

# West Virginia

**Medicaid Program:** West Virginia Medicaid

**Program Administrator:** Bureau for Medical Services, under the West Virginia Dept. of Health and Human Resources

**Regional Telehealth Resource Center:** Mid-Atlantic Telehealth Resource Center

**Covers the States of:** Delaware, Kentucky, Maryland, New Jersey, North Carolina, Pennsylvania, Virginia, West Virginia, and Washington D.C.

<https://www.matrc.org>

## Medicaid Telehealth Reimbursement

### Summary

West Virginia Medicaid reimburses for live video under some circumstances. Reimbursement is only made for real-time communications, therefore there is no reimbursement for store-and-forward or remote patient monitoring.

### Definitions

Telehealth: The use of electronic information and telecommunications technologies to provide professional health care; is often used to connect practitioners and clinical experts in large hospitals or academic medical centers with patients in smaller hospitals or critical access hospitals which are typically located in more remote locations; and can assure that these remotely located patients enjoy the same access to potentially life-saving technologies and expertise that are available to patients in more populated parts of the country.

“The telecommunication system is defined as an interactive audio and video system that permits real-time communication between the member at the originating site and the practitioner at the distant site. The telecommunication technology must allow the treating practitioner at the distant site to perform a medical examination of the member that substitutes for an in-person encounter.”

**Source:** WV Dept. of Health and Human Svcs. Medicaid Provider Manual, Chapter–519.17 Practitioner Services: Telehealth Services. (Revised Jan. 15, 2016) (Accessed Apr. 2019).

Telehealth – for purposes of Medicaid, telemedicine seeks to improve a patient’s health by permitting two-way, real-time interactive communication between the patient, and the physician or practitioner at the distant site. This electronic communication means the use of interactive telecommunications equipment that includes, at a minimum, audio and video equipment.

**Source:** WV Dept. of Health and Human Svcs. Medicaid Provider Manual, Chapter–200 Definitions and Acronyms. (Nov. 1, 2016) (Accessed Apr. 2019).

“Telehealth Services: Health care services provided through advanced telecommunications technology from one location to another. Medical information is exchanged in real-time communication from an Originating Site, where the participant is located, to a Distant Site, where the provider is located, allowing them to interact as if they are having a face-to-face, “hands-on” session.”

**Source:** WV Dept. of Health and Human Svcs. Medicaid Provider Manual, Chapter 522 Federally Qualified Health Center and Rural Health Clinic Svcs. P. 19. (Revised Dec. 1, 2015) (Accessed Apr. 2019).



Policy

West Virginia Medicaid reimburses for a limited number of telehealth services that are provided to enrolled members by enrolled practitioners via a telecommunication system. WV Medicaid utilizes CMS guidance on Telehealth Services.

**Source:** WV Dept. of Health and Human Svcs. Medicaid Provider Manual, Chapter–519.17 Practitioner Services: Telehealth Services. (Revised Jan. 15, 2016) (Accessed Apr. 2019).

Eligible Services / Specialties

West Virginia Medicaid reimbursement of telehealth services is limited to certain CPT/ HCPCS codes. See manual.

**Source:** WV Dept. of Health and Human Svcs. Medicaid Provider Manual, Chapter–519.17 Practitioner Services: Telehealth Services. Revised Jan. 15, 2016 (Accessed Apr. 2019).

Targeted case management can be conducted through telemedicine with the exception of the required 90 day face-to-face encounter with the targeted case manager.

**Source:** WV Dept. of Health and Human Svcs., Medicaid Provider Manual, Chapter 523: Targeted Case Management, p. 13 (Jul. 1, 2016), (Accessed Apr. 2019).

WV Medicaid encourages providers to render services via telehealth in the Behavioral Health Clinic Services program.

**Source:** WV Dept. of Health and Human Service Medicaid Provider Manual, Chapter—503.12 Licensed Behavioral Health Center Services (Jul. 15, 2018); 504.10 Substance Use Disorder Services (Jul. 1, 2018); 521.9 Behavioral Health Outpatient Services (Jan. 15, 2018); 538.9 School-Based Health Services (Aug. 1, 2017). (Accessed Apr. 2019).

Eligible Providers

Authorized distant site providers include:

- Physicians;
- Physician Assistants (PA);
- Advanced Practice Registered Nurses (APRN)/Nurse Practitioners (NP);
- APRN/Certified Nurse Midwife (CNM);
- APRN/Clinical Nurse Specialists (CNS);
- Licensed Psychologists (LP); and
- Licensed Independent Clinical Social Worker (LICSW).

**Source:** WV Dept. of Health and Human Svcs. Medicaid Provider Manual, Chapter–519.17.1 Practitioner Services: Telehealth Services. (Revised Jan. 15, 2016) (Accessed Apr. 2019).

RHCs and FQHCs are not authorized to serve as distant sites for telehealth consultations, which is the location of the practitioner, and may not bill or include the cost of a visit on the cost report.

**Source:** WV Dept. of Health and Human Svcs. Medicaid Provider Manual, Chapter–519.17.1 Practitioner Services: Telehealth Services. (Revised Jan. 15, 2016) & WV Dept. of Health and Human Svcs. Medicaid Provider Manual, Chapter 522 Federally Qualified Health Center and Rural Health Clinic Svcs. P. 10. (Revised Dec. 1, 2015) (Accessed Apr. 2019).



# Medicaid Telehealth Reimbursement

Live Video	Eligible Sites	<p>Authorized originating sites:</p> <ul style="list-style-type: none"> <li>• Offices of physicians or practitioners;</li> <li>• Private Psychological Practices;</li> <li>• Hospitals;</li> <li>• Critical Access Hospitals (CAH);</li> <li>• Rural Health Clinics (RHCs);</li> <li>• Federally Qualified Health Centers (FQHCs);</li> <li>• Hospital-based or CAH-based Renal Dialysis Centers (including satellites);</li> <li>• Skilled Nursing Facilities (SNF); and</li> <li>• Community Mental Health Centers (CMHC).</li> </ul> <p>Independent Renal Dialysis Facilities are not eligible originating sites.</p> <p><b>Source:</b> WV Dept. of Health and Human Svcs. Medicaid Provider Manual, Chapter–519.17.1 Practitioner Services: Telehealth Services. (Revised Jan. 15, 2016) (Accessed Apr. 2019).</p>
	Geographic Limits	<p>WV Medicaid does not limit telehealth services to members in non-metropolitan statistical professional shortage areas as defined by CMS telehealth guidance.</p> <p><b>Source:</b> WV Dept. of Health and Human Svcs. Medicaid Provider Manual, Chapter–519.17.1 Practitioner Services: Telehealth Services. (Revised Jan. 15, 2016) (Accessed Apr. 2019).</p>
	Facility/Transmission Fee	<p>An originating site can bill for an originating site fee, however facility fees are not covered.</p> <p><b>Source:</b> WV Dept. of Health and Human Svcs. Medicaid Provider Manual, Chapter–519.17 Practitioner Services: Telehealth Services. Revised Jan. 15, 2016 (Accessed Apr. 2019).</p>
Store-and-Forward	Policy	<p>No reimbursement. WV Medicaid only reimburses for real-time communications.</p> <p><b>Source:</b> WV Dept. of Health and Human Svcs. Medicaid Provider Manual, Chapter–519.17 Practitioner Services: Telehealth Services. (Revised Jan. 19, 2016) (Accessed Apr. 2019).</p>
	Eligible Services/Specialties	<p>No reference found.</p>



## Medicaid Telehealth Reimbursement

Store-and-Forward	Geographic Limits	No reference found.
	Transmission Fee	No reference found.
Remote Patient Monitoring	Policy	<p>No reimbursement. WV Medicaid only reimburses for real time communications.</p> <p><b>Source:</b> WV Dept. of Health and Human Svcs. Medicaid Provider Manual, Chapter-519.17 Practitioner Services: Telehealth Services. (Revised Jan. 15, 2016) (Accessed Apr. 2019).</p>
	Conditions	No reference found.
	Provider Limitations	No reference found.
	Other Restrictions	No reference found.



## Medicaid Telehealth Reimbursement

### Email / Phone / Fax

No reimbursement for FAX.  
No reimbursement for telephone.  
No reimbursement for email.

**Source:** WV Dept. of Health and Human Svcs. Medicaid Provider Manual, Chapter—519.17.2 Non-Covered Services: Telehealth Services. (Revised Jan. 15, 2016) & WV Dept. of Health and Human Svcs. Medicaid Provider Manual, Chapter 522.8 Federally Qualified Health Center and Rural Health Clinic Svcs. P. 10. (Revised Dec. 1, 2015) (Accessed Apr. 2019).

### Consent

Provider must obtain patient's (or legal guardian's) written and verbal consent. The patient has the right to withdraw from telehealth services at any point for an alternative service.

**Source:** WV Dept. of Health and Human Svcs., Medicaid Provider Manual, Chapter 523: Targeted Case Management, p. 7 (Jul. 1, 2016); WV Dept. of Health and Human Service Medicaid Provider Manual, Chapter—503.12 Licensed Behavioral Health Center Services (Jul. 15, 2018); 504.10 Substance Use Disorder Services (Jul. 1, 2018); 521.9 Behavioral Health Outpatient Services. P. 9-10. (Jan. 15, 2018); 538.9 School-Based Health Services (Aug. 1, 2017). (Accessed Apr. 2019).

### Out of State Providers

No reference found.

### Miscellaneous

Additional instructions regarding telehealth standards and billing available in the following manuals: Licensed Behavioral Health Center Services (Ch. 503); Behavioral Health Outpatient Services (Ch. 521); School-Based Health Services (Ch. 538). Limited to specific CPT codes.

**Source:** WV Dept. of Health and Human Service Medicaid Provider Manual, Chapter—503.12 Licensed Behavioral Health Center Services (Jul. 15, 2018); 521.9 Behavioral Health Outpatient Services (Jan. 15, 2018); 538.9 School-Based Health Services (Aug. 1, 2017). (Accessed Apr. 2019).

## Private Payer Law

### Definitions

No reference found.

### Requirements

No reference found.



Private Payer Law	Parity	Service Parity	No reference found.
		Payment Parity	No reference found.

Professional Regulation/Health & Safety	Definitions	<p>“Practice of telemedicine means the practice of medicine using communication tools such as electronic communication, information technology or other means of interaction between a licensed health care professional in one location and a patient in another location, with or without an intervening health care provider, and typically involves secure real-time audio/video conferencing or similar secure audio/video services, remote monitoring, interactive video and store-and-forward digital image or health data technology to provide or support health care delivery by replicating the interaction of a traditional in-person encounter between a provider and a patient. The practice of telemedicine occurs in this state when the patient receiving health care services through a telemedicine encounter is physically located in this state.”</p> <p><b>Source:</b> WV Code Sec. 30-3-13.(b) (Accessed Apr. 2019).</p> <p>“Telemedicine” means the practice of medicine using tools such as electronic communication, information technology, store-and-forward telecommunication or other means of interaction between a physician in one location and a patient in another location, with or without an intervening health care provider.</p> <p>“Telemedicine technologies” means technologies and devices which enable secure electronic communications and information exchange in the practice of telemedicine, and typically involve the application of secure real-time audio/video conferencing or similar secure video services, remote monitoring, or store-and-forward digital image technology to provide or support healthcare delivery by replicating the interaction of a traditional in-person encounter between a physician or podiatrist and a patient.</p> <p><b>Source:</b> WV Code 30-14-12d(4) &amp; (5) (SB 47 – 2016). (Accessed Apr. 2019).</p> <p><b>Medication Assisted Treatment Program</b></p> <p>“Telehealth” means the mode of delivering health care services and public health via information and communication technologies to facilitate the diagnosis, consultation, treatment education, care management, and self-management of a patient’s health care while the patient is at the originating site and the health care provider is at a distant site.</p> <p><b>Source:</b> WV Code Sec. 16-5Y-2 (SB 454—2016). (Accessed Apr. 2019).</p> <p>“Telehealth” means the use of electronic information and telecommunications technologies to support long-distance clinical health care, patient and professional health-related education, public health and health administration.</p> <p><b>Source:</b> WV Code, Ch. 16, Article 2D, Sec. 16-2D-2.(45) (Accessed Apr. 2019).</p> <p>Telemedicine means the practice of medicine using tools such as electronic communication, information technology, store-and-forward telecommunication, or other means of interaction between a physician or podiatrist in one location and a patient in another location, with or without an intervening health care provider.</p> <p><b>Source:</b> WV Code, 30-3-13a.(a(4)) (Accessed Apr. 2019).</p>	
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Consent

Must obtain consent.

**Source:** WV Code Sec. 30-14-12D.(d(6)) (SB 47 – 2016). (Accessed Apr. 2019).

Online Prescribing

A “valid patient-practitioner relationship” can be established through telemedicine in a manner approved by the appropriate board.

**Source:** WV Code Sec. 30-5-4.(67) (Accessed Apr. 2019).

A physician-patient relationship cannot be established through audio only communication, text communications or any combination thereof.

A physician-patient relationship can be established through real time video conferencing or store-and-forward (for pathology and radiology).

A physician or podiatrist may not prescribe any pain-relieving controlled substance listed in Schedules II through V of the Uniform Controlled Substance Act as part of a course of treatment for chronic nonmalignant pain solely based upon a telemedicine encounter.

**Source:** WV Code 30-14-12d (SB 47 – 2016). (Accessed Apr. 2019).

Prohibits providers from issuing prescriptions, via electronic or other means, for persons without establishing an ongoing physician-patient relationship, wherein the physician has obtained information adequate to support the prescription.

Exceptions:

- Documented emergencies;
- On-call or cross-coverage situations;
- Where patient care is rendered in consultation with another physician who has an ongoing relationship with the patient; and who has agreed to supervise the patient’s treatment, including use of any prescribed medications.

**Source:** WV Code of State Rules Sec. 11-1A-12.2(k) (Accessed Apr. 2019).

A practitioner providing medication-assisted treatment may perform certain aspects of telehealth if permitted under his or her scope of practice.

**Source:** WV Code Sec. 16-5Y-5(r) (SB 273 - 2018). (Accessed Apr. 2019).

Cross-State Licensure

Member of the Interstate Medical Licensure Compact.

**Source:** Interstate Medical Licensure Compact. The IMLC. (Accessed Apr. 2019).

Member of the Physical Therapist Licensure Compact

**Source:** PT Compact (Accessed Apr. 2019).

Member of the Nurse Licensure Compact

**Source:** Nurse Licensure Compact (Accessed Apr. 2019).

Must hold active unexpired WV license.

**Source:** WV Code Sec. 30-3-13 & 30-14-12d (SB 47 – 2016). (Accessed Apr. 2019).

Miscellaneous

**Professional Board Regulation:**

- Board of Examiners for Speech-Language Pathology and Audiology

**Source:** WV Admin. Law Sec. 29-1-15) (Accessed Apr. 2019).

