

Oregon

Medicaid Program: Oregon Medicaid

Medicaid Program Administrator: Oregon Health Authority

Regional Telehealth Resource Center:
 Northwest Regional Telehealth Resource Center
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STATE LAW/REGULATIONS	MEDICAID PROGRAM
Definition of telemedicine/telehealth	
<p>“Telemedicine means the provision of health services to patients by physicians and health care practitioners from a distance using electronic communications.”</p> <p><i>Source: OR Revised Statutes 442.015.</i></p> <p>Telehealth means a variety of methods, through the use of electronic and telecommunications technologies, for the distance delivery of health care services, including dental care services and clinical information designed to improve a patient’s health status and to enhance delivery of the health care services and clinical information.</p> <p><i>Source: SB 786 (2017). https://olis.leg.state.or.us/liz/2017R1/Downloads/MeasureDocument/SB0786/Enrolled</i></p> <p>Telehealth means a technological solution that provides two-way, video-like communication on a secure line.</p> <p><i>Source: ORS 309-032-0860.</i></p> <p><u>Health Care Provider Incentive Program</u> “Telehealth” means the provision of health services from a distance using electronic communications.</p> <p><i>Source: OAR 409-036-0010.</i></p> <p><u>Board of Chiropractic Examiners (Temporary Rule)</u> “Telehealth” means a variety of methods, through the use of electronic and telecommunications technologies, for the distance delivery of health care services, including chiropractic services, and clinical information designed to improve the health status of a patient located in Oregon, and to enhance delivery of the health care services and clinical information.</p> <p><i>Source: OAR 811-0105-0066 (Expires 9/26/18).</i></p> <p><u>Physical Therapy:</u></p>	<p>“Telemedicine is the use of medical information, exchanged from one site to another, via telephonic or electronic communications, to improve a patient’s health status.”</p> <p><i>Source: OR Div. of Medical Assistance Program, Medical-Surgical Svcs. Rulebook, Div. 130, 410-130-0610. (Accessed Apr. 2018).</i></p>

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<p>“Telehealth service means a physical therapy intervention, including assessment or consultation that can be safely and effectively provided using synchronous two-way interactive video conferencing, or asynchronous video communication, in accordance with generally accepted healthcare practices and standards. For purposes of these rules, ‘telehealth service’ also means, or may be referred to, as ‘telepractice, teletherapy, or telerehab’.”</p> <p><i>Source: OR Administrative Rule, Sec. 848-040-1080.</i></p>	
Live Video Reimbursement	
<p>(See “Private Payers” section)</p>	<p>Oregon Medicaid will reimburse for live video when billed services comply with their billing requirements.</p> <p>The referring provider is not required to be present with the client for the consult.</p> <p>The referring provider may bill for the patient visit only if a separately identifiable visit is performed.</p> <p>Behavioral health services identified as allowable for telephonic delivery are listed in the fee schedule. The authority must provide coverage for telemedicine services to the same extent that the service would be covered if they were provided in person.</p> <p><i>Source: OR Div. of Medical Assistance Program, Medical-Surgical Svcs. Rulebook, Div. 130, 410-130-0610 & Behavior Health Services Rules 410-172-0850. (Accessed Apr. 2018).</i></p>
Store and Forward Reimbursement	
<p>No reference found.</p>	<p>Behavioral Health Services Manual: Unless specifically authorized by OAR 410-120-1200 other types of telecommunication are not covered such as images transmitted via facsimile machines and electronic mail when:</p> <ul style="list-style-type: none"> • Those methods are not being used in lieu of videoconferencing, due to limited video conferencing equipment; or • Those methods and specific services are not specifically allowed pursuant to the Oregon Health Evidence Review Commission’s Prioritized List of Health Services and Evidence Based Guidelines. <p><i>Source: Behavior Health Services Rules 410-172-0850. (Accessed Apr. 2018).</i></p>
Remote Patient Monitoring Reimbursement	
<p>Oregon requires out of state physicians to acquire active tele-monitoring status through the Oregon Medical Board before they can perform intraoperative tele-monitoring on patients during surgery.</p>	<p>No reference found.</p>

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<p>The Administrative Code defines “tele-monitoring” as the “intraoperative monitoring of data collected during surgery and electronically transmitted to a physician who practices in a location outside of Oregon. The monitoring physician is in communication with the operation team through a technician in the operating room.”</p> <p>Requirements:</p> <ul style="list-style-type: none"> • The facility where the surgery is performed must be a licensed hospital or ambulatory surgical center; • The facility must grant medical staff membership and/or clinical privileges to the monitoring physician; • The monitoring physician must have OR active-tele-monitoring status. <p><i>Source: OR Admin. Rules. 847-008-0023.</i></p>	
Email/Phone/FAX	
<p>Yes for email. Yes for telephone. No reference found for FAX.</p> <p>Email and telephone consults must comply with Health Service Commission guidelines.</p> <p><i>Source: OR Admin. Rules 410-130-0610.</i></p>	<p>Yes for email and telephone when used for patient consulting and “when billed services comply with the practice guidelines set forth by the Health Service Commission (HSC), applicable HSC approved CPT code requirements and delivered consistent with the HSC practice guideline.”</p> <p>Email, telephone and fax may be used when videoconferencing availability is limited.</p> <p><i>Source: OR Div. of Medical Assistance Programs, Medical-Surgical Svcs. Rulebook, Div. 130, 410-130-0610, p. 69-70 (Jan. 1, 2016) & Behavior Health Services Rules 410-172-0850 (Accessed Apr. 2018).</i></p>
Online Prescribing	
<p><u>Practicing Across State Lines</u> A physician must first:</p> <ul style="list-style-type: none"> • Establish a physician-patient relationship; • Make a judgment based on some type of objective criteria upon which to diagnose, treat, correct or prescribe; • Act in the best interest of the patient. <p>Writing prescriptions based only on an Internet sale or consults prohibited.</p> <p><i>Source: OR Admin. Rules, 847-025-0000.</i></p>	<p>No reference found.</p>
Consent	
<p>No reference found.</p>	<p>No reference found.</p>
Location	
<p>Plans may not distinguish between originating sites that</p>	<p>No reference found.</p>

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<p>are rural and urban in providing coverage.</p> <p><i>Source: OR Senate Bill 144 (2015); & Revised Statutes Sec. 743A.058.</i></p>	
Cross-State Licensing	
<p>Out-of-state physicians may receive a license to practice across state lines in Oregon, as long as they are fully licensed in another state and meet certain requirements.</p> <p><i>Source: OR Revised Statutes Annotated Sec. 677.139.</i></p> <p><i>(also see Medicaid column)</i></p>	<p>The referring and evaluating practitioner must be licensed to practice medicine within the state of Oregon or within the contiguous area of Oregon and must be enrolled as a Division of Medical Assistance Programs (Division) provider.</p> <p><i>Source: OR Administrative Regulation 410-130-0610(2)(a) & Source: OR Div. of Medical Assistance Program, Medical-Surgical Svcs. Rulebook, Div. 130, 410-130-0610. (Accessed Apr. 2018).</i></p>
Private Payers	
<p>Oregon requires coverage by health benefit plans and self-insured health plans offered through the Public Employees' Benefit Board or the Oregon Educators Benefit Board of health services that is provided using synchronous two-way interactive video conferencing, subject to contract terms and conditions.</p> <p>Plans may not distinguish between originating sites that are rural and urban in providing coverage.</p> <p><i>Source: OR Senate Bill 144 (2015); & Revised Statutes Sec. 743A.058.</i></p> <p>A health benefit plan must provide coverage in connection with the treatment of diabetes if:</p> <ul style="list-style-type: none"> • If coverage is provided for in-person services • The service is medically necessary; • The service relates to a specific patient; and • One of the participants in the telemedical health service is a representative of an academic health center. <p><i>Source: OR Revised Statutes Sec. 743A.185.</i></p>	<p>No reference found.</p>
Site/Transmission Fee	
<p><i>(see Medicaid column)</i></p>	<p>Oregon Medicaid will provide transmission fees for originating sites.</p> <p><i>Source: OR Admin. Regulation 410-130-0610(5) & OR Div. of Medical Assistance Programs, Medical-Surgical Svcs. Rulebook, Div. 130, 410-130-0610. (Accessed Apr. 2018).</i></p>
Miscellaneous	

Comments: Professional Board Telehealth-Specific Regulations

- Dental Care Services (*Source: SB 786 – 2017*)
- Occupational Therapy (*Source: OR Admin. Code 339-010-0006*)

- Physical Therapy (Source: *OR Admin. Code 848-040-0180*)
- Board of Chiropractic Examiners (Source: *OAR 811-0105-0066 - Expires 9/26/18*).