

# Virginia

**Medicaid Program:** Virginia Medicaid

**Medicaid Program Administrator:** State Dept. of Medical Assistance Services (DMAS)

**Regional Telehealth Resource Center:**

Mid-Atlantic Telehealth Resource Center  
 PO Box 800711  
 Charlottesville, VA 22908-0711  
 (434) 906-4960 / (855) MATRC4U  
[www.matrc.org](http://www.matrc.org)

STATE LAW/REGULATIONS	MEDICAID PROGRAM
<b>Definition of telemedicine/telehealth</b>	
<p>Telemedicine services means the use of electronic technology or media, including interactive audio or video for the purpose of diagnosing or treating a patient or consulting with other health care providers regarding a patient’s diagnosis or treatment. ‘Telemedicine services’ does not include an audio-only telephone, electronic mail message, facsimile transmission, or online questionnaire.</p> <p><i>Source: VA Code Annotated Sec. 38.2-3418.16 &amp; Senate Bill 1227, House Bill 2063 (2015).</i></p> <p>"Telehealth" or "telemedicine" means the real time or near real time two-way transfer of data and information using an interactive audio/video connection for the purposes of medical diagnosis and treatment.</p> <p><i>Source: VA Reg Text 12VAC30-121-20. (2016).</i></p> <p>Telehealth means the real time or near real time two-way transfer of data and information using an interactive audio and video connection for the purpose of medical diagnosis and treatment.</p> <p><i>Source: 12VAC30-121-70.</i></p>	<p>“Telemedicine is the real-time or near real-time two-way transfer of medical data and information using an interactive audio/video connection for the purposes of medical diagnosis and treatment.”</p> <p><i>Source: VA Dept. of Medical Assistant Svcs., Medicaid Provider Manual, Physician/Practitioner Manual, Covered Svcs. and Limitations, p. 22 (Jun. 30, 2017). (Accessed Apr. 2018).</i></p> <p>“Telemedicine is the real-time or near real-time exchange of information for diagnosing and treating medical conditions.”</p> <p><i>Source: VA Dept. of Medical Assistant Svcs., Medicaid Provider Manual, Psychiatric Services Provider Manual, Covered Svcs. and Limitations, p. 34 (Feb. 1, 2018) &amp; Mental Health Clinic, p. 15 (Apr. 1, 2017). (Accessed Apr. 2018).</i></p> <p>Telemedicine service providers provide real-time two-way transfer of medical data and information using an interactive audio/video connection for the purposes of medical diagnosis and treatment.</p> <p><i>Source: Physician Provider Manual. Ch. II: Provider Participation Requirements (Nov. 11, 2017) pg. 11. (Accessed Apr. 2018).</i></p>
<b>Live Video Reimbursement</b>	
<p>Virginia statute requires coverage of telemedicine (which includes live video) by private insurers, subject to their terms and conditions.</p> <p><i>Source: VA Code Annotated Sec. 38.2-3418.16 (2012).</i></p> <p><b>Dual Eligibles (Medicare and Medicaid)</b>          DMAS established the Commonwealth Coordinated Care program and allows participating plans to reimburse for telehealth for Medicare and Medicaid services as an innovative way to reduce hospital readmissions, reduce ED visits, etc. Participating plans shall encourage the use of telehealth to promote</p>	<p>Reimbursement provided subject to coverage requirements.</p> <p>Eligible services:</p> <ul style="list-style-type: none"> <li>• Evaluation and management</li> <li>• Psychiatric care</li> <li>• Specialty medical procedures</li> <li>• Speech therapy</li> <li>• Radiology service and procedures</li> </ul>

STATE LAW/REGULATIONS	MEDICAID PROGRAM
<p>community living and improve behavioral health services. Plans shall be permitted to use telehealth in rural and urban settings and reimburse for store and forward. Plans shall also have the ability to cover remote patient monitoring.</p> <p><i>Source: 12VAC30-121-70.</i></p>	<p>See Billing Instructions for complete list of eligible CPT codes.</p> <p>Eligible providers:</p> <ul style="list-style-type: none"> <li>• Physicians;</li> <li>• Nurse practitioners;</li> <li>• Nurse midwives;</li> <li>• Psychiatrist</li> <li>• Psychiatric clinical nurse specialist</li> <li>• Psychiatric nurse practitioner</li> <li>• Marriage and family therapist/counselor</li> <li>• School psychologist</li> <li>• Substance abuse practitioner</li> <li>• Clinical nurse specialists;</li> <li>• Clinical psychologists;</li> <li>• Clinical social workers;</li> <li>• Local Education Agency (billing speech therapy)</li> <li>• Providers must have appropriate license from the Department of Behavioral Health and Developmental Services and be enrolled with Magellan</li> </ul> <p>Use of telemedicine must be noted in the service documentation of the patient record.</p> <p>The originating site provider or designee must attend the encounter with the member, unless the encounter documentation in the patient record notes the reason staff was not present.</p> <p>Out-of-state physicians must enroll with DMAS contractors to utilize telemedicine in the Medicaid program.</p> <p><i>Source: VA Dept. of Medical Assistant Svcs., Medicaid Provider Manual, Physician/Practitioner Manual, Covered Svcs. and Limitations, p. 22 (Jun. 1, 2017) &amp; Billing Instructions, p. 28 (May 2017). (Accessed Apr. 2018).</i></p> <p>Speech therapy reimbursement for the speech-language pathologist at the remote location and a qualified school aide with the child during the tele-practice session.</p> <p><i>Source: VA Dept. of Medical Assistant Svcs. Medicaid Provider Manual, Local Education Agency Provider Manual, Covered Svcs. and Limitations, p. 14 (May 12, 2014). (Accessed Apr. 2018).</i></p> <p>Telemedicine also available in the Governor's Access Plan for the Seriously Mentally Ill (GAP).</p> <p><i>Source: VA Dept. of Medical Assistant Svcs., GAP Manual, (Jan. 12, 2015). (Accessed Apr. 2018).</i></p> <p>For mental health clinics, providers intending to bill telemedicine services must first notify DMAS. This is a</p>

STATE LAW/REGULATIONS	MEDICAID PROGRAM
	<p>one-time activity and needs to occur at least 10 days in advance.</p> <p><i>Source: VA Dept. of Medical Assistant Svcs., Mental Health Clinic, Covered Services, p. 15 (Apr. 1, 2017). (Accessed Apr. 2018).</i></p>
<b>Store and Forward Reimbursement</b>	
<p><b><u>Medicare-Medicaid Demonstration Waiver:</u></b> Participating plans shall be permitted to use telehealth in rural and urban settings and reimburse for store and forward applications.</p> <p><i>Source: VA Reg. Text 12VAC30-121-20. (2016). (<a href="http://register.dls.virginia.gov/details.aspx?id=4766">http://register.dls.virginia.gov/details.aspx?id=4766</a>).</i></p>	<p>Services covered include:</p> <ul style="list-style-type: none"> <li>• Radiology and radiology procedures</li> <li>• Diabetic retinopathy (regardless of the number of fields viewed for all Medicaid Members with Type 1 or Type 2 diabetes)</li> <li>• Outpatient teledermatology</li> </ul> <p><i>Source: VA Dept. of Medical Assistant Svcs., Medicaid Provider Manual, Billing Instructions, p. 22-24 (May 2017) &amp; VA Medicaid Memo. Clarification of Medicaid Coverage of Diabetic Retinopathy Screening via Telemedicine. Nov. 9, 2016. (Accessed Apr. 2018).</i></p>
<b>Remote Patient Monitoring Reimbursement</b>	
<p><b><u>Medicare-Medicaid Demonstration Waiver:</u></b> Participating plans shall also have the ability to cover remote patient monitoring.</p> <p><i>Source: VA Reg. Text 12VAC30-121-20. (2016). (<a href="http://register.dls.virginia.gov/details.aspx?id=4766">http://register.dls.virginia.gov/details.aspx?id=4766</a>).</i></p>	<p>VA Medicaid will provide coverage for Continuous Glucose Monitoring. Coverage is limited to members with Type 1 diabetes, or Type 2 diabetes (when over 16 years old), or pregnant women who are injecting insulin with either Type 1 or 2. Service authorization is required. Additional requirements apply.</p> <p><i>Source: VA Medicaid Memo. Clarification of Existing Medicaid Coverage of Continuous Glucose Monitoring for Medicaid Members. Nov. 2, 2016. (Accessed Apr. 2018).</i></p>
<b>Email/Phone/FAX</b>	
<p>No reimbursement for email. No reimbursement for telephone. No reimbursement for FAX.</p> <p><i>Source: VA Code Annotated Sec. 38.2-3418.16 (2012).</i></p>	<p>No reimbursement for email. No reimbursement for telephone. No reimbursement for FAX.</p> <p><i>Source: VA Dept. of Medical Assistant Svcs., Medicaid Provider Manual, Physician/Practitioner Manual, Covered Svcs. and Limitations, p. 19 (Jun. 30, 2017). (Accessed Apr. 2018).</i></p>
<b>Online Prescribing</b>	
<p>Practitioners prescribing controlled substances must have a “bona fide” relationship with the patient.</p> <p>Requirements:</p> <ul style="list-style-type: none"> <li>• Obtaining a medical or drug history;</li> <li>• Informing the patient about the benefits and risks of the drug;</li> <li>• Conducting a patient exam, either physically or by the use of instrumentation and diagnostic equipment, through which images and medical records may be transmitted electronically.</li> </ul> <p>Practitioners can also prescribe Schedule II-V controlled substances under certain circumstances. Additional requirements apply for the prescription of Schedule VI</p>	<p>No reference found.</p>

STATE LAW/REGULATIONS	MEDICAID PROGRAM
<p>controlled substances via telemedicine.</p> <p><i>Source: VA Code Annotated Sec. 54.1-3303.</i></p> <p>Also see Comment section.</p>	
<b>Consent</b>	
<p>Informed consent must be obtained and maintained.</p> <p><i>Source: Telemedicine Guidance. Doc. # 85-12. VA Board of Medicine.</i></p>	<p>No reference found.</p>
<b>Location</b>	
<p>No reference found.</p>	<p>Eligible originating sites locations:</p> <ul style="list-style-type: none"> <li>• Provider offices</li> <li>• Local Education Agency</li> <li>• Rural Health Clinics</li> <li>• Federally Qualified Health Centers</li> <li>• Hospitals</li> <li>• Nursing Facilities</li> <li>• Health Department Clinics</li> <li>• Renal Units</li> <li>• Community Services Boards</li> <li>• Residential Treatment Centers</li> </ul> <p>All listed providers are also considered eligible originating site providers.</p> <p><i>Source: VA Dept. of Medical Assistant Svcs., Medicaid Provider Manual, Billing Instructions, p. 22 (Jun. 30, 2017). (Accessed Apr. 2018).</i></p> <p>Physicians may be physically located outside of VA but must be located within the continental US to deliver telemedicine services. Telemedicine out-of-state coverage does not include other out-of-state providers such as nurse practitioners.</p> <p><i>Source: VA Dept. of Medical Assistant Svcs., Medicaid Memo. "Updates to Telemedicine Coverage". May 13, 2014. (Accessed Apr. 2018).</i></p> <p><b>Psychiatric Services:</b>  Providers must be physically present in Virginia during the telemedicine encounter, until further notice from DMAS.</p> <p><i>Source: VA Dept. of Medical Assistant Svcs., Medicaid Provider Manual, Psychiatric Services Provider Manual, Covered Svcs. and Limitations, p. 34 (Feb. 1, 2018). (Accessed Apr. 2018).</i></p>
<b>Cross-State Licensing</b>	
<p>No reference found.</p>	<p>Providers must be licensed in Virginia and enrolled in the state Medicaid program in which they practice medicine. The provider must also hold a Virginia</p>

STATE LAW/REGULATIONS	MEDICAID PROGRAM
	Department of Health Professional license to provide telemedicine services.  <i>Source: Physician Provider Manual. Ch. II: Provider Participation Requirements (Nov. 21, 2017) pg. 11. (Accessed Apr. 2018).</i>
<b>Private Payers</b>	
Requires coverage of telemedicine services, subject to contract terms and conditions.  Reimbursement must be the same as in-person services.  <i>Source: VA Code Annotated Sec. 38.2-3418.16 (2012).</i>	No reference found.
<b>Site/Transmission Fee</b>	
Reimbursement allowed, but not required.  <i>Source: VA Code Annotated Sec. 38.2-3418.16 (2012).</i>	Reimburses a facility fee.  <i>Source: VA Medicaid Provider Notice May 13, 2014. (Accessed Apr. 2018).</i>
<b>Miscellaneous</b>	

Comments: **Telemedicine Guidance from VA Medical Board**

- Prescribing via telemedicine is at the discretion of the prescribing practitioner.
- Informed consent must be obtained and maintained.
- See guidance for additional requirements.

*Source: Telemedicine Guidance. Doc. # 85-12. VA Board of Medicine.*

The Center for Telehealth of the University of Virginia and the Virginia Telehealth Network will establish a telehealth pilot program to expand access to and improve the coordination and quality of health care services in rural and medically underserved areas of the Commonwealth through the use of telemedicine services, for the purpose of providing access to health care services that would not be available to individuals in rural and medically underserved areas of the Commonwealth without the use of telehealth technology.

*Source: VA Senate Bill 369. (2016). (<http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0763>).*