

# North Dakota

**Medicaid Program:** North Dakota Medicaid

**Program Administrator:** North Dakota Dept. of Human Services

**Regional Telehealth Resource Center:** Great Plains Telehealth Resource and Assistance Center [www.gptrac.org](http://www.gptrac.org)

## North Dakota At-a-Glance

MEDICAID REIMBURSEMENT			PRIVATE PAYER LAW		PROFESSIONAL REQUIREMENTS	
LIVE VIDEO	STORE-AND-FORWARD	REMOTE PATIENT MONITORING	LAW EXISTS	PAYMENT PARITY	LICENSURE COMPACTS	CONSENT REQUIREMENT
✔	✘	✘	✔	✘	INLC, PTC, IMLC, EMS	✘

## North Dakota Detailed Policy

Medicaid Telehealth Reimbursement	Summary	<p>North Dakota reimburses for live video telemedicine for most services, with a few exceptions. They do not provide reimbursement for store-and-forward and no reference was found for remote patient monitoring.</p>
	Definitions	<p>Telemedicine is the use of interactive audio-video equipment to link practitioners and patients at different sites. Telemedicine involves two collaborating provider sites: an “originating site” and a “distant site”. The client/patient is located at the originating site and the practitioner is located at the distant site and provides those professional services allowed/reimbursed by ND Medicaid.</p> <p><b>Source:</b> NC Div. of Medical Assistance, <i>General Information Provider Manual, Telemedicine</i>, p. 157, (July 2020). (Accessed Sept. 2020).</p>
	Live Video	<p style="text-align: center;"><b>Policy</b></p> <p>The totality of the communication of the information exchanged between the physician or other qualified healthcare professional and the patient during the course of the synchronous telemedicine service must be of an amount and nature that would be sufficient to meet the key components and/or requirements of the same service when rendered via a face-to-face interaction.</p> <p><b>Source:</b> NC Div. of Medical Assistance, <i>General Information Provider Manual, Telemedicine</i>, p. 157, (July 2020). (Accessed Sept. 2020).</p> <p><b>Indian Health Services</b> Coverage and payment of services provided through telemedicine is on the same basis as those provided through face-to-face contact.</p> <p><b>Source:</b> North Dakota Department of Human Services: <i>General Information for Providers. North Dakota Medicaid and Other Medical Assistance Programs.</i> (July 2020) P. 71. (Accessed Sept. 2020).</p> <p><b>Teledentistry</b> Synchronous teledentistry is reimbursable and reported in addition to other ND Medicaid-covered procedures provided to the patient, when applicable. Dentists and dental offices must report the appropriate CDT Code for these procedures.</p> <p>The patient record must include the CDT codes that reflect the teledentistry encounter. ND Medicaid reimburses for CDT code D9995 once per date of service. Submissions must be billed using place of service code 02. Service authorization is not required for CDT code D9995.</p> <p><b>Source:</b> North Dakota Department of Human Services: <i>Teledentistry Policy.</i> (July 2019). (Accessed Sept. 2020).</p>



Eligible Services / Specialties

Qualified services for telemedicine must:

- Maintain actual visual contact (face-to-face) between the practitioner and patient.
- Be medically appropriate and necessary with supporting documentation included in the patient's clinical medical record.
- Be provided via secure and appropriate equipment to ensure confidentiality and quality in the delivery of the service.
- The service must be provided using a HIPAA compliant platform.
- See manual for appropriate coding.

All service limits set by ND Medicaid apply to telemedicine services.

Except for noncovered services noted below, telemedicine can be used for services covered by Medicaid, and otherwise allowed, per CPT, to be rendered via telemedicine.

Noncovered Services:

- Therapies provided in a group setting
- Store and Forward
- Targeted Case Management for High Risk Pregnant Women and Infants
- Targeted Case Management for Individuals in need of Long-Term Care Services

**Source:** NC Div. of Medical Assistance, General Information Provider Manual, Telemedicine, p. 157-8, (July 2020). (Accessed Sept. 2020).

**Medication Therapy Management (MTM)**

Tele-pharmacy or telehealth is allowed for reimbursement with real time audio and visual conferencing. Both the origination site (where the recipient is located) and the distant site (where the MTM provider is located) must be in the state of North Dakota. The origination site must meet privacy and space requirements.

**Source:** NC Div. of Medical Assistance, Medication Therapy Management Provider Manual, p. 2 & 7, (May 2019). (Accessed Sept. 2020).

Eligible Providers

Payment will be made only to the distant practitioner during the telemedicine session. No payment is allowed to a practitioner at the originating site if his/her sole purpose is the presentation of the patient to the practitioner at the distant site.

Payment is made for services provided by licensed professionals enrolled with ND Medicaid and within the scope of practice per their licensure only.

Telemedicine services provided by an Indian Health Service (IHS) facility or a Tribal 638 Clinic functioning as the distant site, are reimbursed at the All-Inclusive Rate (AIR), regardless whether the originating site is outside the "four walls" of the facility or clinic.

**Source:** NC Div. of Medical Assistance, General Information Provider Manual, Telemedicine, p. 157-8, (July 2020). (Accessed Sept. 2020).

Eligible Sites

Payment will be made to the originating site as a facility fee only in place of service office, inpatient hospital, outpatient hospital, or skilled nursing facility/nursing facility. There is no additional payment for equipment, technicians or other technology or personnel utilized in the performance of the telemedicine service.

**Source:** NC Div. of Medical Assistance, General Information Provider Manual, Telemedicine, p. 158, (July 2020). (Accessed Sept. 2020).

Health Services billed by schools can be delivered via telemedicine; however, no originating site fee is allowed. See Services Rendered via Telemedicine chapter for additional information.

**Source:** NC Div. of Medical Assistance, General Information Provider Manual, Telemedicine, p. 74, (July 2020). (Accessed Sept. 2020).



## Medicaid Telehealth Reimbursement

Live Video	Geographic Limits	No reference found.
	Facility/Transmission Fee	<p>Payment will be made to the originating site as a facility fee only in place of service office, inpatient hospital, outpatient hospital, or skilled nursing facility/nursing facility. There is no additional payment for equipment, technicians or other technology or personnel utilized in the performance of the telemedicine service.</p> <p>Payment will be made only to the distant practitioner during the telemedicine session. No payment is allowed to a practitioner at the originating site if his/her sole purpose is the presentation of the patient to the practitioner at the distant site.</p> <p><b>Source:</b> NC Div. of Medical Assistance, General Information Provider Manual, Telemedicine, p. 157-8, (July 2020). (Accessed Sept. 2020).</p>
Store-and-Forward	Policy	<p>North Dakota Medicaid does not reimburse for store-and-forward.</p> <p><b>Source:</b> NC Div. of Medical Assistance, General Information Provider Manual, Telemedicine, p. 158, (July 2020). (Accessed Sept. 2020).</p>
	Eligible Services/Specialties	No reference found.
	Geographic Limits	No reference found.



# Medicaid Telehealth Reimbursement

Remote Patient Monitoring	Store-and-Forward	Transmission Fee	No reference found.
		Policy	<p>While there is no indication that telehealth may be used to deliver home health services, a visit to demonstrate medical necessity for those services may be performed via telehealth or in-person; telephone encounter is not sufficient.</p> <p><b>Source:</b> North Dakota Department of Human Services: General Information for Providers. North Dakota Medicaid and Other Medical Assistance Programs. (July 2020) P. 57. (Accessed Sept. 2020).</p>
		Conditions	No reference found.
		Provider Limitations	No reference found.
		Other Restrictions	No reference found.
Email / Phone / Fax	<p>ND Medicaid does not cover non face to face services (i.e. telephone, email).</p> <p>No reference found for FAX.</p> <p><b>Source:</b> North Dakota Department of Human Services: General Information for Providers. North Dakota Medicaid and Other Medical Assistance Programs. (July 2020) P. 87. (Accessed Sept. 2020).</p>		



Medicaid Telehealth Reimbursement	Consent	No reference found.
	Out of State Providers	No reference found.
	Miscellaneous	No reference found.
Private Payer Laws	Definitions	<p>Telehealth:</p> <ul style="list-style-type: none"> <li>Means the use of interactive audio, video or other telecommunications technology that is used by a health care provider or health care facility at a distant site to deliver health services at an originating site and that is delivered over a secure connection that complies with the requirements of state and federal laws.</li> <li>Includes the use of electronic media for consultation relating to the health care diagnosis or treatment of a patient in real-time or through the use of store-and-forward technology.</li> <li>Does not include the use of audio-only telephone, electronic mail, or facsimile transmissions.</li> </ul> <p><b>Source:</b> ND Century Code Sec. 26.1-36-09.15(1)(g). (Accessed Sept. 2020).</p>
	Requirements	<p>An insurer may not deliver, issue, execute, or renew a policy that provides health benefits coverage unless that policy provides coverage for health services delivered by means of telehealth which is the same as the coverage for health services delivered by in-person means.</p> <p>A policy is not required to provide coverage for health services that are not medically necessary, subject to the terms and conditions of the policy.</p> <p><b>Source:</b> ND Century Code Sec. 26.1-36-09.15. (Accessed Sept. 2020).</p> <p>The organization may pay for audio and video telecommunications instead of a face-to-face “hands on” appointment for CPT codes designated by the American medical association as telehealth codes. As a condition of payment, the patient must be present and participating in the telemedicine appointment. The professional fee payable is equal to the fee schedule amount for the service provided. The organization may pay the originating site a facility fee at the scheduled amount.</p> <p><b>Source:</b> ND Admin. Code 92-01-02-34 (3d). (Accessed Sept. 2020).</p>



Private Payer Laws	Parity	Service Parity	<p>An insurer must provide coverage for telehealth delivered services to the same extent as the same coverage for in-person services. They are not required to provide coverage for health services that are not medically necessary.</p> <p><b>Source:</b> ND Century Code Sec. 26.1-36-09.15(2) &amp; (5). (Accessed Sept. 2020).</p>
		Payment Parity	<p>Payment or reimbursement of expenses for covered health services delivered by means of telehealth under this section may be established through negotiations conducted by the insurer with the health services providers in the same manner as the insurer with the health services providers in the same manner as the insurer establishes payment or reimbursement of expenses for covered health services that are delivered by in-person means.</p> <p><b>Source:</b> : ND Century Code Sec. 26.1-36-09.15(3). (Accessed Sept. 2020).</p>
Professional Regulation/Health & Safety	Definitions		<p>“Telemedicine” means the practice of medicine using electronic communication, information technologies, or other means between a licensee in one location and a patient in another location, with or without an intervening health care provider. The term includes direct interactive patient encounters as well as asynchronous store-and-forward technologies and remote monitoring.</p> <p><b>Source:</b> ND Admin Code Sec. 50-2-15-01. (Accessed Sept. 2020).</p> <p><b>Stroke system of care task force</b>  “Telemedicine services means the use of interactive audio, video, and other electronic media used for the purpose of diagnosis, consultation, or treatment of acute stroke.”</p> <p><b>Source:</b> ND Century Code Sec. 23-43-05. (Accessed Sept. 2020).</p> <p>North Dakota uses federal definitions for “internet” and “practice of telemedicine” set in the Ryan Haight Online Pharmacy Consumer Protection Act of 2008.</p> <p><b>Source:</b> ND Century Code Sec. 19-02.1-15.1(1)(d). (Accessed Sept. 2020).</p> <p>“Telemedicine means the practice of medicine by a practitioner, other than a pharmacist, who is at a location remote from the patient, and is communicating with the patient, or health care professional who is treating the patient, using a telecommunications system.”</p> <p><b>Source:</b> Ryan Haight Online Pharmacy Consumer Protection Act of 2008 [Pub. L. 110-425; 21 U.S.C. 802-803]. (Accessed Sept. 2020).</p> <p><b>Physical Therapy:</b>  “Telehealth” is the use of electronic communications to provide and deliver a host of health-related information and healthcare services, including, but not limited to physical therapy related information and services, over large and small distance. Telehealth encompasses a variety of healthcare and health promotion activities, including, but not limited to, education, advice, reminders, interventions, and monitoring of interventions.</p> <p><b>Source:</b> ND Admin. Code 61.5-01-02-01. (Accessed Sept. 2020).</p>
		Consent	<p><b>Physical Therapy:</b>  The physical therapist may use telehealth technology as a vehicle for providing only services that are legally or professionally authorized. The patient’s written or verbal consent will be obtained and documented prior to such consultation.</p> <p><b>Source:</b> ND Admin. Code 61.5-01-02-01(3). (Accessed Sept. 2020).</p>



Online Prescribing

A valid prescription via e-prescribing means a prescription has been issued for a legitimate medical purpose, in the usual course of professional practice, by a practitioner who has first conducted an in-person medical evaluation of the patient. An in-person medical evaluation can include the referring practitioner having performed the exam, in the case of a consultant practitioner issuing a prescription or drug order when providing services by means of telemedicine.

**Source:** *ND Century Code Sec. 19-02.1-15.1.(c) & (f). (Accessed Sept. 2020).*

Cross State Licensing

The ND Medical Board may engage in reciprocal licensing agreements with out-of-state licensing agencies, but is not required to do so.

**Source:** *ND Century Code Sec. 43-17-21. (Accessed Sept. 2020).*

Member of Emergency Medical Services Compact.

**Source:** *: Interstate Commission for EMS Personnel Practice. EMS Compact Member States and Commissions. (Accessed Sept. 2020).*

Member of the Physical Therapy Compact.

**Source:** *PT Compact. Compact Map. HB 1157 (2017). (Accessed Sept. 2020).*

Member of the Nurses Licensure Compact.

**Source:** *Current NLC States & Status. Nurse Licensure Compact. (Accessed Sept. 2020).*

Member of the Interstate Medical Licensure Compact.

**Source:** *The IMLC. Interstate Medical Licensure Compact. (Accessed Sept. 2020).*

Miscellaneous

Under the Worker’s Compensation Act, the originating sites may receive a facility fee at the scheduled amount.

**Source:** *ND Admin. Code 92-01-02-34 (3d). (Accessed Sept. 2020).*

