

Louisiana

Medicaid Program: Louisiana Medicaid

Program Administrator: Louisiana Dept. of Health and Hospitals

Regional Telehealth Resource Center: TexLa Telehealth Resource Center

Covers the States of: Texas & Louisiana

www.texlatrc.org

Medicaid Telehealth Reimbursement	Summary	Live video telemedicine is covered for distant site providers enrolled in Louisiana Medicaid. There is no reimbursement for the originating site. Activity and sensor monitoring, health status monitoring and medication dispensing and monitoring are forms of remote patient monitoring that are covered by Louisiana Medicaid. There is no reference to store-and-forward.
	Definitions	<p>“Telemedicine is the use of medical information exchanges from one site to another via electronic communications to improve a recipient’s health. Electronic communication means the use of interactive telecommunications equipment that includes, at a minimum, audio and video equipment permitting two-way, real time interactive communication between the patient at the originating site, and the physician or practitioner at the distant site.”</p> <p>Source: LA Dept. of Health and Hospitals, Professional Svcs. Provider Manual, Chapter Five of the Medicaid Svcs. Manual, p. 174 (As revised on Aug. 1, 2019). (Accessed Sept. 2019).</p> <p>Telecare is a delivery of care services to recipients in their home by means of telecommunications and/or computerized devices to improve outcomes and quality of life, increase independence and access to health care, and reduce health care costs. Telecare services include:</p> <ul style="list-style-type: none"> • Activity and sensor monitoring; • Health status monitoring; and • Medication dispensing and monitoring. <p>Source: LA Dept. of Health and Hospitals, Community Choices Waiver Provider Manual, Chapter Seven of the Medicaid Svcs. Manual, p. 22 (as revised on Jan. 1, 2019). (Accessed Sept. 2019).</p>
	Live Video	<p>Policy</p> <p>Louisiana Medicaid reimburses the distant site for services provided via telemedicine.</p> <p>Covered services must be identified on claims submissions by appending the modifier “95” to the applicable procedure code and indicate Place of Service (POS) 02. Both the correct POS and modifier must be present on the claim to receive reimbursement.</p> <p>Source: LA Dept. of Health and Hospitals, Professional Svcs. Provider Manual, Chapter Five of the Medicaid Svcs. Manual, p. 174 (As revised on Aug. 1, 2019). (Accessed Sept. 2019).</p>
		<p>Eligible Services / Specialties</p> <p>Louisiana Medicaid reimburses for “services provided via an interactive audio and video telecommunications system.”</p> <p>Source: LA Admin. Code 50:I.503 & LA Register, Volume 31, 2032 (2005). (Accessed Sept. 2019).</p>



Medicaid Telehealth Reimbursement

Live Video	Eligible Providers	<p>The distant site provider must be enrolled as a Louisiana Medicaid provider to receive reimbursement for covered services.</p> <p>Source: LA Dept. of Health and Hospitals, Professional Svcs. Provider Manual, Chapter Five of the Medicaid Svcs. Manual, p. 174 (As revised on Aug. 1, 2019). (Accessed Sept. 2019).</p>
	Eligible Sites	No reference found.
	Geographic Limits	No reference found.
	Facility/Transmission Fee	<p>Louisiana Medicaid only reimburses the distant site provider.</p> <p>Source: LA Dept. of Health and Hospitals, Professional Svcs. Provider Manual, Chapter Five of the Medicaid Svcs. Manual, p. 174 (As revised on Aug. 1, 2019). (Accessed Sept. 2019).</p>
Store-and-Forward	Policy	<p>Louisiana Medicaid will not provide reimbursement for store-and-forward based upon the definition of “telemedicine” which describes telemedicine as including “audio and video equipment permitting two-way, real time interactive communication” therefore excluding store-and-forward.</p> <p>Source: LA Dept. of Health and Hospitals, Professional Svcs. Provider Manual, Chapter Five of the Medicaid Svcs. Manual, p. 174 (As revised on Aug. 1, 2019). (Accessed Sept. 2019).</p>
	Eligible Services/Specialties	No reference found.



Medicaid Telehealth Reimbursement

Store-and-Forward	Geographic Limits	No reference found.
	Transmission Fee	No reference found.
Remote Patient Monitoring	Policy	<p>Under the Community Choices Waiver, Louisiana Medicaid will reimburse an installation fee and a monthly maintenance fee for:</p> <ul style="list-style-type: none"> • TeleCare Activity and Sensor Monitoring, • Health status monitoring, and • Medication dispensing and monitoring. <p>Personal Emergency Response System (PERS) is also reimbursed under Community Choices Waiver, which sends alerts when emergency services are needed by the recipient.</p> <p>Activity and Sensor Monitoring At a minimum the system must:</p> <ul style="list-style-type: none"> • Monitor the home's points of egress; • Detect falls; • Detect movement or lack of movement; • Detect whether doors are opened or closed; and • Provide a push button emergency alert system. <p>Health Status Monitoring Could be beneficial for patient with chronic conditions for monitoring weight, oxygen saturation measurements and vital signs.</p> <p>Medication Dispensing and Monitoring A remote monitoring system that is pre-programed to dispense and monitor the recipient's compliance with medication therapy. Provider or caregiver is notified when there are missed doses.</p> <p>Standards Providers of assistive devices and medical equipment must:</p> <ul style="list-style-type: none"> • Be a licensed home health agency or DME provider or a PERS provider; • Comply with Louisiana Department of Health rules and regulations • Be enrolled as a Medicaid provider to provide these services; and • Be listed as a provider of choice on the Freedom of Choice form <p>Certain conditions apply for PERS providers. Certain standards apply for the medical equipment and supplies used (see manual).</p> <p>Source: LA Dept. of Health and Hospitals, Community Choices Waiver Provider Manual, Chapter Seven of the Medicaid Svcs. Manual, p. 22-24 & 80 (as revised on Jan. 1, 2019). (Accessed Sept. 2019).</p>



Medicaid Telehealth Reimbursement

Remote Patient Monitoring

Conditions

Health status monitoring: May be beneficial to individuals with congestive heart failure, diabetes or pulmonary disease.

Services must be based on verified need.

Source: LA Dept. of Health and Hospitals, Community Choices Waiver Provider Manual, Chapter Seven of the Medicaid Svcs. Manual, p. 24 (as revised on Jan. 1, 2019). (Accessed Sept. 2019).

Provider Limitations

Telecare providers must meet the following requirements:

- Be UL listed/certified or have 501(k) clearance;
- Be web-based;
- Be compliant with the requirements of the Health Insurance Portability and Accountability Act (HIPAA);
- Have recipient specific reporting capabilities for tracking and trending;
- Have a professional call center for technical support based in the United States; and
- Have on-going provision of web-based data collection for each recipient, as appropriate. This includes response to recipient self-testing, manufacturer's specific testing, self-auditing and quality control.

Source: LA Dept. of Health and Hospitals, Community Choices Waiver Provider Manual, Chapter Seven of the Medicaid Svcs. Manual, p. 81 (as revised on Jan. 1, 2019). (Accessed Sept. 2019).

Other Restrictions

Limitations

- Services must be based on verified need and have a direct or remedial benefit with specific goals and outcomes.
- Benefit must be determined by an independent assessment (done by appropriate professional who has no fiduciary relationship with the manufacturer, supplier or vendor) on any item that costs over \$500.
- All items must reduce reliance on other Medicaid state plan or waiver services
- All items must meet applicable standards of manufacture, design and installation
- The items must be on the Plan of Care developed by the support coordinator and are subject to approval.

A recipient is not able to receive simultaneously Telecare Activity and Sensor Monitoring services and traditional PERS services.

Where applicable, recipients must use Medicaid State Plan, Medicare or other available payers first.

Source: LA Dept. of Health and Hospitals, Community Choices Waiver Provider Manual, Chapter Seven of the Medicaid Svcs. Manual, p. 33-34 (as revised on Jan. 1, 2019). (Accessed Sept. 2019).

Email / Phone / Fax

No reference found.



Medicaid Telehealth Reimbursement	Consent	No reference found.
	Out of State Providers	No reference found.
	Miscellaneous	<p>The recipient's record at both the originating and distant site should reflect that the service was provided using telemedicine.</p> <p>Source: LA Dept. of Health and Hospitals, Professional Svcs. Provider Manual, Chapter Five of the Medicaid Svcs. Manual, p. 174 (As revised on Aug. 1, 2019). (Accessed Sept. 2019).</p>
Private Payer Laws	Definitions	No reference found.
	Requirements	<p>Reimbursement must be made to the originating site physician if he/she is physically present during the exam and interact with the distant-site physician.</p> <p>Originating-site physician fees shall be at least 75 percent of the normal fee for an intermediate office visit.</p> <p>No reference found for distant-site physician reimbursement.</p> <p>Source: LA Revised Statutes 22:1821(F) (2012). (Accessed Sept. 2019).</p>



Private Payer Laws	Parity	Service Parity	No reference found.
		Payment Parity	<p>Originating-site physician fees shall be at least 75 percent of the normal fee for an intermediate office visit.</p> <p>Source: LA Revised Statutes 22:1821(F) (2012). (Accessed Sept. 2019).</p>
Professional Regulation/Health & Safety	Definitions		<p>Medical Board</p> <p>“Telemedicine is the practice of health care delivery, diagnosis, consultation, treatment, and transfer of medical data using interactive telecommunication technology that enables a health care practitioner and a patient at two locations separated by distance to interact via two-way video and audio transmissions simultaneously. Neither a telephone conversation nor an electronic mail message between a health care practitioner and patient, or a true consultation as may be defined by rules promulgated by the board pursuant to the Administrative Procedure Act, constitutes telemedicine.”</p> <p>Source: LA Revised Statutes 37:1262(4). (Accessed Sept. 2019).</p> <p>Public Health & Safety</p> <p>Telehealth means a mode of delivering healthcare services that utilizes information and communication technologies to enable the diagnosis, consultation, treatment, education, care management and self-management of patients at a distance from healthcare providers. Telehealth allows services to be accessed when providers are in a distant site and patients are in the originating site. Telehealth facilitates patient self-management and caregiver support for patients and includes synchronous interactions and asynchronous store-and-forward transfers.</p> <p>Source: LA Revised Statutes HB 1Title 40 Sec. 1223.3 (Accessed Sept. 2019).</p> <p>Speech-Language Pathology & Audiology</p> <p>Telehealth is a mode of delivering audiology and speech-language pathology services that utilizes information and communication technologies to enable the diagnosis, consultation, treatment, education care management, and self-management of clients at a distance from the audiologist or speech-language pathologist provider services to be accessed when providers are in a distant site and patients are in the originating site. Telehealth facilitates self-management and caregiver support for patients and includes synchronous interactions and asynchronous store and forward transfers.</p> <p>Source: Title 46, Part LXXV, Ch. 1, Sec. 103 (Speech Language Pathology/Audiology). (Accessed Sept. 2019).</p> <p>Physician's Use of Telemedicine in Practice</p> <p>Telemedicine - the practice of health care delivery, diagnosis, consultation, treatment, and transfer of medical data by a physician using interactive telecommunication technology that enables a physician and a patient at two locations separated by distance to interact via two-way video and audio transmissions simultaneously. Neither an electronic mail message between a physician and a patient, or a true consultation constitutes telemedicine for the purposes of this Part. A physician practicing by telemedicine may utilize interactive audio without the requirement of video if, after access and review of the patient's medical records, the physician determines that he or she is able to meet the same standard of care as if the healthcare services were provided in-person.</p> <p>Source: LA Admin. Code 46:XLV.75. (Accessed Sept. 2019).</p>



Consent

Physicians must inform telemedicine patients of the relationship between the physician and patient, and the role of any other health care provider with respect to management of the patient. The patient may decline to receive telemedicine services and withdraw from such care at any time.

Source: LA Admin. Code 46:XLV.7511 (2012). (Accessed Sept. 2019).

Online Prescribing

Louisiana law requires that a physician who uses telemedicine establish a proper physician-patient relationship. Physicians must:

- Verify the identity of the patient;
- Conduct an appropriate exam;
- Establish a proper diagnosis;
- Discuss the diagnosis and risks and benefits of various treatment options;
- Ensure the availability of follow up care.
- Create and/or maintain a medical record

Source: LA Admin. Code 46:XLV.7503 (2012). (Accessed Sept. 2019).

Telemedicine, including the issuance of any prescription via electronic means, shall be held to the same prevailing and usually accepted standards of medical practice as those in traditional, face-to-face settings.

An online, electronic or written mail message, or a telephonic evaluation by questionnaire or otherwise, does not satisfy the standards of appropriate care.

To establish a physician-patient relationship an in-person visit is not required if the technology is sufficient to provide the physician the pertinent clinical information.

No physician shall authorize or order the prescription, dispensation or administration of any controlled substance unless;

- a. the physician has had at least one in-person visit with the patient within the past year; provided, however, the requirement for an in-person visit shall not apply to a physician who holds an unrestricted license to practice medicine in LA and who practices telemedicine upon any patient being treated at a healthcare facility that is required to be licensed pursuant to the laws of LA and which holds a current registration with the U.S. Drug Enforcement Administration;
- b. the prescription is issued for a legitimate medical purpose;
- c. the prescription is in conformity with the standard of care applicable to an in-person visit; and
- d. the prescription is permitted by and in conformity with all applicable state and federal laws and regulations.

Source: LA Admin. Code 46:XLV.408, Ch. 7503-05 & 7513. (Accessed Sept. 2019).

For physicians practicing telemedicine and treating a patient at a healthcare facility that is required to be licensed according to the laws of LA and holds a current registration with the US Drug Enforcement Administration:

- Physician must use the same standard of care as in-person.
- Physician must be authorized to prescribe any controlled dangerous substance without necessity of conducting an appropriate in-person patient history or physical examination.
- Physician shall not be subject to any regulation prohibition or restriction on the use of telemedicine that is more restrictive than those that are otherwise applicable to their entire profession.

Source: LA Statute Sec. 37:1271.1 (HB 480 – 2016). (Accessed Sept. 2019).

No physician practicing telemedicine can prescribe a controlled dangerous substance prior to conducting an appropriate in-person patient history or physical examination of the patient as determined by the Board.

Source: LA Revised Statutes 37:1271(B)(3). (Accessed Sept. 2019).



Cross-State Licensing

A telemedicine license may be issued to out-of-state physicians, as long as they hold a full and unrestricted license in another state or U.S. territory.

Out-of-state telemedicine providers cannot open an office, meet with patients or receive calls from patients within Louisiana.

Source: *LA Revised Statutes 37:1276.1 (2012). (Accessed Sept. 2019).*

LA state agencies and professional boards can regulate the use of telehealth including licensing of out-of-state healthcare providers.

Source: *LA Revised Statutes 40:1223.4 (Accessed Sept. 2019).*

A physician may practice in the state with a full license, or hold a telemedicine permit.

Source: *LA Admin. Code 46:XLV.7507. (Accessed Sept. 2019).*

Member of Physical Therapy Compact.

Source: *SB 203 (2018). PT Compact. Compact Map. (Accessed Sept. 2019).*

Member of Nurse Licensure Compact.

Source: *Nurse Licensure Compact. Current NLC States and Status. NCSBN. (Accessed Sept. 2019).*

Miscellaneous

Professional Board Telehealth-Specific Regulations

- Louisiana Medical Board (Title 46, Part XLV, Subpart 1, Subchapter C, Ch. 75 (Accessed Sept. 2019).
- Speech Language Pathology and Audiology (Title 46, Part LXXV, Ch. 1, Sec. 135. (Accessed Sept. 2019).
- Licensed Professional Counselors (Title 46, Part LX, Ch. 5, Sec. 505. (Accessed Sept. 2019).
- Physical Therapy Board (Title 46, Part LIV, Ch. 1, Sec. 319. (Accessed Sept. 2019).
- Registered Dietitians/Nutritionists (Title 46, Part LXIX, Ch. 1, Sec. 101. (Accessed Sept. 2019).

Louisiana has specific standards for its telemedicine physicians.

Source: *LA Statute Sec. 37:1271 & House Bill 1280 (2014). (Accessed Sept. 2019).*

