

A Social Work Guide to Telehealth in Tennessee

In Tennessee, telehealth practice (the use of electronic information and telecommunications technologies to support and promote long-distance clinical health care, patient and professional health-related education, public health and health administration) is subject to the same standards as traditional practice. **The social worker must comply with guidelines for the locations of the social worker and the client.** The social worker must accurately represent themselves and practice within their competencies. Informed consent must be expanded to address additional risks of using technology.

Please review the following:

NASW Code of Ethics with 2017 highlighted revisions regarding the use of technology in the provision of professional services: <https://www.socialworkers.org/About/Ethics/Code-of-Ethics/Highlighted-Revisions-to-the-Code-of-Ethics>

NASW's Standards for Technology in Social Work Practice:

https://www.socialworkers.org/includes/newIncludes/homepage/PRA-BRO-33617.TechStandards_FINAL_POSTING.pdf

Tennessee Social Work Licensure Board Information on Technology Facilitated Services:

Telehealth can be provided if the client is in Tennessee. If the client is in another state the licensee will need to check the rules/laws of social work in that state. The responsibility lies within the state where the client is located. Please review the [current Tennessee law related to Telehealth](#).

Technology facilitated supervision for LCSW/LAPSW candidates is currently allowed on a case-by-case basis. IF anyone were to **temporarily** want/need to use telehealth for supervision, licensure board staff highly recommends that they follow guidance provided to an a prior applicant in ["telehealth response letter"](#). When the applicant submits their LCSW or LAPSW application, they should include a written explanation with their logs explaining the necessity (COVID19) of at that time.

NEW Updated Information on Telehealth including Executive Orders Related to Telehealth

NASW-TN verified with the Governor's office that the above state law allows LCSWs (as professionals that can diagnose and treat) to practice telehealth as outlined in the law. This includes providing services through **audio only** options. We knew that was important for persons working with clients with limited access to the internet and other technology that allowed face-to-face interaction.

The Tennessee Social Work Licensure Law also includes the following in the Scope of Practice for a Licensed Master's Social Workers.

The practice of master's social work may include the practice of clinical social work under the clinical supervision of a licensed clinical social worker as an avenue for licensure as a clinical social worker.

Many payors have expanded the use of telehealth to include telephonic communication only. The Tennessee Department of Mental Health and Substance Abuse Services (TDMHSAS) has done so with the services they serve as the payor on. (e.g. Behavioral Health Safety Net, Substance Abuse Treatment Continuum, etc.) TDMHSAS also has telehealth guidance on their website - <https://www.tn.gov/behavioral-health/covid19.html>

Changes in Governor Lee's Executive Orders during COVID-19 Pandemic

State law is also temporarily changed by Executive Orders issued by the Governor as the State responds to COVID-19. Many Executive Orders expire on May 18, but could be extended. Below are notes about sections of Executive Orders that make changes related to telehealth. For additional details on Executive Orders changes of interest to Tennessee social workers [click here](#). All Executive Orders can be viewed at <https://sos.tn.gov/products/division-publications/executive-orders-governor-bill-lee> . Note: Social work licensure is under Tennessee Code Annotated, Titles 63 which relates to Health Related Boards.

Executive Order 15 gives the Commissioner of Health the discretion to allow a health care professional who is licensed in another state to practice in Tennessee without being licensed in Tennessee. The professional must complete an application that is available at <https://www.tn.gov/health/health-program-areas/health-professional-boards/covid-19.html>

Executive Order 15 also urges health insurance carriers to provide coverage for the delivery of clinically appropriate, medically necessary covered services via telemedicine to all providers, irrespective of network status or originating site.

Executive Order 20 allows telehealth or telemedicine services to be provided by any provider licensed by under Title 63 (health related boards), regardless of the provider's authority to diagnose.

Executive Order 24 allows unlicensed professionals with masters or doctoral degrees in a behavioral or mental health field to practice under supervision of a licensed professional able to diagnose. Those wishing to practice under this order must complete a two page form that can be accessed at <https://www.tn.gov/health/health-program-areas/health-professional-boards/covid-19.html>. After submission the applicant is notified by email of their approval.

Risk Management: Treading Through Teletherapy Treatment Topics:

<https://naswassurance.org/malpractice/malpractice-tips/treading-through-teletherapy-treatment-topics/>

What Telehealth Platform to Use

NASW-TN does not endorse any telehealth platform. We do recommend that you do **not** use a non-HIPAA compliant platform. HIPAA compliance has been mirroring technological change. Ensuring that your platform is **HIPAA compliant** is critical so as to reduce your risk and to maintain patient privacy.

Insurance Coverage for Telehealth Services

Insurance coverage for teletherapy services is impacted by federal and state laws, as well as individual insurance company policies. Providers should check with their liability insurance and their patient's insurance plan regarding how telehealth services are covered.

Medicare

Medicare Part B (Medical Insurance) covers certain telehealth services. The Medicare enrollee will pay 20% of the Medicare-approved amount for the healthcare provider's services, and the Part B deductible applies. For most telehealth services, the Medicare enrollee will pay the same amount that they would if they got the services in person. Part B covers mental health services provided by LCSWs. The Medicare website below in Useful Resources includes timely information.

Interstate Telehealth Services

The licensing board for a state has jurisdiction when a client is physically in their state, so that state's board decides if you are in compliance with their laws and rules when you work with someone who is inside their

borders. Quite a few licensing boards have provisions for licensees of other states to practice temporarily with clients in their state. It is imperative to check the social work licensure rules in the state within which a potential client resides to determine if you are eligible to practice temporarily.

Useful Resources

1. <https://www.socialworkers.org/Practice/Infectious-Diseases/Coronavirus/Telehealth>
2. <https://www.medicare.gov/coverage/telehealth>
3. <https://www.cchpca.org/telehealth-policy/current-state-laws-and-reimbursement-policies?jurisdiction=71&category=All&topic=All>
4. <https://personcenteredtech.com/2018/11/06/telemental-health-across-state-lines-doing-it-legally/>