New Guidance to Expand Telehealth Issued in California

Earlier this month, the California Department of Managed Health Care (Department) issued a new All Plan Letter, which affirmed all current protections for telehealth services previously issued by the Department and provided additional privacy protections for practitioners. This guidance will remain in effect for the duration of the California declared state of emergency or until further notice from the Department, whichever is earlier.

The letter included new guidance, which CPA had previously advocated for, to protect your privacy as a practitioner. We had asked the Governor to prevent a home address from being published in health plan provider directories for health plans licensed at the Departments of Managed Health Care and Insurance. With many offices temporarily closed, we raised concerns about safety and privacy of CPA members and asked the Governor to waive the requirement to list an office address until the state of emergency is over.

The new guidance states that during the state of emergency, “a health plan shall not include a provider’s home address as the provider’s “practice address” in the plan’s provider directory unless the provider expressly authorizes the plan to do so. As an alternative to listing the provider’s home address as the “practice address,” the plan may continue to list the provider’s practice address as of March 3, 2020 (the day before the Governor declared a state of emergency in California).

The Department also affirmed all previous policies contained in the March 18th DMHC letter and the April 7th DMHC letter.

The main takeaways of the previous letters were:

**Reimbursement Parity**

- All services provided via telehealth must be reimbursed at the same level as in-person services. The services can be provided via telephone or audio-visual means.

**Continuity of Care**

- Health plans cannot require their enrollees to use specific online telehealth platforms (such as Teledoc) if their current provider is willing to perform services via telehealth. Enrollees must be able to maintain
telehealth sessions with their current provider.

**Detailed Instruction for Coding Telehealth Services**

- The letter lists specific coding instructions for telehealth visits.

**No Stricter Visitation Parameters or Limits**

- Clarifies that all services that would be covered in person must be covered via telehealth. Further, health plans cannot exclude coverage for services if the provider determines the service can be delivered effectively via telehealth. The plan cannot impose a stricter number of visit limits on services delivered via telehealth.

Please note that all these changes will be in effect through the duration of the state of emergency that was issued by the Governor on March 4, 2020. When the emergency is lifted, all rules and regulations will revert back to March 3, 2020, unless otherwise indicated by Governor or overridden by new laws that come into effect on January 1, 2021. CPA will keep our members informed of all changes.

Please email CPA’s Director of Government Affairs, Amanda Levy, at alevy@cpapsych.org with any questions.