CO Medical Assistance Program, Home Health Billing Manual, p. 12 (3/17), (Accessed Mar. 2017).</i></p> <p>Telehealth allows for the monitoring of a member’s health status remotely via equipment, which transmits data from the member’s home to the member’s home health agency. The purpose of providing telehealth services is to assist in the effective management and monitoring of members whose medical needs can be appropriately and cost-effectively met at home through the frequent monitoring of data and early intervention.</p> <p><i>Source: CO Department of Health Care Policy and Financing. “Home Health Telehealth”. (Accessed Mar. 2017). <https://www.colorado.gov/pacific/hcpf/home-health-telehealth></i></p>

STATE LAW/REGULATIONS	MEDICAID PROGRAM
<p>services through telecommunications systems, including information, electronic and communication technologies, to facilitate the assessment, diagnosis, consultation, treatment, education, care management, or self-management of a covered person's health care while the covered person is located at an originating site and the provider is located at a distant site. The terms include synchronous interactions and store-and-forward transfers. The terms do not include the delivery of health care services via telephone, facsimile machine or electronic mail systems.</p> <p><i>Source: 3 CCR 702-4, 4-2-53.</i></p> <p><u>Worker's Compensation</u> Telehealth - a mode of delivery of health care services through telecommunications systems, including information, electronic, and communication technologies, to facilitate the assessment, diagnosis, consultation, treatment, education, care management, and/or self-management of an injured worker's health care while the injured worker is located at an originating site and the provider is located at a distant site. The term includes synchronous interactions and store-and-forward transfers. The term does not include the delivery of health care services via telephone with audio only function, facsimile machine, or electronic mail systems.</p> <p><i>Source: 7 CCR 1101-3, Rules 16.</i></p>	
Live Video Reimbursement	
<p>A health benefit plan that is issued, amended or renewed shall not restrict or deny coverage solely because the service is provided through telehealth.</p> <p><i>Source: CO Revised Statutes 10-16-123.</i></p> <p><i>(also see Medicaid column & "Private Payers" section)</i></p>	<p>CO Medicaid will cover telemedicine direct member services which can involve up to two collaborating providers and the member. It is also acceptable for an originating provider not to be present, as long as the telecommunication equipment facilitates live contact between a member and a distant provider.</p> <p>A primary care provider (PCP) is eligible to be reimbursed as the 'originating provider'. In order for a PCP to be reimbursed as a distant provider, the PCP must be able to facilitate an in-person visit in the state of CO if necessary for treatment of the member's condition.</p> <p>A specialist is eligible to be an originating provider or distant provider.</p> <p>Managed care may or may not reimburse telemedicine costs.</p> <p><i>Source: CO Department of Health Care Policy and Financing. "Telemedicine" 2/17. (Accessed Mar. 2017).</i></p> <p>Colorado Medicaid will reimburse for medical and mental health services. Services shall be subject to reimbursement policies developed by the medical</p>

STATE LAW/REGULATIONS	MEDICAID PROGRAM
	<p>assistance program.</p> <p>Reimbursement must be the same as in-person services.</p> <p><i>Source: CO Revised Statutes 25.5-5-320.</i></p>
Store and Forward Reimbursement	
<p>A health benefit plan that is issued, amended or renewed shall not restrict or deny coverage solely because the service is provided through telehealth. Reimbursement based upon the definition of “telehealth”.</p> <p><i>Source: CO Revised Statutes 10-16-123.</i></p>	<p>The member must be present during any Telemedicine Direct Member Services that involve two collaborating providers.</p> <p><i>Source: CO Department of Health Care Policy and Financing. “Telemedicine” 2/17. (Accessed Mar. 2017).</i></p>
Remote Patient Monitoring Reimbursement	
<p>(see Medicaid column)</p>	<p>The CO Medical Assistance Program will reimburse for Remote Patient Monitoring at a flat fee set by the state board when all these requirements are met:</p> <ul style="list-style-type: none"> • The patient is receiving services from a home health provider for at least one of the following: congestive heart failure, chronic obstructive pulmonary disease, asthma, or diabetes; • The patient requires monitoring at least five times weekly to manage the disease, as ordered by a physician or podiatrist; • The patient has been hospitalized two or more times in the last 12 months for conditions related to the disease; • The patient or caregiver misses no more than five monitoring events in a 30-day period; • The patient’s home has space for all program equipment and full transmission capability. <p><i>Source: (Reimbursement): CO Revised Statutes 25.5-5-321.</i> <i>Source: (Requirements): 10 CO Code of Regulation 2505-10.</i></p> <p>Additional restrictions apply. See Colorado Code of Regulations for more information.</p> <p>Medicaid Home Health will reimburse for services only if the patient has no other insurance.</p> <p><i>Source: 10 CO Code of Regulation 2505-10.</i></p> <p>CO Medicaid reimburses telehealth monitoring for qualified clients (see above requirements).</p> <p>Acute home health agencies and long-term home health agencies are reimbursed for the initial installation and education of telehealth monitoring equipment and can be billed once per client per agency. The agency can also bill for every day they receive and review the client’s clinical information.</p>

STATE LAW/REGULATIONS	MEDICAID PROGRAM
	<p>No prior authorization needed, but agencies should notify the Department or its designee when a client is enrolled in the service.</p> <p><i>Source: CO Medical Assistance Program, Home Health Billing Manual, p. 12 (3/17), (Accessed Mar. 2017).</i></p>
Email/Phone/FAX	
<p>A health plan is not required to pay for consultation provided by a provider by telephone or facsimile unless the consultation is provided through HIPAA compliant interactive audio-visual communication or the use of a HIPAA compliant application via a cellular telephone.</p> <p><i>Source: CO Revised Statutes 10-16-123.</i></p>	<p>No reimbursement for telephone. No reimbursement for FAX.</p> <p><i>Source: CO Department of Health Care Policy and Financing. "Telemedicine" 2/17. (Accessed Mar. 2017).</i></p>
Online Prescribing	
<p>Pharmacists are prohibited from dispensing prescription drugs if they know, or should have known, that it was on the basis of an internet-based questionnaire, an Internet-based consult, or a telephone consultation, all without a valid pre-existing patient-practitioner relationship.</p> <p><i>Source: 3 CO Code of Regulation 719-1 (2012).</i></p> <p><u>Workers' Compensation</u> The physician-patient relationship/psychologist-patient relationship can be established through live audio/video services.</p> <p><i>Source: 7 CO Regs. Rule 18.</i></p>	<p>No reference found.</p>
Consent	
<p>Providers shall give all first-time patients a written statement that includes the following:</p> <ul style="list-style-type: none"> • The patient may refuse telemedicine services at any time, without loss or withdrawal of treatment; • All applicable confidentiality protections shall apply to the services; • The patient shall have access to all medical information from the services, under state law. <p><i>Source: CO Revised Statutes 25.5-5-320 (2012).</i></p> <p><u>Workers' Compensation</u> The patient needs to give consent.</p> <p><i>Source: 7 CO Regs. Rule 18.</i></p>	<p>The Medicaid requirement for face-to-face contact between provider and member may be waived prior to treating the member through telemedicine for the first time. The rendering provider must furnish each member with all of the following written statements which must be signed by the member or the member's legal representative:</p> <ul style="list-style-type: none"> • The member retains the option to refuse the delivery of health care services via telemedicine at any time without affecting the member's right to future care or treatment and without risking the loss or withdrawal of any program benefits to which the member would otherwise be entitled. • All applicable confidentiality protections shall apply to the services. • The member shall have access to all medical information resulting from the telemedicine services as provided by applicable law for client access to his or her medical records.

STATE LAW/REGULATIONS	MEDICAID PROGRAM
	<p>These requirements do not apply in an emergency.</p> <p><i>Source: CO Department of Health Care Policy and Financing. "Telemedicine" 2/17. (Accessed Mar. 2017).</i></p>
Location	
<p>Workers' Compensation Telehealth facilities can bill for the originating site fee unless it's a private residence.</p> <p>Authorized originating sites include:</p> <ul style="list-style-type: none"> • The office of a physician or practitioner • A hospital • A critical access hospital (CAH) • A rural health clinic (RHC) • A federally qualified health center (FQHC) • A hospital based or critical access hospital based renal dialysis center (including satellite) • A skilled nursing facility (SNF) • Community Mental Health Center <p><i>Source: 7 CO Regs. Rule 18.</i></p>	<p>If no originating provider is present, then the location of the originating site is at the member's discretion and can include the member's home.</p> <p><i>Source: CO Department of Health Care Policy and Financing. "Telemedicine" 2/17. (Accessed Mar. 2017).</i></p>
Cross-State Licensure	
No reference found.	No reference found.
Private Payers	
<p>A health benefit plan that is issued, amended or renewed shall not restrict or deny coverage solely because the service is provided through telehealth OR based on the communication technology or application used to deliver the telehealth services, subject to the terms and conditions of the plan.</p> <p><i>Source: CO Revised Statutes 10-16-123.</i></p>	No reference found.
Site/Transmission Fee	
<p>A carrier shall include in the payment for telehealth interactions reasonable compensation to the originating site for the transmission cost incurred during the delivery of health care services through telehealth except for when the originating site is a private residence.</p> <p><i>Source: CO Revised Statutes 10-16-123.</i></p>	<p>The originating site is eligible for a facility fee.</p> <p>Providers eligible for the originating site facility fee include:</p> <ul style="list-style-type: none"> • Physician • Clinic • Osteopath • FQHC • Doctorate Psychologist • MA Psychologist • Physician Assistant • Nurse Practitioner • Rural Health Clinic <p>Other sites can serve as an originating site, but cannot collect the facility fee.</p>

STATE LAW/REGULATIONS	MEDICAID PROGRAM
	<p>Using modifier GT adds \$5.00 to the procedure code billed for the service for distant site providers for the transmission fee. A specific list of eligible codes is provided in the manual. Other codes can be billed, but don't pay the telemedicine transmission fee.</p> <p><i>Source: CO Department of Health Care Policy and Financing. "Telemedicine" 2/17. (Accessed Mar. 2017).</i></p> <p>The CO Medical Assistance Program will reimburse for transmission costs, at a rate set by their state department.</p> <p><i>Source: CO Revised Statutes 25.5-5-320 (2012).</i></p>
Miscellaneous	
	<p>Provider of telemedicine services are required to implement certain confidentiality procedures.</p> <p><i>Source: CO Department of Health Care Policy and Financing. "Telemedicine" 2/17. (Accessed Mar. 2017).</i></p>

Comments: Colorado law includes in its definition of "health care services" the rendering of services via telemedicine.

CO Revised Statutes 10-16-102 (2012).