



Commonwealth of Massachusetts
Executive Office of Health and Human Services
Office of Medicaid
www.mass.gov/masshealth

MassHealth
All Provider Bulletin 327 (corrected)
October 2021

TO: All Providers Participating in MassHealth

FROM: Amanda Cassel Kraft, Acting Assistant Secretary for MassHealth

RE: Access to Health Services through Telehealth Options

Introduction and Overview

MassHealth's mission is to improve the health outcomes of our diverse members and their families by providing access to integrated health care services that sustainably and equitably promote health, well-being, independence, and quality of life. In support of that mission, over the last two years, MassHealth has implemented a robust telehealth policy that promotes member choice and ensures that members retain access to medically necessary covered services during the COVID-19 pandemic.

Since the introduction of its telehealth policy, MassHealth has seen robust utilization of telehealth as a mode of delivery for medically necessary services. MassHealth's current telehealth policy is set forth in All Provider Bulletin 324, which is effective for dates of service (DOS) through October 15, 2021. All Provider Bulletin 324 further explained that MassHealth would issue additional guidance on telehealth that would describe MassHealth's successor telehealth policy. This bulletin, which is effective for DOS on or after October 16, 2021, provides that guidance, establishing MassHealth's agency-wide rules for reimbursement of services provided via telehealth, applicable to all MassHealth programs. In addition, MassHealth may issue program-specific guidance with additional requirements and/or limitations that apply to the provision of services via telehealth by providers participating within those programs.

Given the previously referenced trends, and recognizing the continuing impacts of COVID-19, MassHealth is updating its telehealth policy to ensure continued access to telehealth modalities for delivery of medically necessary MassHealth-covered services and to promote equity in access and high quality of care. This updated policy largely aligns with the telehealth policy described in All Provider Bulletin 324 (and its predecessor bulletins), with certain exceptions described in this bulletin. In sum, pursuant to this policy, MassHealth will continue to allow MassHealth-enrolled providers to deliver a broad range of MassHealth-covered services via telehealth and, through December 31, 2022, will reimburse for such services at parity with their in-person counterparts. All providers delivering services via telehealth must comply with the policy detailed in this bulletin. This bulletin will be effective until MassHealth issues superseding guidance.

This updated policy also reflects feedback from our members, who have voiced a clear desire for continued flexibility to access covered services in the manner best tailored to their needs. As a result, member choice is an essential feature of this updated policy. Under this updated policy, providers must always obtain the member's consent to receive services via telehealth. This ensures that members will always have the choice to decide between receiving services in-person or via

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telehealth. Indeed, pursuant to M.G.L. c. 118E, § 79(d), MassHealth members have a choice to decline to receive services via telehealth in order to receive such services in person.

MassHealth will continue to analyze telehealth's impacts on utilization, quality of care, and access to care. Based on its analysis of these and other relevant factors, MassHealth will evaluate this policy, with no significant changes anticipated prior to January 1, 2023.

Important Note: Although MassHealth allows reimbursement for the delivery of certain services through telehealth for certain billing providers as described in this bulletin, MassHealth does not require providers to deliver services via telehealth.

Applicability

This bulletin applies to members enrolled in MassHealth fee-for-service, the Primary Care Clinician (PCC) plan, or a Primary Care Accountable Care Organization (ACO). Information about coverage through MassHealth Managed Care Entities (MCEs) and the Program for All-inclusive Care for the Elderly (PACE) will be issued in a forthcoming MCE bulletin.

A. Coverage of Services Provided via Telehealth

Section B of this bulletin identifies specific categories of service that MassHealth has deemed inappropriate for delivery via any telehealth modality. Except for those services identified in Section B in this bulletin, and notwithstanding any regulation to the contrary, including the physical presence requirement at 130 CMR 433.403(A)(2), any MassHealth-enrolled provider may deliver any medically necessary MassHealth-covered service to a MassHealth member via any telehealth modality, if:

- the provider has determined that it is clinically appropriate to deliver such service via telehealth, including the telehealth modality and technology employed, including obtaining member consent;
- such service is payable under that provider type;
- the provider satisfies all requirements set forth in this bulletin, including Appendix A to this bulletin, and any applicable program-specific bulletin;
- the provider delivers those services in accordance with all applicable laws and regulations (including M.G.L. c. 118E, § 79 and MassHealth program regulations); and
- the provider is appropriately licensed or credentialed to deliver those services.

MassHealth will continue to monitor telehealth's impacts on quality of care, cost of care, patient and provider experience, and health equity to inform the continued development of its telehealth policy. Based on the results of this monitoring, and its analysis of relevant data and information, MassHealth may adjust this coverage policy, including by imposing limitations on the use of certain telehealth modalities for various covered services. MassHealth does not anticipate introducing any such changes prior to January 1, 2023.

B. Categories of Service Ineligible for Delivery via Telehealth

MassHealth has deemed these following categories of service ineligible for delivery via any telehealth modality:

- Ambulance Services
- Ambulatory Surgery Services
- Anesthesia Services
- Certified Registered Nurse Anesthetist Services
- Chiropractic Services
- Hearing Aid Services
- Inpatient Hospital Services¹
- Laboratory Services
- Nursing Facility Services
- Orthotic Services
- Personal Care Services
- Prosthetic Services
- Renal Dialysis Clinic Services
- Surgery Services
- Transportation Services
- X-Ray/Radiology Services

As described above, except for these categories of services, any provider may deliver any MassHealth-covered service via any telehealth modality in accordance with the standards set forth in this bulletin, provided that such services are payable under that provider type.

C. Billing and Reimbursement for Services Provided via Telehealth

Consistent with All Provider Bulletin 324, and its predecessor bulletins, through December 31, 2022, MassHealth will reimburse providers delivering any telehealth-eligible covered service via any telehealth modality at parity with its in-person counterpart. Likewise, through December 31, 2022, an eligible distant site provider delivering covered services via telehealth in accordance with this bulletin may bill MassHealth a facility fee if such a fee is permitted under the provider's governing regulations or contracts. MassHealth will continue to evaluate these telehealth rate parity and facility fee policies through December 31, 2022, and may change those policies after that date.

Providers must include the place of service (POS) code 02 when submitting a professional claim and modifier GT when submitting a facility claim for services delivered via telehealth. Additionally, for any such professional claim, providers must include

- modifier 95 to indicate services rendered via audio-video telehealth;
- modifier V3 to indicate services rendered via audio-only telehealth; and/or
- modifier GQ to indicate services rendered via asynchronous telehealth.

¹ For the avoidance of doubt, this exclusion does not apply to hospital-at-home services rendered in accordance with Acute Inpatient Hospital Bulletin 180, or any successor thereto.

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MassHealth will initially implement modifiers 95, V3, and GQ through a six-month informational edit period. Thus, effective for dates of service between October 16, 2021, and April 15, 2022, MassHealth will not deny claims containing POS code 02 that are missing one of these modifiers. Effective for DOS on or after April 16, 2022, MassHealth will discontinue this informational edit, and will deny claims containing POS code 02 that are missing one of these modifiers.

D. Telehealth and Children’s Behavioral Health Initiative (CBHI) Services

Existing performance specifications for Children’s Behavioral Health Initiative (CBHI) services allow for the telephonic delivery of services, other than for initial assessments. Notwithstanding any requirements that initial assessments be conducted in person, where appropriate, services for new clients may be initiated via telephonic means or other telehealth modality. CBHI providers must use the regular CBHI codes, as well as the POS code and modifiers described above, as appropriate, when billing for CBHI services delivered via approved telehealth modalities.

E. MassHealth Guidance Regarding Telephone and Internet Connectivity

MassHealth guidance available at www.mass.gov/doc/masshealth-provider-resource-telephone-and-internet-connectivity-for-telehealth/download aims to help providers guide members who want to receive services via telehealth, but have concerns about limited phone and internet access. This resource includes information about the Lifeline program, a federal program that provides free or low-cost phone service to low-income households, and information on existing COVID-19 responses from broadband and telephone service providers.

F. Remote Patient Monitoring for Chronic Disease Management and E-Consults

MassHealth anticipates introducing coverage for remote patient monitoring for chronic disease management and e-consult services in the near future. Subject to the availability of federal financial participation, MassHealth plans to publish transmittal letters that will include applicable service limitations and add appropriate codes to the relevant provider manuals.

Additional Information

For the latest Massachusetts-specific information, visit www.mass.gov/resource/information-on-the-outbreak-of-coronavirus-disease-2019-covid-19. The latest Centers for Disease Control and Prevention guidance for health care professionals is available at www.cdc.gov/coronavirus/2019-ncov/hcp/index.html.

MassHealth Website

This bulletin is available on the [MassHealth Provider Bulletins](#) web page.

[Sign up](#) to receive email alerts when MassHealth issues new bulletins and transmittal letters.

Questions

Dental Services

Phone: (800) 207-5019; TTY: (800) 466-7566

Long-Term Services and Supports

Phone: (844) 368-5184 (toll free)

Email: support@masshealthtss.com

Portal: MassHealthLTSS.com

Mail: MassHealth LTSS, PO Box 159108, Boston, MA 02215

Fax: (888) 832-3006

All Other Provider Types

Phone: (800) 841-2900; TTY: (800) 497-4648

Email: providersupport@mahealth.net

Fax: (617) 988-8974

Appendix A

Requirements for Use of Telehealth to Deliver Covered Services

Terminology

For the purposes of this bulletin, the following terms are used as defined below.

Distant site is the site where the practitioner providing the service is located at the time the service is provided via a telehealth system. While all applicable licensure and programmatic requirements apply to the delivery of the service, there are no additional geographic or facility restrictions on distant sites for services delivered via telehealth.

Originating site is the location of the member at the time the service is being provided. There are no geographic or facility restrictions on originating sites. A member may receive telehealth services while located within their own home, or any other appropriate site, provided that the provider complies with all applicable laws and regulations, including those related to privacy and data security.

Billing and Payment Rates for Services

Providers billing under an 837I/UB-04 form must include the modifier GT when submitting claims for services delivered via telehealth. Providers billing under an 837P/1500 must include the place of service (POS) code 02 when submitting claims for services delivered via telehealth. Additionally, for any such professional claim providers must include:

- modifier 95 to indicate services rendered via audio-video telehealth;
- modifier V3 to indicate services rendered via audio-only telehealth; and/or
- modifier GQ to indicate services rendered via asynchronous telehealth.

Rates of payment for services delivered via telehealth will be the same as the rates of payment for services delivered via traditional (i.e., in-person) methods as set forth in the applicable regulations.

Providers may not bill MassHealth a facility fee for originating sites.

Additional Requirements for Prescribing

A provider may prescribe medications via telehealth as otherwise described in this bulletin and in accordance with the following requirements.

1. Providers must comply with all applicable state and federal statutes and regulations governing medication management and prescribing services when delivering these services via telehealth.
2. Providers who deliver prescribing services via telehealth must maintain policies for providing patients with timely and accurate prescriptions by use of mail, phone, e-prescribing, and/or fax. Providers must document prescriptions in the patient's medical record consistent with in-person care.

3. Providers must comply with all applicable state and federal statutes and regulations governing medication management and prescribing services when delivering these services via telehealth.

The U.S. Department of Health and Human Services published a statement [Telemedicine and Prescribing Buprenorphine for the Treatment of Opioid Use Disorder](#) providing relevant guidance to providers.

Providers who deliver prescribing services via telehealth must maintain policies for providing patients with timely and accurate prescriptions by use of mail, phone, e-prescribing, and/or fax. Providers must document prescriptions in the patient's medical record consistent with in-person care.

Requirements for Telehealth Encounters

When rendering services via telehealth, providers must comply with all applicable laws and regulations, including M.G.L. c. 118E, § 79.

Providers must adhere to and document the following best practices when delivering services via telehealth.

1. Providers must properly identify the patient using, at a minimum, the patient's name, date of birth, and MassHealth ID.
2. Providers must disclose and validate the provider's identity and credentials, such as the provider's license, title, and, if applicable, specialty and board certifications.
3. For an initial appointment with a new patient, the provider must review the patient's relevant medical history and any available medical records with the patient before initiating the delivery of the service.
4. For existing provider-patient relationships, the provider must review the patient's medical history and any available medical records with the patient during the service.
5. Prior to each patient appointment, the provider must ensure that the provider is able to deliver the service to the same standard of care and in compliance with licensure regulations and requirements, programmatic regulations, and performance specifications related to the service (e.g., accessibility and communication access) using telehealth as is applicable to the delivery of the services in person. If the provider cannot meet this standard of care or other requirements, the provider must direct the patient to seek in-person care. The provider must make this determination prior to the delivery of each service.
6. To the extent feasible, providers must ensure the same rights to confidentiality and security as provided in face-to-face services.
7. Providers must follow consent and patient information protocol consistent with those followed during in person visits.
8. Providers must obtain the member's consent to receive services via telehealth and inform the member (1) of any relevant privacy considerations and (2) that the member may revoke their consent to receive services via telehealth at any time.
9. Providers must inform patients of the location of the provider rendering services via telehealth (i.e., distant site) and obtain the location of the patient (i.e., originating site).
10. The provider must inform the patient of how the patient can see a clinician in-person in the event of an emergency or as otherwise needed.

Documentation and Recordkeeping

Providers delivering services via telehealth must meet all health records standards required by the applicable licensing body, as well as any applicable regulatory and program specifications required by MassHealth. This includes storage, access, and disposal of records.

In addition to complying with all applicable MassHealth regulations pertaining to documentation of services, providers must include a notation in the medical record that indicates that the service was provided via telehealth, the technology used, and the physical location of the distant and the originating sites.

MassHealth may audit provider records for compliance with all regulatory requirements, including recordkeeping and documentation requirements, and may apply appropriate sanctions to providers who fail to comply.