There have been many questions circulating regarding the use of telehealth during this time of crisis. COVID-19 has created an unprecedented urgency for furnishing physical therapist services via telehealth. Details related to telehealth are extremely fluid and we have seen changes to the same policies multiple times per day. We would like to provide some resources for our NYPTA members.

**NATIONAL CONSIDERATIONS:**
APTA has produced numerous resources related to national payer activity which can be found here: [https://www.apta.org/telehealth/](https://www.apta.org/telehealth/)

Many have heard the announcement that Medicare will be covering “E-visits.” It is important to note that E-visits are not the same as Telehealth visits. Please see this link for a thorough description of Medicare E-visits including what constitutes this service and appropriate CPT/HCPCS codes: [http://www.apta.org/PTinMotion/News/2020/03/18/E-VisitFAQs/](http://www.apta.org/PTinMotion/News/2020/03/18/E-VisitFAQs/)

**NEW YORK STATE CONSIDERATIONS:**
Current NYS telehealth Parity Laws explicitly include services furnished by physical therapists. On March 3rd, 2020 the NYS Department of Financial Services issued a statement reaffirming coverage of telehealth services by physical therapists found here and also pasted below. [https://www.dfs.ny.gov/industry_guidance/circular_letters/circular_letters/circular_letters/cl2020_03](https://www.dfs.ny.gov/industry_guidance/circular_letters/circular_letters/cl2020_03)

- “Given that COVID-19 is a communicable disease, some insureds may be using telehealth services instead of in-person health care services. Issuers are reminded that Insurance Law §§ 3217-h and 4306-g and Public Health Law § 4406-g prohibit issuers from excluding a service that is otherwise covered under a comprehensive health insurance policy or contract because the service is delivered via telehealth. The term “telehealth” means the use of electronic information and communication technologies by a provider to deliver health care services to an insured individual while the individual is located at a site that is different from the site where the provider is located. Issuers are directed to ensure that, as applicable, their telehealth programs with participating providers are robust and will be able to meet any increased demand.”

**Information related to specific NYS Payers:**

**Workers’ Compensation and No-Fault:**
Workers’ Compensation has indicated that they will be covering services rendered to injured workers via telephone. They have approved the use of CPT code 99441 (telephone evaluation and management services provided to an established patient; 5-10 minutes of medical discussion). They state that this code can be billed once per day. At present, this is the only level of service approved for physical therapists under Workers’ Compensation; other traditional CPT codes will not be covered. Additional details can be found here: [http://www.wcb.ny.gov/content/main/wclaws/Covid-19/text.pdf](http://www.wcb.ny.gov/content/main/wclaws/Covid-19/text.pdf).
Commercial Payers:
Despite NYS Telehealth Parity Laws, there are significant inconsistencies in coverage of telehealth services across payers. In my own discussions with local payers, the codes, modifiers, and levels of service have all varied. Additionally, they have relayed different requirements for video communication services. Finally, we have seen differences in coverage within the same payer for their commercial, Medicare Advantage, managed-Medicaid, and self-funded lines.
Due to this, we STRONGLY RECOMMEND REACHING OUT TO YOUR INDIVIDUAL PAYERS to ask the following questions:
- Will services provided by physical therapists be covered when provided via telehealth?
- If so, what codes should be billed and what modifiers are required?
- Does coverage apply differently for commercial, Medicare advantage, managed Medicaid, and self-funded programs?
- What device(s) or application(s) can be utilized?
- What, if any, consents are required?
- Are there any special documentation requirements?

PRACTICE-SPECIFIC CONSIDERATIONS:
There are several factors that practices will need to consider as they pursue provision of telehealth services. These include but are not limited to:
- Is it covered by your current malpractice insurance?
- Services and equipment. While some HIPAA requirements may be relaxed during this crisis, you may want to consider a HIPAA-compliant tele/video-conferencing service. These vary in price points with some that are free for limited use.
- Will you be able to use your current documentation system to document these visits?
- Is your team aware of what is covered by each payer and do you have an understanding of the appropriate codes and modifiers?

WHAT ARE WE DOING AND WHAT CAN BE DONE?
We are currently reaching out to the Workers’ Compensation Board urging coverage of services beyond a short phone call. Injured workers deserve continuity in care and treatment that is truly reflective of physical therapist services as they strive to return to work.

We appreciate your patience and understanding during this truly unprecedented time.

Best,

Peggy Lynam, PT, DPT                      NYPTA Public Policy Committee
NYPTA President                        Jake McPherson, PT, DPT, Chair