

# New Hampshire

**Medicaid Program:** New Hampshire Medicaid

**Program Administrator:** Dept. of Health and Human Services

**Regional Telehealth Resource Center:**

Northeast Telehealth Resource Center

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STATE LAW/REGULATIONS	MEDICAID PROGRAM
<b>Definition of telemedicine/telehealth</b>	
<p>"Telemedicine, as it pertains to the delivery of health care services, means the use of audio, video, or other electronic media for the purpose of diagnosis, consultation, or treatment. Telemedicine does not include the use of audio-only telephone or facsimile."</p> <p><i>Source: NH Revised Statutes Annotated, 415-J: 2 (2012).</i></p>	<p>"Telehealth services" and the term "telemedicine" shall comply with 42 C.F.R. section 410.78 and the Centers for Medicare and Medicaid Services requirements.</p> <p><i>Source: NH Revised Statutes 167:4-d.</i></p>
<b>Live Video Reimbursement</b>	
<p>New Hampshire statute states that insurers may not deny coverage for services provided through telemedicine, which includes live video.</p> <p><i>Source: NH Revised Statutes Annotated, 415-J: 3 (2012).</i></p> <p>(See "Private Payers" section).</p>	<p>Limited reimbursement for some live video services. NH Medicaid follows the reimbursement policies of Medicare with the exception of CMS' geographic requirement. However, CMS' restrictions on modality, originating sites, services and distant site providers still apply.</p> <p>Providers who may receive reimbursement (based on Medicare list):</p> <ul style="list-style-type: none"> <li>• Physician</li> <li>• Nurse practitioner</li> <li>• Clinical nurse specialist</li> <li>• Nurse-midwife</li> <li>• Clinical psychologist</li> <li>• Clinical social worker</li> <li>• Registered dietitian or specified nutrition professional</li> </ul> <p><i>Source: NH Revised Statutes 167:4-d.</i></p>
<b>Store and Forward Reimbursement</b>	
<p>No reference found.</p>	<p>No reimbursement for store-and-forward.</p> <p><i>Source: NH Revised Statutes 167:4-d.</i></p>
<b>Remote Patient Monitoring Reimbursement</b>	
<p>No reference found.</p>	<p>No reference found.</p>
<b>Email/Phone/FAX</b>	

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<p>No reference found for email. No reimbursement for telephone. No reimbursement for FAX.</p> <p><i>Source: NH Revised Statutes Annotated, 415-J: 2 (2012).</i></p>	<p>No reimbursement for email. No reimbursement for telephone. No reimbursement for FAX.</p> <p><i>Source: NH Revised Statutes 167:4-d.</i></p>
<b>Online Prescribing</b>	
<p>A physician-patient relationship requires an in-person exam that may take place via a face-to-face 2-way real time interactive communication. Prescribing drugs to individuals without a physician-patient relationship is prohibited, except under the following conditions:</p> <ul style="list-style-type: none"> <li>• Writing admission orders for a newly hospitalized patient;</li> <li>• A patient of another provider for whom the prescriber is taking call;</li> <li>• A prescription for a patient who has been examined by a physician assistant, nurse practitioner, or other licensed practitioner;</li> <li>• Medication on a short-term basis for a new patient prior to the patient's first appointment;</li> <li>• When providing limited treatment to a family member in accordance with the American Medical Association Code of Medical Ethics.</li> </ul> <p>It is unlawful to prescribe through telemedicine a controlled drug classified in schedule II through IV. A prescription of a non-opioid controlled drug classified in schedule II through IV via telemedicine shall be limited to certain practitioners who are treating a patient with whom the prescriber has an in-person practitioner-patient relationship, for purposes of monitoring or follow-up care, and who are treating patients at a state designated community mental health center or a Substance Abuse and Mental Health Services Administration-certified state opioid treatment program, and shall require an initial in-person exam by a practitioner licensed to prescribe the drug.</p> <p><i>Source: NH Revised Statutes Annotated, Sec. 329:1-c &amp; NH Bill SB 84 (2015) &amp; NH Revised Statutes Annotated 22-1 (HB 1210).</i></p>	<p>No reference found.</p>
<b>Consent</b>	
No reference found.	No reference found.
<b>Location</b>	
No reference found in statute.	<p>NH Medicaid follows Medicare telehealth reimbursement policies, with the exception of CMS' geographic requirement. However, CMS' restrictions on modality, originating sites, services and distant site providers still apply.</p> <p><i>Source: NH Revised Statutes 167:4-d.</i></p>

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<b>Cross-State Licensing</b>	
<p>NH adopted the Federation of State Medical Board (FSMB)'s model language for an interstate medical licensure compact.</p> <p><i>Source: NH Revised Statutes Annotated, 329:C. (HB 1665)</i></p>	No reference found.
<b>Private Payers</b>	
<p>Insurers may not deny coverage for services provided through telemedicine, if the services are covered through in-person consults.</p> <p><i>Source: NH Revised Statutes Annotated, 415-J: 3 (2012).</i></p>	No reference found.
<b>Site/Transmission Fee</b>	
No reference found.	No reference found.
<b>Miscellaneous</b>	
<p>A committee has been established to study and resolve barriers related to the use of telehealth technology in New Hampshire. The committee must report its findings by Nov. 1, 2014.</p> <p><i>Source: NH Revised Statutes Annotated, 112:1 (HB 556).</i></p> <p>A board of medical imaging professionals and radiation therapists shall adopt rules relative to standards of care for the practice of telemedicine or telehealth.</p> <p><i>Source: NH Revised Statutes Annotated, 328-J (SB 330-FN).</i></p>	

Comments: As of December 1, 2013 New Hampshire Medicaid transitioned to a managed care model of administration, under three health plans. These plans each have their own telehealth coverage policy.

*Source: Provider Quick Reference Guide. (Accessed Feb. 21, 2014).*