



# Guidance for Providing Behavioral Health Services via Telehealth

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The State of Ohio and the Ohio Department of Mental Health and Addiction Services (OhioMHAS) have long been on the leading edge of ensuring the availability of high-quality health care services for the citizens of Ohio. Advances in technology have made it possible to utilize new tools that offer many opportunities. One of these tools is real-time, interactive videoconferencing, better known as telemedicine or telehealth. Both patients and providers throughout Ohio have quickly adapted to service delivery through secure videoconferencing. The technology has become very user friendly and mobile allowing much needed services to be provided to people within their own communities and homes.

Psychiatrists were among the first health care providers in the 1950s to utilize interactive videoconferencing to treat patients. With today's computers, cell phones and various internet and web services, a vast array of behavioral health services can be offered to meet the needs of people where they live and work.

OhioMHAS recognizes the challenges for many people in obtaining behavioral health services and supports the use of telehealth as a tool to meet those treatment and support needs.

OhioMHAS-certified community behavioral health centers who are interested in utilizing interactive videoconferencing must provide quality, professional services in compliance with all federal, state, and local laws, including the respective Ohio professional licensing boards provisions for the various provider types you may have in your organizations. If you have questions about scope of practice, please consult directly with the respective licensing board(s).

OhioMHAS-certified community behavioral health centers who have accreditation with organizations such as CARF and JCAHO are encouraged to contact their accrediting organization regarding the addition of services provided via real-time, interactive videoconferencing. There may be additional accreditation standards required.

Many payers have realized the advantages of telemedicine/ telehealth, but each payer may have differences in coverage and payment policies. For persons who may be enrolled in a private insurance plan or in an Ohio Medicaid Managed Care Plan you will need to check directly with that payer to determine their coverage policies, restrictions and claims guidelines.

The OhioMHAS Administrative Code for Interactive Videoconferencing is 5122-29-31. There are several safety and quality requirements in this rule. Please review and comply with this rule prior to performing services including, but not limited to: patient consent, confidentiality, documentation standards, emergency plans and policies. **Services that may be provided using real-time, interactive videoconferencing as a certified community behavioral health center are:**

- Telehealth as defined in rule 5122-29-31, <http://codes.ohio.gov/oac/5122-29-31v1>
- General Services as defined in rule 5122-29-03:
- Assessment as defined in General Services rule 5122-29-03, <http://codes.ohio.gov/oac/5122-29-03v1>
- Counseling and therapy including groups up to 12, as defined in General Services rule 5122-29-03
- Medical Activities including prescribing as allowed by the State of Ohio Medical Board and practitioner's licensure and as defined in General Services rule 5122-29-03
- CPST Services as defined in rule 5122-29-17, <http://codes.ohio.gov/oac/5122-29-17v1>
- Therapeutic behavioral services and psychosocial rehabilitation services as defined in rule 5122-29-18, <http://codes.ohio.gov/oac/5122-29-18v1>

These services must be provided using interactive, secure, real-time audiovisual communications of such quality to permit accurate and meaningful interaction between at least two persons, one of which is a certified provider of the service being provided pursuant to Chapter 5122-25 of the Administrative Code. This expressly excludes telephone calls, images transmitted via facsimile machine, and text messages with visualization of the other person. Services that may be provided by certified community behavioral health centers by telephone contact are CPST and SUD case management.

OhioMHAS-certified behavioral health centers are not subject to the Ohio Medicaid Telehealth rule 5160-1-18. However, if you are a behavioral health provider or other health care entity and are not certified by OhioMHAS, you are/or may be required to follow Ohio Medicaid rule 5160-1-18. <http://codes.ohio.gov/oac/5160-1-18v1>

**Additional resources:**

- Ohio Medicaid Behavioral Health State Plan Services Provider Requirements and Reimbursement Manual
- <https://bh.medicaid.ohio.gov/Portals/0/Providers/Manual/11-27-19%20BH%20Manual%20FV%2010.pdf?ver=2019-11-27-105620-353>
- State Medical Board of Ohio - <https://med.ohio.gov/FAQs/Telemedicine-FAQs>
- Prescribing to persons not seen by the physician - Ohio Administrative Code 4731-11-09 - <http://codes.ohio.gov/oac/4731-11-09v1>
- The Centers for Medicare and Medicaid Services (CMS) have different rules for the use of telemedicine/telehealth for Medicare eligible patients. Please refer to the link provided for additional information.
- CMS/Medicare Rules and Requirements Guide - <https://www.cms.gov/Outreach-and-Education/Medicare-Learning-Network-MLN/MLNProducts/MLN-Publications-Items/CMS1243327>