

# Changes in Telehealth Regulations

## Children's Alliance May 22, 2019

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# What Has Prevented Telehealth From Achieving its Potential?

## REIMBURSEMENT PARITY

- Current laws were too prescriptive and did not include all services or provider types
- Telehealth clinics were developed based on what was reimbursable versus what was best for the patient
- Critical telehealth initiatives were not fully developed for:
  - Acute Primary Care / Direct to Consumer
  - Home-Based Remote Patient Monitoring
  - School-Based Telehealth
  - Mental/Behavioral Health Therapy Evaluation & Therapy Services

Regulations did not keep pace with the change in telehealth technology

# Kentucky's 2018 Telehealth Legislation

## Senate Bill 112

- **Parity reimbursement legislation sponsored by Senator Ralph Alvarado**
- **Signed into law by Governor Bevin on April 25, 2018 with an effective date of July 1, 2019**
- **Repealed KRS 194A.125 which created the Telehealth Board and the Kentucky TeleHealth Network**
- **Cannot “restrict or deny coverage of telehealth based solely on the communication technology or application used to deliver the telehealth services” or “require a Medicaid provider to be part of a telehealth network”**

# Kentucky's 2018 Telehealth Legislation

## Senate Bill 112

**Mandates the Cabinet for Health and Family Services to:**

- **Provide oversight, guidance, and direction to Medicaid providers delivering care using telehealth**
- **Develop policies and procedures to ensure the proper use and security for telehealth**
- **Promote access to health care provided via telehealth**
- **Maintain a list of Medicaid providers who may deliver telehealth services to Medicaid recipients throughout the Commonwealth**
- **Require that specialty care be rendered by a health care provider who is recognized and actively participating in the Medicaid program**
- **Require that any required prior authorization requesting a referral or consultation for specialty care be processed by the patient's primary care provider and that any specialist coordinate care with the patient's primary care provider**
- **Required Medicaid regulations for coverage and reimbursement**

# Senate Bill 112

<b>Requirements Currently in Place</b>	<b>Effective July 1, 2019</b>
<p><b>Covered Services for Medicaid: Physicians, APRNs, Optometrists, Chiropractors, and Psychiatrists.</b></p> <p><b>Independent Licensed Psychologists, Licensed Professional Clinical Counselors, Licensed Clinical Social Workers, Licensed Marriage and Family Therapists, Occupational Therapists, Physical Therapists, Speech-Language Pathologists must be employed in a Community Mental Health Center to be reimbursed</b></p>	<p><b>Covered Services for Medicaid: Physicians, Physician Assistants, Nurses, Doctor of Chiropractic, Mental Health Professionals, Optometrists, Dentists, Pharmacists, Podiatrists, or Allied Health Professionals who is licensed in Kentucky</b></p>
<p><b>An In-Person Consultation Between a Medicaid-Participating Practitioner and a Patient is Not Required</b></p>	<p><b>An In-Person Consultation Between a Medicaid-Participating Practitioner and a Patient is Not Required. The requirement for a face-to-face encounter shall be satisfied with the use of asynchronous telecommunications technologies in which the health care provider has access to the Medicaid recipient's Medical History Prior to the Telehealth Encounter</b></p>
<p><b>Mandated Referrals</b></p>	<p><b>If the face-to-face service requires a referral, then the telehealth service will also require a referral</b></p>

# Senate Bill 112

Requirements Currently in Place	Effective July 1, 2019
Use of Real-Time Interactive Audio & Video Technology	Use of Real-Time Interactive Audio & Video Technology or Store and Forward Services Provided via Asynchronous Technologies as a Standard Practice of Care where Images are Sent to a Specialist for Evaluation
Use of Electronic Mail, Text Chat, Facsimile, or Standard-Only Audio Telephone Call is <b>NOT</b> Allowed	Use of Electronic Mail, Text Chat, Facsimile, or Standard-Only Audio Telephone is <u>NOT</u> Allowed
Asynchronous Telecommunications Not Included	Asynchronous Telecommunications Included <b>IF</b> the Health Care Provider has Access to the Medicaid Recipient's Medical History Prior to the Telehealth Encounter
Use of Secure Telecommunications Line or Utilize a Method of Encryption to Protect the Confidentiality and Integrity of the Telehealth Consultation Information	Use of Secure Communications Connection that Complies with the Federal Health Insurance Portability and Accountability Act of 1996, 42 U.S.C. Sec 1320 to 1320-9
Both Sides of Telehealth Service be Registered & Approved by Telehealth Board	Telehealth Sites Do Not Need to be Registered & Approved by the Telehealth Board
Kentucky Telehealth Board	Repeals KRS 194A.125 which dismantled the Telehealth Board and transitions it to the Cabinet for Health and Family Services

# Understanding Telehealth Policy

## Medicaid Requirements

- **Effective July 1, 2019, Medicaid will reimburse an eligible telehealth care provider for a telehealth service in an amount equal to the amount paid for a comparable in-person service, unless a managed care organization and provider establish a different rate.**
- **Telehealth Care Providers shall be licensed in Kentucky and a Medicaid Participating Provider in order to receive reimbursement.**
- **Referral requirements will be the same for telehealth service as in-person visit.**
- **Shall utilize real-time interactive audio and video technology or store and forward services provided via asynchronous technologies as the standard practice of care where images are sent to specialist for evaluation.**

# Understanding Telehealth Policy

## Medicaid Requirements

- Informed Consent is required
- Telehealth services shall be delivered over a secure communications connection that complies with the federal HIPAA regulations
- Malpractice Insurance
- Medicaid Telehealth Services Coverage & Reimbursement Regulation - Amendment will be effective July 1, 2019  
<https://apps.legislature.ky.gov/law/kar/907/003/170/pdf>
- Use POS 02 to denote a telehealth service



# Understanding Telehealth Policy

## Health Benefit Plans

- **With the passage of SB112, a health benefit plan shall reimburse for covered services provided to an insured person through telehealth.**
- **Telehealth coverage and reimbursement shall be equivalent to the coverage for the same service provided in person unless the telehealth provider and the health benefit plan contractually agree to a lower reimbursement rate for telehealth services.**
- **A health benefit plan shall require a telehealth provider to be licensed in Kentucky in order to receive reimbursement for telehealth services.**

# KY Statewide Telehealth Program

**The Kentucky Statewide Telehealth Program is a program within the Cabinet for Health and Family Services dedicated to assisting telehealth providers by promoting, advocating and supporting telehealth adoption across the Commonwealth.**

**The program serves as a focal point for the repository of information and resources including:**

- **access to state telehealth laws, policy and guidelines;**
- **FAQs regarding telehealth for Medicaid, Medicare and Health Benefit Plans;**
- **educational materials and webinars;**
- **statewide telehealth services directory; publications and journals;**
- **links to associations, organizations, and professional licensure boards and other state and national telehealth programs and resources.**

# Telehealth Programs

**There are many programs that focus on telehealth services to children**

- **Foster Care**
- **School Telehealth**
- **Primary Care**
- **Specialty Care**
- **Nutritional Counseling**
- **Mental and Behavioral Health**

# Foster Care



VIRTUAL RESIDENTIAL PROGRAM

- **Virtual Service Delivery:**
  - Crisis intervention & 24 hour response
  - Comprehensive case-management
  - Family therapy
  - Individual therapy
  - Monitoring
  - Parenting Skills Training
  - Communication Skills Counseling
  - Case Coordination with other services
- **Family Therapy –**
  - USC School of Social Work provides a virtual outpatient therapy program
  - Kansas KVC child welfare and behavioral healthcare agency iPads equipped with MyLink for foster kids.
- **Virtual Mentor**
- **Virtual Club House**

VIEWS ON FOSTER CARE IN NORTH CAROLINA

## fostering perspectives

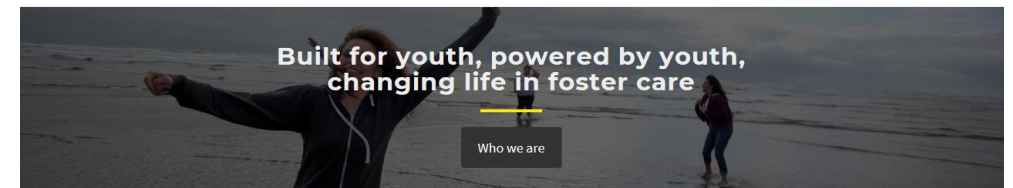
Sponsored by the NC Division of Social Services and the NC Family and Children's Resource Program

Vol. 6, No. 2 • May 2002

### A virtual clubhouse for kids in foster care

What are you looking for? I am a:

All Child Welfare Professional Concerned Citizen Foster Parent/Caretaker Foster Youth



# School Telehealth Programs

- **King's Daughters Medical Center (KDMC)** has created a School-based Health Program in over 30 schools and 4 counties (Boyd County, Carter County, Ashland Independent, and Fairview School Systems)
- **Grace Community Health** -grant-funded telemedicine equipment, implemented at 22 locations including clinics, schools and nursing homes, helps provide telemedicine primary care, behavioral health and patient engagement services.
- **Baptist Health Foundation Corbin** -connects clinical specialists at the Baptist Health Corbin and Grace CHC Pineville clinics to 10 school-based health centers as well as two Baptist Health primary care sites to provide mental, behavioral and psychiatric care services
- **Deaconess Clinic in Indiana** -video enabled tablets monitor school aged children who have diabetes
- **School Telemedicine in Arkansas (STAR)** -allows students to receive TeleDental services on their school campuses, including a remote oral health exam and services such as dental sealants to prevent decay.
- **Center for Rural Health Innovation, N Carolina** serves 33 schools in four counties with two nurse practitioners working with the pediatric pulmonologist on asthma management

# Healthcare Disruption

- **Consumer Focused**
- **Merging Entities**
- **Combined Services**
- **Increased Access**
- **Reduced Costs**
- **Integrate Technology**
- **Artificial Intelligence**
- **Data Analytics**

# Healthcare Disruption

## Convergence: Amazon, JPMorgan Chase & Co. and Berkshire



- **Improve healthcare costs** for the more than 1 million individuals from the three firms
- **Acquired wholesale pharmacy licenses** from 13 state pharmaceutical boards to sell medical equipment to licensed professionals & enter the prescription drug space.
- Amazon acquired online Pharmacy. **PillPack**, June, 2017

Amazon is keeping the whole enterprise in-house, doing its own hiring and not contracting out to another healthcare organization.

# Healthcare Disruption

## Convergence: CVS, Aetna, Cigna, Express Scripts

The logo for CVS pharmacy, featuring a red heart icon to the left of the text "CVS pharmacy" in white on a red background.The Aetna logo, consisting of the word "aetna" in white lowercase letters on a purple square background.The Cigna logo, featuring a stylized green tree icon above the word "Cigna." in blue lowercase letters.

- **CVS will now deliver prescription medicines** and some over the counter medications, vitamins and feminine or baby care products from 9,800 retail pharmacy locations nationwide to customer homes
- **\$5/month /\$48 annual Membership program** trial 350 stores includes free delivery on most online purchases, 20% discount on all CVS-branded products, access to pharmacist helpline and a monthly coupon for \$10
- **CVS launched a Direct to Consumer 24/7 telehealth** offering available through consumers' smartphones with CVS app
- Now, with the addition of Aetna, CVS also provides health coverage for 22 million people.
- **MinuteClinics** in 10 states CVS locations with a live telehealth option built on Teladoc's platform and will roll out to all states.

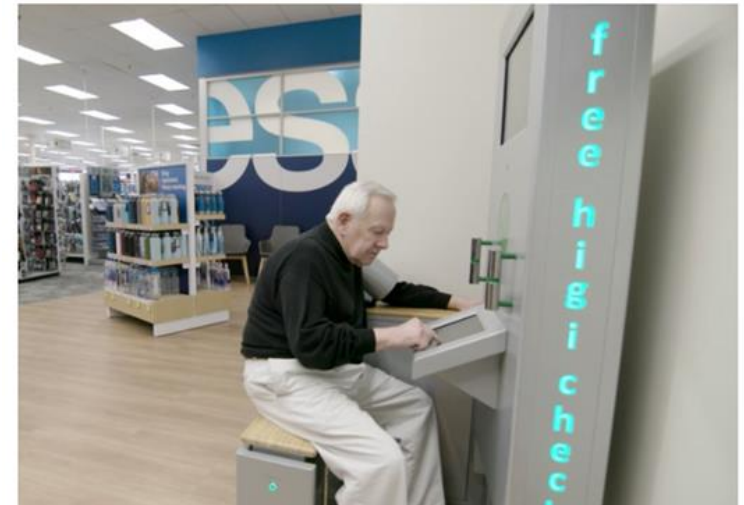




The stores have a "care concierge," whose job is to guide individuals to different services, help them understand how their health insurance works, or help them use health and wellness devices and technology.

For example, there are iPads at a station where customers can explore different health apps, or in this case, games.

There are also areas where customers can check in on their health. This Higi station can screen for blood pressure, pulse, weight, and BMI.



- **MinuteClinics staffed by nurse practitioners or physicians' assistants, Nutritionists, Respiratory Therapists and nearby Pharmacists**
- **Will offer more services, including disease screenings and blood draws, basic checkups, care for minor illnesses and ailments and**
- **Will expand to more chronic care, managing diseases like diabetes and sleep apnea.**



# 'Hundreds' of CVS Pharmacy stores to get SmileDirectClub shops

More than 8 in 10 Americans live within three miles of a CVS store. The partnership extends teeth straightening services into communities that previously didn't have access to orthodontic care.

By USA TODAY | May 20, 2019, 4:16pm CDT

*Nathan Borney / USA TODAY*





# Healthcare Disruption

## Convergence: Walgreens-United Healthcare



- **Primary Care** - UnitedHealth Group's MedExpress urgent care centers and Walgreens Boots Alliance connects primary care with the corner drugstore in 15 locations in 6 states
- **Pharmacy**- UnitedHealth buys Genoa Healthcare, the fifth-largest pharmacy chain in the country with **435 locations**, adding more than **400 pharmacies**. “To help better support the pharmacy needs of patients with behavioral health and substance use disorders, OptumRx is combining with Genoa Healthcare
- **Health Providers** – United emphasizes care delivery through provider acquisitions. UnitedHealth Group's OptumHealth acquires a hospitalist staffing company, **Sound Inpatient Physicians Holdings**. United's long-term goals: “entering and building out care delivery operations in **75 targeted markets serving 60% of the U.S. population**.”
- **Clinics** - UnitedHealth's retail approach became an even bigger focus last year after **Optum bought DaVita Medical Group**. That deal will add a large network of **nearly 300 medical clinics that treat 1.7 million patients annually**.

# Healthcare Disruption

## Convergence: Anthem – American Well

The Anthem logo, featuring the word "Anthem." in white serif font on a blue background.The LiveHealth ONLINE logo, with "LiveHealth" in blue and "ONLINE" in smaller blue letters below it.

SAMSUNG Health

The American Well logo, with the words "American Well" in white sans-serif font on a black background.

- **Virtual Care** - Anthem has partnered with American Well to provide a virtual visit LiveHealth Online through a Samsung app and Samsung Galaxy phones
- **Technology Hub** - "Samsung Health provides a 'one-stop-shop' mobile platform for consumers to track their health, share data with friends and family, investigate symptoms, and communicate with healthcare professionals
- **Pharmacy discount** - consumers in some [Anthem Medicare plans](#) buy over-the-counter medications and other items at [Walmart](#) stores using their plan allowances

# Healthcare Disruption

## Convergence: WALMART, Mayo Clinic



- **Self-Insured** - nation's largest private employer with 1.5 million employees across 4,700 stores and 1 million self-insured employees
- **Direct contracting health care** through partnerships providing care for organ transplants, weight-loss procedures. For cancer care, eligible Walmart employees with breast, lung or colorectal cancers can go to Mayo Clinic
- Walmart, Boeing, Lowe's, General Motors, Whole Foods and Intel are all growing their employee medical contracts with providers.
- The Pacific Business Group on Health also now offers a direct-contracting program for spine surgery, orthopedic surgery and bariatric surgery. "Payments typically cover a certain time period, such as 90 days, and encompass all the services that are related to the procedure, including complications

# Healthcare Disruption

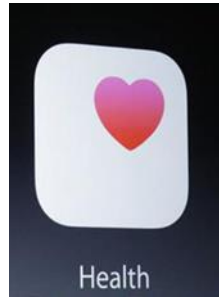
## Convergence: Walgreens, MedExpress Merging Urgent Treatment Centers



- Walgreens is in testing stages of its partnership with MedExpress, the urgent care unit of UnitedHealth Group's Optum health services business. The pilot project between Walgreens and MedExpress currently has grown to 15 urgent care locations in Nebraska, Nevada, Texas, Virginia and West Virginia. In these markets, MedExpress centers open adjacent to Walgreens.
- There's speculation that CVS Health will enter the urgent care business now that its acquisition of Aetna, the nation's third largest health insurer, is complete.

# Healthcare Disruption

## Convergence: Apple, Cerner, Glimpspe



- **EMR Integration** - Apple is working together with healthcare companies including [Cerner](#) to make personal health information accessible on its Health Records app feature, called Health Records,
- **Health app integration** - will aggregate existing patient-generated data in the Health app with data from a user's electronic medical record — if the user is a patient at a participating hospital...16 major health systems
- **Data Analysis** - Glimpspe --- AI engine that reads medical records (with patients' permission, accessing them via the patient portal) and breaks down and codes them into a standardized and readable language. In retrospect. Apple was also working with startup Health Gorilla, which specializes in aggregating diagnostic information such as bloodwork (Comstock)



# Healthcare Disruption

## Convergence: Fitbit, Humana



### Data Monitoring, Health Coaching, Virtual Care

Fitbit activity tracker is collaborating with Humana in partnership to allow more than 5 million of the insurer's members to potentially have access to Fitbit wellness solutions or health coaching. Fitbit Care is a new platform that combines health coaching and virtual care.

# Healthcare Disruption



- Combine computing power of machines with the best medical expertise of humans to create a comprehensive, immediate and personalized health service and making it universally available
- **Put an accessible and affordable health service in the hands of every person on earth.**
- 4 years it has become the largest provider of primary care services in the world....will service a billion customers
- Will be operational in 23 states and serve half the American population
- Humans diagnose diseases 70% of time. This Artificial Intelligence has done it 80% of time

# Healthcare Disruption



Our Partner  
★★★★★  
[Read Full Review](#)



Our Partner  
★★★★★  
[Read Full Review](#)



Our Partner  
★★★★★  
[Read Full Review](#)

## Chatbots and Virtual Assistants

- Chatbot - a conversational, computer-generated character that simulates a conversation to deliver voice- or text-based information to a user via a Web, kiosk or mobile interface.”
- A virtual assistant could involve many chatbots and use cases and automate several functional areas.
- A virtual assistant can capture a user’s behavior and adapt how it interacts with that person based on activity patterns. (ALEXA)



# Healthcare Disruption

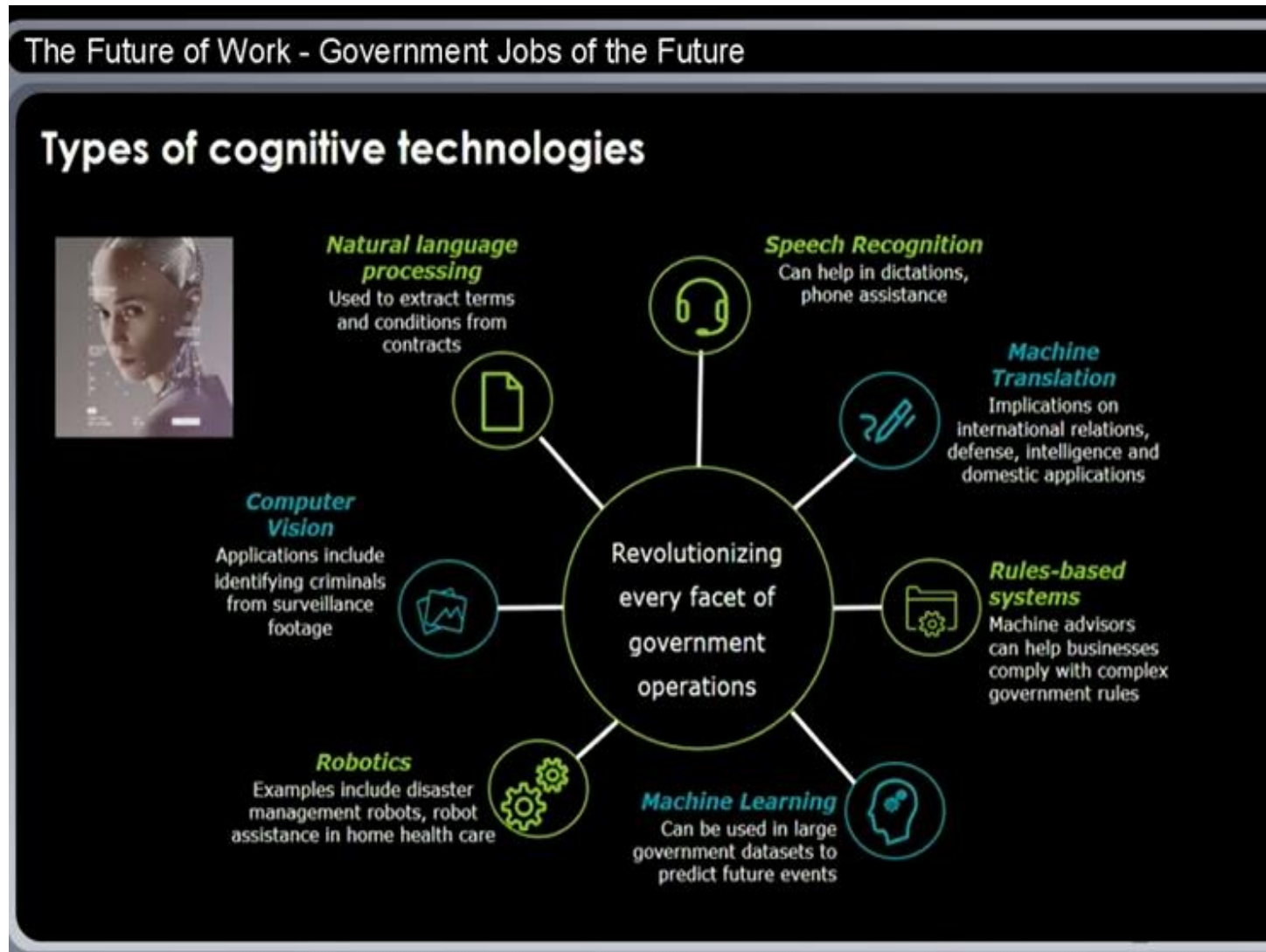
## First Patient-Centered Voice Assistant Platform for Hospitals

- Cedars-Sinai Medical Center in Los Angeles is piloting Aiva—an Alexa-powered platform that allows patients to interact hands-free with hospital staff and control their in-room entertainment.
- Allows patients to tell the device what they need through verbal commands, and the request is then sent to the appropriate caregiver. If a patient's request isn't answered in a timely manner, the platform sends it up the chain of command.



# Healthcare Disruption

## Artificial Intelligence



## Questions & Contact Information

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