

Oklahoma

Medicaid Program: SoonerCare

Program Administrator: Oklahoma Health Care Authority

Regional Telehealth Resource Center: Heartland Telehealth Resource Center

Covers the States of: Kansas, Missouri and Oklahoma

www.heartlandtrc.org

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| Medicaid Telehealth Reimbursement | Summary | <p>SoonerCare reimburses for live video telehealth. Store-and-Forward and Remote Patient Monitoring must be compensable by the Oklahoma Health Care Authority (OHCA) in order to be reimbursed.</p> |
| | Definitions | <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>Source: Health Care Authority, Providers, Telehealth. (Accessed Sept. 2018).</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>Source: OK Admin. Code Sec. 317:30-3-27 (a).</p> |
| | Policy | <p>SoonerCare (Oklahoma’s Medicaid program) reimburses for live video when:</p> <ul style="list-style-type: none"> • The GT modifier is billed • Proper documentation to include services rendered, location and services provided via telemedicine is maintained <p>Source: OK Health Care Authority, Telehealth (Accessed Sept. 2018).</p> |
| | Live Video Eligible Services / Specialties | <p>OHCA has discretion and final authority to approve or deny telehealth services based on agency and/or SoonerCare members’ needs. See Medicaid Telehealth webpage for full list of eligible CPT Codes for Medical and Behavioral Health Services. Services provided by telehealth must be billed with the appropriate modifier.</p> <p>Source: OK Admin. Code Sec. 317:30-3-27 & Health Care Authority, Providers, Telehealth (Accessed Sept. 2018).</p> |

Medicaid Telehealth Reimbursement

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| Live Video | Eligible Providers | <p>To participate, a provider must:</p> <p>Be contracted with SoonerCare and appropriately licensed, bill for services using the appropriate modifier (GT), and maintain documentation of services, to include: service rendered, location at which service was rendered, and that service was provided via telemedicine. (Documentation of services must follow all other SoonerCare documentation guidelines as well.)</p> <p>Source: <i>Source: Oklahoma Health Care Authority, Telehealth. (Accessed Sept. 2018).</i></p> <p>For behavioral health, certain services are only reimbursed when provided by a licensed psychiatrist, certified mobile team or psychiatric facility.</p> <p>Source: <i>Oklahoma Health Care Authority, Behavioral Health Services Reimbursable via telemedicine. Updated July 18, 2018. (Accessed Sept. 2018).</i></p> |
| | Eligible Sites | <p>The medical or behavioral health related service must be provided at an appropriate site for the delivery of telehealth services. An appropriate telehealth site is one that has the proper security measures in place; the appropriate administrative, physical and technical safeguards should be in place that ensures the confidentiality, integrity and security of electronic protected health information. The location of the room for the encounter at both ends should ensure comfort, privacy and confidentiality. Both visual and audio privacy are important, placement and selection of the rooms should consider this. Appropriate telehealth equipment and networks must be used considering factors such as appropriate screen size, resolution and security. Providers and/or members may provide or receive telehealth services outside of Oklahoma when medically necessary.</p> <p>Source: <i>OK Admin. Code Sec. 317:30-3-27(c). (Accessed Sept. 2018).</i></p> |
| | Geographic Limits | <p>No reference found.</p> |
| | Facility/Transmission Fee | <p>The cost of telehealth equipment and transmission is not reimbursable by SoonerCare.</p> <p>Source: <i>OK Admin. Code Sec. 317:30-3-27(c). (Accessed Sept. 2018).</i></p> |
| Store-and-Forward | Policy | <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>If the technical component of an X-ray, ultrasound or electrocardiogram is performed during a telehealth transmission, the technical component can be billed by the provider that provided that service. The professional component of the procedure and the appropriate visit code should be billed by the provider that rendered that service.</p> <p>Source: <i>OK Admin. Code Sec. 317:30-3-27(d). (Accessed Sept. 2018).</i></p> |

Medicaid Telehealth Reimbursement

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| Live Video | Eligible Services/Specialties | No reference found. |
| | Geographic Limits | No reference found. |
| | Transmission Fee | The cost of telehealth equipment and transmission is not reimbursable by SoonerCare. Source: <i>OK Admin. Code Sec. 317:30-3-27(c). (Accessed Sept. 2018).</i> |
| Remote Patient Monitoring | Policy | 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. Source: <i>OK Admin. Code Sec. 317:30-3-27(d). (Accessed Sept. 2018).</i> |
| | Conditions | No reference found. |
| | Provider Limitations | No reference found. |

Medicaid Telehealth Reimbursement

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| Remote Patient Monitoring | Other Restrictions | No reference found. |
| Email / Phone / Fax | | <p>No reimbursement for email. No reimbursement for telephone. No reimbursement for FAX.</p> <p>Source: <i>OK Admin. Code Sec. 317:30-3-27(b). (Accessed Sept. 2018).</i></p> |
| Consent | | No reference found. |
| Out of State Providers | | <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 the provider's location, including health care and telemedicine requirements.</p> <p>Source: <i>Health Care Authority, Providers, Telehealth & OK Admin. Code Sec. 317:30-3-27. (Accessed Sept. 2018).</i></p> <p>If the provider is outside of Oklahoma, the provider must comply with all laws and regulations of the provider's location, including health care and telehealth requirements.</p> <p>Source: <i>OK Admin. Code Title 317 Oklahoma Health Care Authority: 30-3-27(c). (Accessed Sept. 2018).</i></p> |
| Miscellaneous | | <p>All telehealth activities must comply with the HIPAA Security Standards, OHCA policy, and all other applicable State and Federal laws and regulations.</p> <p>Source: <i>OK Admin. Code Sec. 317:30-3-27(c). (Accessed Sept. 2018).</i></p> |

Private Payer Laws

Definitions

“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.”

Source: *OK Statute, Title 36, Sec. 6802. (Accessed Sept. 2018).*

Requirements

For services determined to be appropriately provided by means of telemedicine, health care insurer programs, workers’ compensation programs and state Medicaid managed care contracts shall not require person-to-person contact between a health care practitioner and patient.

Source: *OK Statute, Title 36 Sec. 6803. (Accessed Sept. 2018).*

Parity

Service Parity

If a provider determines that telemedicine is an appropriate way to deliver care, an insurer cannot require face-to-face contact.

Payment Parity

No explicit payment parity.

Source: *OK Statute, Title 36 Sec. 6803. (Accessed Sept. 2018).*

Professional Regulation/Health & Safety

Definitions

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. “Telemedicine” and “store-and-forward technologies” shall not include consultations provided by telephone audio-only communication, electronic mail, text message, instant messaging conversation, website questionnaire, nonsecure video conference or facsimile machine.

Source: *Source: Title 59, Sec. 478. (Accessed Sept. 2018).*

“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.”

Definitions

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. Telemedicine physicians who meet the requirements of OAC 435:10-7-13 do not require a face-to-face encounter.

Source: *OK Admin Code 435: 10-1-4. (Accessed Sept. 2018).*

“Telemedicine” means the practice of health care delivery, diagnosis, consultation, evaluation, treatment, transfer of medical data, or exchange of medical education information by means of audio, video, or data communications. 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. Telemedicine shall not include consultation provided by telephone or facsimile machine.

Source: *OK Statute Title 43A-1-103. (Accessed Sept. 2018).*

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.

Source: *OK Admin Code, 690:10-3-9.(Accessed Sept. 2018).*

Consent

Written consent required.

Source: *OK Admin. Code Sec. 317:30-3-27(f)(6). (Accessed Sept. 2018).*

Online Prescribing

A physician-patient relationship can be established, provided that a physician:

- Holds a license to practice medicine in this state;
- Confirms the patient’s identity; and
- Provides the patient with the treating physician’s identity and professional credentials.

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.

The relationship shall not be based solely on the receipt of patient health information by a physician.

Source: *OK Statutes, Title 59, Sec. 478. (Accessed Sept. 2018).*

Prescribing or administering a drug or treatment without sufficient examination and the establishment of a valid physician-patient relationship is prohibited.

Source: *OK Statute, Title 59, Sec. 509. (Accessed Sept. 2018).*

Telemedicine physicians who meet certain criteria are not subject to the face-to-face requirement to establish a physician-patient relationship.

Source: *OK Admin. Code Sec. 435:10-7-12. (Accessed Sept. 2018).*

A physician-patient relationship includes an in-person patient exam.

Source: *OK Admin. Code Sec. 435:10-1-4. (Accessed Sept. 2018).*

Physician treating patients in OK through telemedicine must be fully licensed in OK.

Source: *OK Admin Code Title 435:10-7-13. (Accessed Sept. 2018).*

The State Board of Osteopathic Examiners has the authority to issue a telemedicine license.

Source: *OK Statute, Title 59, Sec. 633. (Accessed Sept. 2018).*

Member of Nurse Licensure Compact.

Source: *Nurse Licensure Compact. Current NLC States and Status.*

Member of Physical Therapy Compact.

Source: *HB 3336 (2018). PT Compact.*

OK provides, at no cost, one telecommunications line or wireless connection for telemedicine services to the following:

- Not-for-profit hospitals;
- County health departments;
- City-county health departments;
- Not-for-profit mental health and substance abuse facility;
- Oklahoma Department of Corrections;
- Federally Qualified Health Centers.

Source: *OK Statutes, Title 17 Sec. 139.109. (Accessed Sept. 2018).*

The OK Dept. of Health has begun to develop a statewide telemedicine network.

Source: *Oklahoma Statutes, Title 63 Sec. 1-2702. (Accessed Sept. 2018).*

Professional Board Telehealth-Specific Regulations

- State Board of Medical Licensure and Supervision. **Source:** *(OAC 435:10-7-13) (Accessed Sept. 2018).*
- State Board of Examiners for Speech-Language Pathology and Audiology. **Source:** *(OAC*

690:10-3-9). (Accessed Sept. 2018).

