

# Oregon

**Medicaid Program:** Oregon Medicaid

**Program Administrator:** Oregon Health Authority

**Regional Telehealth Resource Center:** Northwest Regional Telehealth Resource Center

**Covers the States of:** Alaska, Idaho, Montana, Oregon, Utah, Washington, and Wyoming

<https://www.nrtrc.org>

Medicaid Telehealth Reimbursement	Summary	<p>Oregon Medicaid provides reimbursement for live video and audio under some circumstances. Store-and-forward and remote patient monitoring are reimbursed for dental services.</p>
	Definitions	<p>“Telemedicine is the use of medical information, exchanged from one site to another, via telephonic or electronic communications, to improve a patient’s health status.”</p> <p><b>Source:</b> <i>OR Div. of Medical Assistance Program, Medical-Surgical Svcs. Rulebook, Div. 130, 410-130-0610. P. 66 (Sept. 9, 2018). (Accessed Sept. 2019).</i></p>
	Live Video Policy	<p>Oregon Medicaid will reimburse for live video when billed services comply with their billing requirements.</p> <p>The referring provider is not required to be present with the client for the consult.</p> <p>The referring provider may bill an evaluation and management code for the patient visit only if a separately identifiable visit is performed. The visit must meet all of the criteria of the code billed.</p> <p>Telephonic codes may be used in lieu of videoconferencing codes, if videoconferencing equipment is not available.</p> <p>The evaluating practitioner at the distant site may bill for the evaluation, but not for the transmission.</p> <p>The authority must provide coverage for behavioral health telemedicine services to the same extent that the service would be covered if they were provided in-person.</p> <p><b>Source:</b> <i>OR Div. of Medical Assistance Program, Medical-Surgical Svcs. Rulebook, Div. 130, 410-130-0610 (Sept. 9, 2018) &amp; Behavior Health Services Rulebook, Div. 172, 410-172-0850 (June 28, 2019). (Accessed Sept. 2019).</i></p>



# Medicaid Telehealth Reimbursement

## Live Video

### Eligible Services / Specialties

Live video services using audiovisual technology can be used in teledentistry.

**Source:** *OR Admin. Rules 410-123-1265 (Accessed Sept. 2019).*

Behavioral health services identified as allowable for telephonic delivery are listed in the fee schedule.

**Source:** *OR Behavior Health Services Rules 410-172-0850 (June 28, 2019). P. 56 (Accessed Sept. 2019).*

### Eligible Providers

No reference found.

### Eligible Sites

No reference found.

### Geographic Limits

No reference found.

### Facility/Transmission Fee

The evaluating practitioner at the distant site may bill for the evaluation, but not for the transmission.

**Source:** *OR Div. of Medical Assistance Program, Medical-Surgical Svcs. Rulebook, Div. 130, 410-130-0610. P. 67 (Sept. 9, 2018). (Accessed Sept. 2019).*

Oregon Medicaid will provide transmission fees for originating sites, when billed with code Q3014.

**Source:** *Div. of Medical Assistance Programs, Medical-Surgical Svcs. Rulebook, Div. 130, 410-130-0610. P. 67 (Sept. 9, 2018). (Accessed Sept. 2019).*



Policy

Other forms of telecommunications, such as telephone calls, images transmitted via facsimile machines and electronic mail are services not covered:

- When those forms are not being used in lieu of videoconferencing, due to limited videoconferencing equipment access; or
- When those forms and specific services are not specifically allowed per the Health Service Prioritized List and Practice Guideline.

**Source:** Div. of Medical Assistance Programs, Medical-Surgical Svcs. Rulebook, Div. 130, 410-130-0610. P. 67 (Sept. 9, 2018). (Accessed Sept. 2019).

**Behavioral Health Services Manual:**

Unless specifically authorized by OAR 410-120-1200 other types of telecommunication are not covered such as images transmitted via facsimile machines and electronic mail when:

- Those methods are not being used in lieu of videoconferencing, due to limited video conferencing equipment access; or
- Those methods and specific services are not specifically allowed pursuant to the Oregon Health Evidence Review Commission’s Prioritized List of Health Services and Evidence Based Guidelines.

**Source:** Div. of Medical Assistance Programs, Behavior Health Services Rulebook, Div. 172, 410-172-0850. P. 56 (June 28, 2019). (Accessed Sept. 2019).

Eligible Services/Specialties

A dentist may collect the transmission of recorded health information such as radiographs, photographs, video, digital impressions, or photomicrographs transmitted through a secure electronic communication system.

**Source:** OR Admin. Rules 410-123-1265(5)(b) (Accessed Sept. 2019).

Geographic Limits

No reference found.

Transmission Fee

No reference found.



# Medicaid Telehealth Reimbursement

Remote Patient Monitoring	Policy	<p>Oregon will reimburse “dental care providers” for remote patient monitoring.</p> <p><b>Source:</b> <i>OR Admin. Rules 410-123-1265(5)(c) (Accessed Sept. 2019).</i></p>
	Conditions	No reference found.
	Provider Limitations	No reference found.
	Other Restrictions	No reference found.
Email / Phone / Fax	<p>E-mail and telephone is reimbursed when used for patient consulting and “when billed services comply with the practice guidelines set forth by the Health Service Commission (HSC), applicable HSC approved CPT code requirements and are delivered consistent with the HSC practice guideline.” Telephone and e-mail services used in behavioral health must instead comply with the practice guidelines set forth by the Health Evidence Review Commission (HERC) and applicable HERC approved CPT code requirements and be delivered consistent with the HERC Evidence-Based Guidelines.</p> <p>E-mail, telephone and fax may be used when videoconferencing is not available.</p> <p><b>Source:</b> <i>OR Div. of Medical Assistance Programs, Medical-Surgical Svcs. Rulebook, Div. 130, 410-130-0610 (Sept. 9, 2018) &amp; Behavior Health Services Rules 410-172-0850 (June. 28, 2019). (Accessed Sept. 2019).</i></p> <p><b>Teledentistry</b>          Mobile communication devices such as cell phones, tablet computers, or personal digital assistants may support mobile dentistry and health care and public health practices and education.</p> <p><b>Source:</b> <i>OR Admin. Rules 410-123-1265 (Accessed Sept. 2019).</i></p>	



## Medicaid Telehealth Reimbursement

### Consent

#### Teledentistry

A patient receiving services through teledentistry shall be notified of the right to receive interactive communication with the distant dentist and shall receive an interactive communication with the distant dentist upon request. This must be reflected in the patient's chart documentation.

**Source:** *OR Admin. Rules 410-123-1265 (Accessed Sept. 2019).*

### Out of State Providers

An out-of-state provider using telemedicine services must be licensed to practice within the State of Oregon or within the contiguous area of Oregon and must be enrolled as a Health Systems Division provider. Certain cities within 75 miles of the Oregon border may be closer for Oregon residents than major cities in Oregon, and therefore, these areas are considered contiguous areas, and providers are treated as providing in-state services.

**Source:** *OR Admin Rules 410-120-1180 & OR Admin. Rules 410-123-1265 & OR Div. of Medical Assistance Program, Medical-Surgical Svcs. Rulebook, Div. 130, 410-130-0610 p. 66. (Sept. 9, 2018). (Accessed Sept. 2019).*

### Miscellaneous

The referring and evaluating practitioner must be licensed to practice medicine within the state of Oregon or within the contiguous area of Oregon and must be enrolled as a Division of Medical Assistance Programs (Division) provider.

**Source:** *OR Div. of Medical Assistance Program, Medical-Surgical Svcs. Rulebook, Div. 130, 410-130-0610. P. 66 (Sept. 9, 2018). (Accessed Sept. 2019).*

## Private Payer Laws

### Definitions

#### Treatment of Diabetes

"Telemedical means delivered through a two-way electronic communication, including but not limited to video, audio, Voice over Internet Protocol or transmission of telemetry that allows a health professional to interact with a patient, a parent or guardian of a patient or another health professional on a patient's behalf, who is at an originating site."

**Source:** *OR Revised Statutes Sec. 743A.185(c). (Accessed Sept. 2019).*

### Requirements

Health plans must provide coverage of a health service that is provided using synchronous two-way interactive video if the service would be covered when provided in-person, it is a medically necessary service, the service is determined to be safely and effectively provided using live video according to generally accepted health care practices and standards and the technology and application to provide the service meets all standards required by state and federal laws governing privacy and security of protected health information. Plans are not required to reimburse a health professional for a service that is not a covered benefit under the plan or who has not contracted with the plan.

**Source:** *OR Revised Statutes Sec. 743A.058. (Accessed Sept. 2019).*



Oregon requires a health benefit plan to provide coverage of a health service that is provided using synchronous two-way interactive video conferencing if:

- The plan provides coverage of the health service when provided in-person by a health professional;
- The health service is medically necessary;
- The health service is determined to be safely and effectively provided using synchronous two-way interactive video conferencing according to generally accepted health care practices and standards; and
- The application and technology used to provide the health service meet all standards required by state and federal laws governing the privacy and security of protected health information.

Plans may not distinguish between originating sites that are rural and urban in providing coverage.

Coverage is subject to the terms and conditions of the health benefit plan and the reimbursement specified in the contract between the plan and the health professional.

**Source:** *OR Revised Statutes Sec. 743A.058. (Accessed Sept. 2019).*

A health benefit plan must provide coverage in connection with the treatment of diabetes if:

- The plan provides coverage of the health service when provided in-person;
- The service is medically necessary;
- The telemedical health service relates to a specific patient; and
- One of the participants in the telemedical health service is a representative of an academic health center.

A health benefit plan may subject coverage of a telemedical health service to all terms and conditions of the plan, including but not limited to deductible, copayment or coinsurance requirements that are applicable to coverage of a comparable health service when provided in-person.

**Source:** *OR Revised Statutes Sec. 743A.185. (Accessed Sept. 2019).*

No explicit payment parity.



## Definitions

**Health Care Provider Incentive Program**

"Telehealth" means the provision of health services from a distance using electronic communications.

**Source:** *OR Admin. Rules 409-036-0010(26). (Accessed Sept. 2019).*

**Community Treatment and Support Services**

Telehealth means a technological solution that provides two-way, video-like communication on a secure line.

**Source:** *OR Admin. Rules. 309-032-0860(28). (Accessed Sept. 2019).*

**Dental Care Services**

"Telehealth means' a variety of methods, through the use of electronic and telecommunications technologies, for the distance delivery of health care services, including dental care services and clinical information designed to improve a patient's health status and to enhance delivery of the health care services and clinical information."

**Source:** *OR Admin. Rules 410-123-1265 (Accessed Sept. 2019).*

**Health Planning**

"Telemedicine means the provision of health services to patients by physicians and health care practitioners from a distance using electronic communications."

**Source:** *OR Revised Statutes 442.015(26). (Accessed Sept. 2019).*

**Board of Chiropractic Examiners**

"Telehealth' means a variety of methods, through the use of electronic and telecommunications technologies, for the distance delivery of health care services, including chiropractic services, excluding in-person services, and clinical information designed to improve the health status of a patient, and to enhance delivery of the health care services and clinical information."

**Source:** *OR Admin. Rules 811-015-0066. (Accessed Sept. 2019).*

**Physical Therapy**

"Telehealth service' means a physical therapy intervention, including assessment or consultation that can be safely and effectively provided using synchronous two-way interactive video conferencing, or asynchronous video communication, in accordance with generally accepted healthcare practices and standards. For purposes of these rules, 'telehealth service' also means, or may be referred to, as 'telepractice, teletherapy, or telerehab'."

**Source:** *OR Administrative Rule, Sec. 848-040-0100(13). (Accessed Sept. 2019).*

## Consent

**Community Treatment and Support Services**

Individuals have a right to consent to services prior to the start of services, except in a medical emergency or as otherwise permitted by law.

**Source:** *OR Administrative Rule, Sec. 309-032-0341(1)(e). (Accessed Sept. 2019).*

**Physical Therapy**

Verbal, written, or recorded patient consent is required prior to initiating telehealth services and documented in the patient's permanent record.

**Source:** *OR Administrative Rules, Sec. 848-040-0180(3). (Accessed Sept. 2019).*

## Online Prescribing

No reference found.



Member of the Physical Therapy Compact.

**Source:** *Compact Map. Physical Therapy Compact. (Accessed Sept. 2019).*

Out-of-state physicians may receive a license to practice across state lines in Oregon, as long as they are fully licensed in another state and meet certain requirements.

**Source:** *OR Revised Statutes Annotated Sec. 677.139. (Accessed Sept. 2019).*

A physician granted a license to practice medicine across state lines has the same duties and responsibilities and is subject to the same penalties and sanctions as any other provider licensed in Oregon, including but not limited to:

- A physician shall establish a physician-patient relationship;
- Make a judgment based on some type of objective criteria upon which to diagnose, treat, correct or prescribe;
- Act in the best interest of the patient; and
- Writing prescriptions based only on an Internet sale or consults is prohibited.

**Source:** *OR Admin. Rules, 847-025-0000. (Accessed Sept. 2019).*

### Teledentistry

A patient may request to have real time communication with the distant dentist at the time of the visit or within 30 days of the original visit.

**Source:** *OR Admin. Rules 410-123-1265 (Accessed Sept. 2019).*

Oregon requires out-of-state physicians to acquire active tele-monitoring status through the Oregon Medical Board before they can perform intraoperative tele-monitoring on patients during surgery.

The Administrative Code defines “tele-monitoring” as the “intraoperative monitoring of data collected during surgery and electronically transmitted to a physician who practices in a location outside of Oregon via a telemedicine link for the purpose of allowing the monitoring physician to notify the operating team of changes that may have a serious effect on the outcome or survival of the patient. The monitoring physician is in communication with the operation team through a technician in the operating room.”

Requirements:

- The facility where the surgery is performed must be a licensed hospital or ambulatory surgical center;
- The facility must grant medical staff membership and/or clinical privileges to the monitoring physician;
- The facility must request the Board grant Telemonitoring active status to the monitoring physician.

**Source:** *OR Admin. Rules. 847-008-0023. (Accessed Sept. 2019).*

### Professional Board Telehealth-Specific Regulations

- Dental Care Services (**Source:** *OR Revised Statutes 679.543(1) (Accessed Sept. 2019).*)
- Occupational Therapy (**Source:** *OR Admin. Code 339-010-0006 (Accessed Sept. 2019).*)
- Physical Therapy (**Source:** *OR Admin. Code 848-040-0180 (Accessed Sept. 2019).*)
- Board of Chiropractic Examiners (**Source:** *OAR 811-015-0066 (Accessed Sept. 2019).*)

