

# Oklahoma

**Medicaid Program:** SoonerCare

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

**Regional Telehealth Resource Center:**

Heartland Telehealth Resource Center  
 3901 Rainbow Blvd MS 1048  
 Kansas City, KS 66160  
 (877) 643-4872  
[heartlandtrc.org](http://heartlandtrc.org)

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, evaluation and treatment, transfer of medical data or exchange of medical education information by means of a two-way, real-time interactive communication, not to exclude store and forward technologies, between a patient and a physician with access to and reviewing the patient's relevant clinical information prior to the telemedicine visit.</p> <p><i>Source: Title 59, Sec. 478.</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>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.</p> <p><i>Source: OK Admin. Code Sec. 317:30-3-27 (a) &amp; Health Care Authority, Providers, Telehealth. (accessed Apr. 2018)</i></p> <p>Telehealth means the mode of delivering healthcare services via information and communication technologies to facilitate the diagnosis, consultation, treatment, education, care management and self-management of patients, at a distance from health care providers.</p> <p><i>OK Admin. Code Sec. 317:30-3-27 (a)</i></p>

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<p>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>Telepractice means the use of audio, video or data communication to provide speech-language pathology and audiology services to clients who are not present at the same site as the licensee when the service is provided.</p> <p><i>Source: OK Admin Code, 690:10-3-9.</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.</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 telehealth services based on agency and/or SoonerCare members' needs.</p> <p>See Medicaid Telehealth webpage for full list of eligible CPT Codes for Medical and Behavioral Health Services.</p> <p><i>Source: OK Admin. Code Sec. 317:30-3-27 &amp; Health Care Authority, Providers, Telehealth (accessed Apr. 2018).</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>Health care services delivered by telehealth such as remote patient monitoring, store and forward, or any other telehealth technology must be compensable by OHCA in order to be reimbursed.</p> <p><i>Source: OK Admin. Code Sec. 317:30-3-27.</i></p>
<b>Remote Patient Monitoring Reimbursement</b>	
<p>No reference found.</p>	<p>Health care services delivered by telehealth such as remote patient monitoring, store and forward, or any other telehealth technology must be compensable by OHCA in order to be reimbursed.</p> <p><i>Source: OK Admin. Code Sec. 317:30-3-27.</i></p>

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<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>A physician-patient relationship can be established, provided that a physician:</p> <ul style="list-style-type: none"> <li>• Holds a license to practice medicine in this state;</li> <li>• Confirms the patient's identity; and</li> <li>• Provides the patient with the treating physician's identity and professional credentials.</li> </ul> <p>Telemedicine encounters involving store and forward technology shall not be used to establish a valid physician-patient relationship for purpose of prescribing opiates, synthetic opiates, semisynthetic opiates, benzodiazepine or carisprodol, but may be used to prescribe opioid antagonists or partial agonists.</p> <p>The relationship shall not be based solely on the receipt of patient health information by a physician.</p> <p><i>Source: Title 59, Sec. 478.</i></p> <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>	
<p>Written consent required.</p> <p><i>Source: OK Admin. Code Sec. 317:30-3-27(f)(6).</i></p>	<p>No reference found.</p>
<b>Location</b>	
<p>No reference found.</p>	<p>A patient may receive telehealth services outside of Oklahoma when medically necessary. Out of state providers must comply with all laws and regulations of</p>

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	<p>the provider's location, including health care and telemedicine requirements.</p> <p><i>Source: Health Care Authority, Providers, Telehealth &amp; OK Admin. Code Sec. 317:30-3-27. (Accessed Apr. 2018).</i></p>
<b>Cross-State Licensing</b>	
<p>Physician treating patients in OK through telemedicine must be fully licensed in OK.</p> <p><i>Source: OK Admin Code Title 435:10-1-4.</i></p> <p>The State Board of Osteopathic Examiners has the authority to issue a telemedicine license.</p> <p><i>Source: OK Statute, Title 59, Sec. 633</i></p>	No reference found.
<b>Private Payers</b>	
<p>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.</p> <p><i>Source: OK Statute, Title 36 Sec. 6803.</i></p>	No reference found.
<b>Site/Transmission Fee</b>	
No reference found.	No reference found.
<b>Miscellaneous</b>	
<p>OK provides, at no cost, one telecommunications line or wireless connection for telemedicine services to the following:</p> <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> <p><i>Source: OK Statutes, Title 17 Sec. 139.109.</i></p>	

**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 435:10-11-13*)
- State Board of Examiners for Speech-Language Pathology and Audiology (*OAC 690:10-3-9*)