

Behavioral Health Institute (BHI)  
Training, Workforce and Policy Innovation Center  
TeleBehavioral Health 401 Training Series

Behavioral Health Telehealth Resource

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## Behavioral Health Institute (BHI)

### Training, Workforce and Policy Innovation Center

The Behavioral Health Institute is a Center of Excellence where innovation, research and clinical practice come together to improve mental health and addiction treatment. BHI established initial priority programs which include:

- Improving care for youth and young adults with early psychosis
- Behavioral Health Urgent Care Walk in Clinic
- Behavioral Health Training, Workforce and Policy Innovation Center
- Expanded Digital and Telehealth Services

## Speaker Disclosures

None of the series speakers have any relevant conflicts of interest to disclose.

## Planner disclosures

The following series planners and team have no relevant conflicts of interest to disclose:

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## DISCLAIMER

Please be aware that policy changes may take place after the original date of this presentation.

Any information provided in today's talk is not to be regarded as legal advice. Today's talk is purely for informational purposes.

Please consult with legal counsel, billing & coding experts, and compliance professionals, as well as current legislative and regulatory sources, for accurate and up-to-date information.

# We gratefully acknowledge the support from



# BUILDING TELEHEALTH CAPACITY for BEHAVIORAL HEALTH

TeleBehavioral Health 401

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## Behavioral Health – WA State Telemedicine Policy Updates


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# Behavioral Health - Telemedicine Policy Updates

January 2023

Washington State Health Care Authority

# Agenda Topics

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- ▶ Review history of telehealth policies for WA Apple Health (Medicaid)
- ▶ Brief orientation to the Health Care Authority billing/encounter guides
- ▶ Claims coding and billing rules/documentation Requirements
- ▶ WAC Updates
- ▶ Q&A
- ▶ Additional resources



# Learning Objectives

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At the conclusion of this presentation, attendees should be able to:

- ▶ Recognize legislative changes that have shaped policy over time
- ▶ Describe any public health emergency impacts to policy
- ▶ Identify applicable billing or encounter guides
- ▶ Identify claims coding and billing rules, specifically place of service and modifier requirements
- ▶ Describe key documentation requirements
- ▶ Describe take-away resource information and sources for future questions

# Terminology 101

## ▶ Telemedicine

The delivery of health care services using interactive audio and video technology, permitting real-time communication between the client and the provider, for the purpose of diagnosis, consultation, or treatment. Telemedicine includes audio-only telemedicine, but does not include any of the following services:

- Email and facsimile transmissions
- Installation or maintenance of any telecommunication devices or systems
- Incidental services or communications that are not billed separately, such as communicating laboratory results

## ▶ Audio-only telemedicine

The delivery of health care services using audio-only technology, permitting real-time communication between the client at the originating site and the provider, for the purposes of diagnosis, consultation, or treatment

## ▶ Face-to-face vs In person

Face to face means the person could be receiving care in person or via audio-visual technology. In person means the person and the provider are in the same location.

*\* Definitions are cited from the Telemedicine Policy and Billing Guide  
(<https://www.hca.wa.gov/assets/billers-and-providers/Telemedicine-policy-and-billing-08012022.pdf>)*

# Telehealth policies for WA Apple Health (Medicaid) *A Historical Lens*



# Legislative history of telemedicine in WA

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- ▶ **2015:** SB 5175 Defined telemedicine, excludes home as an originating site
- ▶ **2016:** SB 6519 Includes “home” as originating site, create the WA Telehealth Collaborative
- ▶ **2017:** SB 5436 Definition of “home” updated to any place the individuals deems is home
- ▶ **2020:** SB 5385 Adds requirement that by 1/1/21, a health care professional that provides clinical telemedicine services (except MD or OD) completes telemedicine training
- ▶ **2020:** SB 5385 Payment parity for telemedicine (Parity in payment- HCA has paid the same for services provided by telemedicine as in-person/face-to-face since 2018.)
- ▶ **2021:** HB 1196 Audio-only telemedicine (audio only services available during PHE prior to 1196; legislation additionally updated definition of telemedicine, required patient consent, and formalized parity)
- ▶ **2021:** SB 5423 allows telemedicine consultation by a practitioner licensed in another state, to consult with a practitioner that is responsible for the diagnosis and treatment of the individual in this state
- ▶ **2022:** HB 1821 defines “established relationship” for audio-only services

# HCA telehealth policy

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- ▶ 2020 - Immediate pandemic response
  - Rapid policy changes to support continuity of care during PHE
  - Direct support for providers and patients
  - Collaboration with partners in telehealth
- ▶ Recent/ongoing updates
  - Audio only related to HB 1196 and HB 1821
- ▶ 2023 and beyond
  - Parity (payment) will remain for in person, audio-visual, and audio only
  - Ongoing evaluation of clinical appropriateness, review of evidence base for effectiveness and outcomes and monitoring for fraud, waste, and abuse
  - Continued understanding of new developments including digital health (text, smart phone apps), cross state care, etc.

# Public Health Emergency Impacts

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- ▶ Updated policy will be available on February 2023, with effective date of May 2023 (90-day advance notice)
- ▶ A provider alert will be sent out
  - To sign up for provider alerts: [Provider Alerts | Washington State Health Care Authority](#)

# Orientation to Medicaid Billing & Encounters for Telehealth



# Which billing guide do I turn to?

## If you are a licensed Behavioral Health Agency (BHA) -

- ▶ For MCO contracted services –  
Service Encounter Reporting Instructions (SERI) guide and SERI found here: [Service Encounter Reporting Instructions \(SERI\) | Washington State Health Care Authority](#)
- ▶ For HCA contracted Fee-for-Service –  
Mental Health Billing Guide part 2 and/or the SUD Billing Guide found here: [Provider billing guides and fee schedules | Washington State Health](#)

***\*Caveat – If in doubt, check your contract!!!***

## If you are a primary care clinic or an independent practitioner -

- ▶ For both MCO contracted services and HCA contracted Fee-for-Service –  
Mental Health Billing Guide part 1 found here: [Provider billing guides and fee schedules | Washington State Health](#)



# Telehealth – Audio-Visual Services

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- ▶ Service provided is designated by either a CPT or HCPCS code
  - Modality used may be identified by CPT/HCPCS, POS or modifier
- ▶ Location of the provider is called the distant site
- ▶ Location of the client is called the originating site
- ▶ Place of Service (POS) is based on the location of the client
  - POS 02: “service provided via telemedicine and client was not in their home”
  - POS 10: “patient is located in their home and received health care services through telemedicine”
- ▶ All technology required to be HIPAA compliant

# Telehealth – Audio-Visual Services cont.

## ▶ Documentation requirements:

### ➤ Distant site

- Specification of the telehealth modality that was used
- Verification that telemedicine was clinically appropriate for this service
- Whether any assistive technologies were used
- The location of the client
- The location of the provider (state)
- The names and credentials (e.g., MD, ARNP, PA, etc.) of all provider personnel involved in the telemedicine visit
- The people who attended the appointment with the client (family, friend, caregiver)
- The start and end times of the health care service provided by telemedicine or the duration of service when billing is based on time
- Consent if the services was provided audio-only telemedicine

# Telehealth Audio-Visual Services

Mental Health and SUD billing guide: [Provider billing guides and fee schedules | Washington State Health Care Authority](#)

SERI guide: [Service Encounter Reporting Instructions \(SERI\) | Washington State Health Care Authority](#)

## If you are a licensed Behavioral Health Agency (BHA) -

- ▶ For Audio-visual telehealth
  - ▶ Bill or encounter with appropriate service codes from the guides above
    - ▶ MCO contracted services – Use SERI guide
    - ▶ HCA Fee for Service contracts –
      - ▶ Use Part 2 of the Mental Health Billing Guide for Mental Health services
      - ▶ Use SUD Billing Guide for SUD services
  - ▶ Use Place of Service 02 or 10

## If you are a primary care clinic or an independent practitioner -

- ▶ For Audio-Visual telehealth
  - ▶ Bill with the appropriate service codes using Part 1 of the Mental Health billing guide at the above link
  - ▶ Use Place of Service 02 or 10
  - ▶ When billing POS 02 or 10 (as of 7/22/22), add modifier 95 if the distant site is designated as a non-facility in order to receive the non-facility rate

# Billing examples – Audio-Visual Services

## Provider bills/reports:

Part 1 MH Billing Guide: Client at home and receives mental health services through **audio-visual technology**

- Appropriate behavioral health service
- POS 10
- If the provider is designated a non-facility provider, add modifier 95

SERI: Client at home and receives behavioral health services through **audio-visual technology**

- Appropriate behavioral health service
- POS 10

Mental Health Part 2 FFS: Client at home and receives behavioral health services through **audio-visual technology**

- Appropriate behavioral health service
- POS 10

# Coding/billing for audio-only telemedicine



# Audio-only telemedicine policy update

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- ▶ Allowable services determined based on HB1196 language of “safely and effectively delivered” and review of CMS audio-only list, utilization of services provided audio-only during the PHE and clinical review
- ▶ Code lists available on HCA website for all services, behavioral health code list on a separate list
  - ▶ See “telehealth” tab: <https://www.hca.wa.gov/billers-providers-partners/prior-authorization-claims-and-billing/provider-billing-guides-and-fee-schedules>
  - ▶ See “Behavioral health audio-only procedure codes”

# Audio only modifiers

- ▶ Makes billing and identifying audio-only services more clear- beneficial for administration simplification and evaluation
- ▶ Modifier 93 (most programs including i.e. Physical health, outpatient therapies, Maternal Support Services)
  - Definition: *Synchronous Telemedicine Service Rendered Via Telephone or Other Real-Time Interactive Audio-Only Telecommunications System: Synchronous telemedicine service is defined as a real-time interaction between a physician or other qualified health care professional and a patient who is located away at a distant site from the physician or other qualified health care professional. The totality of the communication of information exchanged between the physician or other qualified health care professional and the patient during the course of the synchronous telemedicine service must be of an amount and nature that is sufficient to meet the key components and/or requirements of the same service when rendered via a face-to-face interaction.*
- ▶ Modifier FQ for mental health services
  - Definition: The service was furnished using audio-only communication technology
  - HCA employing mostly for mental health services
    - In Washington State, behavioral health services can be provided by a licensed behavioral health agency or by an independently licensed clinician in primary care and other practices settings.
    - Also, per our State Plan behavioral health services may be provided to an individual's family member, identified support, or other collateral contacts without the client being present.

# Telehealth Audio-Only Services

Mental Health and SUD billing guide: [Provider billing guides and fee schedules | Washington State Health Care Authority](#)

SERI found here: [Service Encounter Reporting Instructions \(SERI\) | Washington State Health Care Authority](#)

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## If you are a licensed Behavioral Health Agency (BHA) -

- ▶ For Audio-only telehealth
  - Bill for appropriate audio-only billing codes found at this link: [Audio-only-behavioral-health-codes.xlsx \(live.com\)](#)
  - Use Place of Service 02 or 10
  - Add modifier FQ

## If you are a primary care clinic or an independent practitioner -

- ▶ For Audio-only telehealth
  - Bill for appropriate audio-only billing codes found at this link: [Physical-health-audio-only-codes.xlsx \(live.com\)](#)
  - Bill with POS 02 or 10
  - Bill with Modifier 93
  - If provider is designated as a nonfacility bill with modifier 95



# Billing examples – Audio-only Services

## Provider bills/reports:

Part 1 MH Billing Guide: Client at home and receives mental health services through **audio-only technology**

- Appropriate E/M service
- POS 10
- Modifier 93
- If the provider is designated as a non-facility provider, add modifier 95

Part 2 MH Billing Guide: Client at home and receives behavioral health services through **audio-only technology**

- Appropriate behavioral health service
- POS 10
- Modifier TG, then modifier FQ

SERI: Client home and receives behavioral health services through **audio-only technology**

- Appropriate behavioral health service
- POS 10
- Modifier FQ

# Telemedicine WAC Updates



# Washington Administrative Code (WAC)

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- ▶ WAC 182-501-0300 is in the final stages of completing this WAC
  - ▶ Goal to simplify existing 3 WACs to one telemedicine WAC
  - ▶ Update to align with recent legislation

# Resources



# Resource information

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- ▶ Telehealth policies & guidance - see “telehealth” tab:

<https://www.hca.wa.gov/billers-providers-partners/prior-authorization-claims-and-billing/provider-billing-guides-and-fee-schedules>

- ▶ Questions:

- ▶ Related to telehealth or audio-only policies

[HCAAppleHealthClinicalPolicy@hca.wa.gov](mailto:HCAAppleHealthClinicalPolicy@hca.wa.gov)

- ▶ Related to the Service Encounter Reporting Instructions (SERI) guide

[HCAmcprograms@hca.wa.gov](mailto:HCAmcprograms@hca.wa.gov)