



# COMPREHENSIVE COMMUNITY SERVICES POLICY AND PROCEDURES

**SUBJECT: TELEHEALTH**

## **PURPOSE**

Telehealth defines the expectations surrounding the use of telehealth as a modality of service delivery within the Dane County Comprehensive Community Services (CCS) program.

## **POLICY**

Telehealth enables a provider to render a service to a CCS participant remotely, without being in the same location as the CCS participant. Telehealth is an allowable means of service provision within the CCS program. All CCS providers are expected to adhere to the following expectations when utilizing telehealth as a modality of providing services. Failure to follow telehealth guidelines could lead to claim denial or other corrective action.

### Definitions

- 1) “Telehealth” means the use of telecommunications technology by a provider to deliver functionally equivalent, synchronous, health care services.
- 2) “Synchronous” telehealth services are two-way, real-time, interactive communications. They may include audio-only (telephone) or audio-visual communications. Telehealth does not include communication between a provider and a CCS participant that consists solely of an email, text, or fax transmission.
- 3) “Functionally equivalent” means that when a service is provided via telehealth, the transmission of information must be of sufficient quality as to be the same level of service as an in-person visit. Transmission of voices, images, or video must be clear and understandable.

### Use of Telehealth in CCS

- 1) All CCS provider types and interpreters may provide services within the CCS program via telehealth.
- 2) Services provided via telehealth must be of sufficient audio and/or visual fidelity and provide sufficient clarity as to be functionally equivalent to a face-to-face visit where both the CCS participant and CCS provider are in the same physical location.

- 3) When possible, telehealth services should include both an audio and visual component. In circumstances where audio-visual telehealth is not possible due to the CCS participant's preference or technology limitations, telehealth may include real-time interactive audio-only communication if the provider feels the service is functionally equivalent to the in-person service.
- 4) The service provided must be clinically appropriate to be delivered via telehealth without diminishing the quality or effectiveness.
- 5) Both the CCS participant and the provider of the service must agree to the service being provided via telehealth. If either the CCS participant or the provider decline the use of telehealth for any reason, the service shall be performed in person.
- 6) CCS participants retain the option to refuse the delivery of services via telehealth at any time without affecting their right to future care or treatment and without risking the loss or withdrawal of CCS services.
- 7) CCS providers must be able and willing to refer CCS participants to another provider, if necessary, such as when telehealth services are not appropriate or cannot be functionally equivalent, or if the CCS participant declines a telehealth service.
- 8) All CCS progress note narratives for services provided via telehealth shall include a statement that the service was provided via telehealth and the CCS participant consented to service provision via telehealth.
- 9) Recovery Team Meetings can be provided via telehealth (including telephone) provided all other guidelines for recovery team meetings are followed.
- 10) If a CCS provider is located outside the State of Wisconsin during a telehealth visit, the provider of the service must follow all applicable state laws and practice standards for the State of Wisconsin during the telehealth service.

### Telehealth Consent & Privacy

- 1) Providers must obtain Informed Consent from the CCS participant prior to providing CCS services via telehealth and at least annually thereafter.
  - CCS providers should develop and implement their own methods of informed consent to verify that a member agrees to receive services via telehealth and understands their right to decline services provided via telehealth. These methods must comply with all federal and state regulations and guidelines.
- 2) When providing services via telehealth, CCS providers are required to follow federal laws to ensure CCS participant privacy and security. This includes:
  - Ensuring that the location from which the service is delivered via telehealth protects privacy and confidentiality of CCS participant information and communications.
  - Ensuring that all telehealth services are provided using HIPAA-compliant software or delivered via an app or service that is secure and includes all the necessary privacy and security safeguards to meet the requirements of HIPAA.

- 3) Additional privacy considerations apply to CCS participants engaged in group services via telehealth:
  - Group leaders shall provide members with information on the risks, benefits, and limits to confidentiality related to group telehealth services and document the CCS participant's consent prior to the first session.
  - Group leaders shall uphold the highest privacy standards possible for the group.
  - Group members shall be instructed to respect the privacy of others by not disclosing group members' images, names, screenshots, identifying details, or circumstances. Group members shall also be reminded to prevent non-group members from seeing or overhearing telehealth sessions.
  - CCS providers may not compel CCS participants to participate in telehealth-based group services and should make alternative services available for members who elect not to participate in telehealth-based group services.

#### Services Not Appropriate/Allowed Via Telehealth

- 1) Services that are not covered when provided in-person are not covered as telehealth services.
- 2) Services that are not functionally equivalent to the in-person service when provided via telehealth.
- 3) Services the provider declines to deliver via telehealth.
- 4) Services the CCS participant declines to receive via telehealth.
- 5) Services that do not meet applicable laws, regulations, or licensure requirements if delivered via telehealth.
- 6) Services provided by providers located outside of the United States and its territories.

Approved by CCS Coordination Committee on March 20, 2024.

Rev. 3.1.2024

Source: ForwardHealth Topic #510