



COUNTY OF MONTEREY HEALTH DEPARTMENT

Elsa Jimenez, Director of Health

Administration
Behavioral Health

Clinic Services
Emergency Medical Services
Environmental Health/Animal Services

Public Health
Public Administrator/Public Guardian

Policy Number	149
Policy Title	Telehealth
References	<p>California Code of Regulations (CCR title 9 section 1810.253) Monterey County Health Department Policies Monterey County Behavioral Health Polices Medi-Cal Provider Manual. "Medicine: Telehealth" http://files.medi-cal.ca.gov/pubsdoco/publications/masters-mtp/part2/mednetele_m01o03.doc Section 2290.5 of the Business and Professions Code Welfare and Institutions Code (W&I) 14197(e)(4), Section 14132.72(c)(d)(e), Monterey County Behavioral Health Member Agreement for Use of Personal Device for Telehealth Services http://qi.mtyhd.org/wp-content/uploads/2018/01/Telehealth-Member-Agreement-2018-01-01.pdf Title 42 Code of Federal Regulations (CFR) Part 438.68, as specified in Chapter 738, Statutes of 2017 (Assembly Bill 205) 42 C.F.R. §§ 438.350(a) and 438.320</p>
Effective	March 8, 2018

1 Policy

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3 Monterey County Behavioral Health (MCBH) aims to help individuals stay healthy and in their
 4 communities, and provide individuals with timely access to specialty mental health services.
 5 Telehealth is one strategy to achieve these goals. Telehealth is a secure transmission by
 6 videoconferencing over the internet to help meet the individual's specialty mental health needs.
 7 MCBH adheres to telecommunications technology, consistent with the requirements of Section
 8 2290.5 of the Business and Professions Code. This includes telehealth, e-visits, or other evolving
 9 and innovative technological solutions that are used to provide care from a distance. (W&I
 10 14197(e)(4)). The telehealth service offered through MCBH include medication support services
 11 (telepsychiatry) and teletherapy services. Telehealth services are offered in multiple clinic locations
 12 throughout Monterey County Behavioral Health delivery system.

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14 MCBH uses guidelines provided in Medi-Cal Provider Manual. "Medicine: Telehealth." The
 15 Telehealth Advancement Act of 2011 defines telehealth as the mode of delivering health care
 16 services and public health utilizing information and communication technologies to facilitate the
 17 diagnosis, consultation, treatment, education, care management and self-management of a
 18 patient's health care while the patient is at the originating site and the health care provider is at the

19 distant site. The Centers for Medicare & Medicaid Services (CMS) defines telemedicine as the use
20 of medical information exchanged from one site to another using interactive telecommunications
21 equipment that includes, at a minimum, audio and video equipment permitting two-way, real-time,
22 interactive communication between the patient and physician or practitioner at the distant site to
23 improve a patient's health. Medi-Cal uses the term telemedicine when it makes a distinction from
24 telehealth.

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26 In-person contact between MCBH staff and its providers (when applicable) and a client is *not*
27 required for services provided through telehealth, subject to reimbursement policies adopted by the
28 Department of Health Care Services to compensate a licensed health care provider who provides
29 health care services through telehealth that are otherwise reimbursable pursuant to the Medi-Cal
30 program (Welfare and Institutions Code [W&I Code], Section 14132.72[c]). All medical information
31 transmitted during the delivery of telehealth services is part of the client's health record and is
32 maintained in the client's health record.

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34 The client retains the right to withdraw consent for telehealth services at any time. This policy in no
35 way changes the confidentiality requirements and standards set forth in prior established policies.

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37 **Procedure:**

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- 39 • MCBH telehealth providers will use applications approved and/or provided by MCBH.
- 40 • MCBH uses applications that meet security safeguards to protect confidentiality of
41 personal health information (PHI) and Personally Identifiable Information (PII).
- 42 • MCBH medical staff and contracted provider medical staff who have responsibility for the
43 care of the patient must be licensed in the State of California and enrolled as a Medi-Cal
44 provider; Services performed via telemedicine whether from California or out of state, must
45 be licensed in California and enrolled as a Medi-Cal provider.
- 46 • MCBH documentation standards shall continue to be in effect. This policy does not change
47 the documentation requirements or timeliness guidelines established in prior policies.
- 48 • In-person contact between the telehealth provider and the client is *NOT* required for
49 reimbursement
- 50 • Telehealth provider is *NOT* required to document a barrier to an in-person visit for Medi-
51 Cal coverage of services provided via telehealth (W&I Code, Section 14132.72[d]).
- 52 • Client's written consent to telehealth services is *NOT* required prior to receiving telehealth
53 services.
 - 54 ○ Oral consent will be documented via progress note
 - 55 ○ A description of the risks and benefits will be documented via progress note
- 56 • Medi-Cal reimbursement does not apply to telephone calls, electronic mail messages, or
57 facsimile transmission
- 58 • Face-to-face contact (via authorized telecommunication application) is required for
59 reimbursement

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61 **Use of Personal Device for Telehealth Services**

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63 MCBH clinic sites providing telehealth services have necessary devices meeting security
64 requirements for the delivery of telehealth services via telehealth suites. MCBH aims to decrease
65 barriers to accessing services, for this reason, at the request of the client, MCBH permits the use of

66 an individual client's personal electronic device for accessing services via telehealth. Individuals
67 are NOT required to have or use their own devices to access telehealth services, but may choose
68 to do so.

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70 If a client requests the use of their own personal electronic device for telehealth services, staff will
71 discuss the risks and benefits of using their own personal device for telehealth services. Only after
72 the individual has been informed of risks and benefits and agrees to the risks and benefits of using
73 their own device for telehealth services, may they do so. The individual will be presented with and
74 asked to sign the "Member Agreement for Use of Personal Device for Telehealth Services" prior to
75 using their personal device ([http://qi.mtyhd.org/wp-content/uploads/2018/01/Telehealth-Member-](http://qi.mtyhd.org/wp-content/uploads/2018/01/Telehealth-Member-Agreement-2018-01-01.pdf)
76 [Agreement-2018-01-01.pdf](http://qi.mtyhd.org/wp-content/uploads/2018/01/Telehealth-Member-Agreement-2018-01-01.pdf)) prior to starting telehealth services. The signed document will be
77 entered in the client's electronic health record.

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