

# Louisiana

**Medicaid Program:** Louisiana Medicaid

**Program Administrator:** Louisiana Dept. of Health and Hospitals

**Regional Telehealth Resource Center:** TexLa Telehealth Resource Center [www.texlatrc.org](http://www.texlatrc.org)

## Louisiana Policy At-a-Glance

MEDICAID REIMBURSEMENT			PRIVATE PAYER LAW		PROFESSIONAL REQUIREMENTS	
LIVE VIDEO	STORE-AND-FORWARD	REMOTE PATIENT MONITORING	LAW EXISTS	PAYMENT PARITY	LICENSING COMPACT	CONSENT REQUIREMENT
✓	✗	✓	✓	✗	NLC, PTC	✓

## Louisiana Detailed Policy

### 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

“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.”

**Source:** LA Dept. of Health and Hospitals, Professional Svcs. Provider Manual, Chapter Five of the Medicaid Svcs. Manual, Section 5.1, p. 174 (As revised on Aug. 1, 2019). (Accessed Mar. 2020).

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:

- Activity and sensor monitoring;
- Health status monitoring; and
- Medication dispensing and monitoring.

**Source:** LA Dept. of Health and Hospitals, Community Choices Waiver Provider Manual, Chapter Seven of the Medicaid Svcs. Manual, Section 7.1, p. 22 (As revised on Mar. 2, 2020). (Accessed Mar. 2020).

#### Behavioral Health Services

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.

**Source:** LA Dept. of Health and Hospitals, Behavioral Health Services, Chapter Two of the Medicaid Svcs. Manual, Section 2.3, p. 8 (As revised on Nov. 27, 2018). (Accessed Mar. 2020).



Policy

Louisiana Medicaid reimburses the distant site for services provided via telemedicine.

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.

**Source:** LA Dept. of Health and Hospitals, Professional Svcs. Provider Manual, Chapter Five of the Medicaid Svcs. Manual, Section 5.1, p. 174 (As revised on Aug. 1, 2019). (Accessed Mar. 2020).

Louisiana Medicaid services provided via an interactive audio and video telecommunication system shall be identified on claim submissions by appending the HIPPA compliant POS or modifier to the appropriate procedure code, in line with current policy.

**Source:** LA Admin. Code 50:1.503, (Accessed Mar. 2020).

Eligible Services / Specialties

**Behavioral Health Services**

Consultations, office visits, individual psychotherapy, and pharmacological management services may be reimbursed when provided via telecommunication technology.

**Source:** LA Dept. of Health and Hospitals, Behavioral Health Services, Chapter Two of the Medicaid Svcs. Manual, Section 2.3, p. 7 (As revised on Nov. 27, 2018). (Accessed Mar. 2020).

Eligible Providers

The distant site provider must be enrolled as a Louisiana Medicaid provider to receive reimbursement for covered services.

**Source:** LA Dept. of Health and Hospitals, Professional Svcs. Provider Manual, Chapter Five of the Medicaid Svcs. Manual, Section 5.1, p. 174 (As revised on Aug. 1, 2019). (Accessed Mar. 2020).

Reimbursement for FQHCs will be set at the all-inclusive prospective payment rate on file for the date of service.

**Source:** LA Dept. of Health, Informational Bulletin 20-1. (Jan. 10, 2020). (Accessed Mar. 2020).

FQHC manual refers to provider manual for billing instructions.

**Source:** LA Dept. of Health and Hospitals, Federally Qualified Health Centers Provider Manual, Chapter 22, Sec. 22.4, pp. 6, 11/21/2019. (Accessed Mar. 2020).

Eligible Sites

No reference found.

Geographic Limits

No reference found.



## Medicaid Telehealth Reimbursement

Store-and-Forward	
Facility/Transmission Fee	<p>Louisiana Medicaid only reimburses the distant site provider.</p> <p><b>Source:</b> LA Dept. of Health and Hospitals, Professional Svcs. Provider Manual, Chapter Five of the Medicaid Svcs. Manual, Section 5.1, p. 174 (As revised on Aug. 1, 2019). (Accessed Mar. 2020).</p>
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><b>Source:</b> LA Dept. of Health and Hospitals, Professional Svcs. Provider Manual, Chapter Five of the Medicaid Svcs. Manual, Section 5.1, p. 174 (As revised on Aug. 1, 2019). (Accessed Mar. 2020).</p>
Eligible Services/Specialties	No reference found.
Geographic Limits	No reference found.
Transmission Fee	No reference found.
Remote Patient Monitoring	
Policy	<p>Under the Community Choices Waiver, Louisiana Medicaid will reimburse for telecare, including:</p> <ul style="list-style-type: none"> <li>• Activity and Sensor Monitoring,</li> <li>• Health status monitoring, and</li> <li>• Medication dispensing and monitoring.</li> </ul> <p>Monthly telecare services consist of:</p> <ul style="list-style-type: none"> <li>• Delivering, furnishing, maintaining and repairing/replacing equipment on an ongoing basis. This may be done remotely as long as all routine requests are resolved within three business days;</li> <li>• Monitoring of recipient-specific service activities by qualified staff;</li> <li>• Training the recipient and/or the recipient’s responsible representative in the use of the equipment;</li> <li>• Cleaning and storing equipment;</li> <li>• Providing remote teaching and coaching as necessary to the recipient and/or caregiver(s); and</li> <li>• Analyzing data, developing and documenting interventions by qualified staff based on information/data reported.</li> </ul>



Personal Emergency Response System (PERS) is also reimbursed under Community Choices Waiver, which sends alerts when emergency services are needed by the recipient.

**Activity and Sensor Monitoring**

This service is a computerized system that monitors the recipient’s in-home movement and activity for health, welfare and safety purposes. At a minimum the system must:

- 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.

Some systems also monitor the home’s temperature.

**Health Status Monitoring**

This service collects health-related data to assist the health care provider in assessing the recipient’s health condition and in providing recipient education and consultation. Could be beneficial for patient with chronic conditions for monitoring weight, oxygen saturation measurements and vital signs.

**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 or non-compliance with medication therapy.

*Source: LA Dept. of Health and Hospitals, Community Choices Waiver Provider Manual, Chapter Seven of the Medicaid Svcs. Manual, Section 7.1, p. 22-24 (as revised on Mar. 2, 2020). (Accessed Mar. 2020).*

**Standards**

Providers of assistive devices and medical equipment must:

- Be a licensed home health agency or DME 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.

PERS providers must:

- Comply with OAAS’ standards for participation;
- Be enrolled as the applicable Medicaid provider type; and
- Be listed as a provider of choice on the FOC form.

The PERS provider must install and support PERS equipment in compliance with all of the applicable federal, state, parish and local laws and regulations, as well as meet manufacturer’s specifications, response requirements, maintenance records, and recipient education.

*Source: LA Dept. of Health and Hospitals, Community Choices Waiver Provider Manual, Chapter Seven of the Medicaid Svcs. Manual, Section 7.6, p. 16 (As revised on Mar. 2, 2020). (Accessed Mar. 2020).*

**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, Section 7.1, p. 24 (As revised on Mar. 2, 2020). (Accessed Mar. 2020).*



Remote Patient Monitoring	Provider Limitations	<p>Telecare providers must meet the following requirements:</p> <ul style="list-style-type: none"> <li>• Be UL listed/certified or have 501(k) clearance;</li> <li>• Be web-based;</li> <li>• Be compliant with the requirements of the Health Insurance Portability and Accountability Act (HIPAA);</li> <li>• Have recipient specific reporting capabilities for tracking and trending;</li> <li>• Have a professional call center for technical support based in the United States; and</li> <li>• 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.</li> </ul> <p><b>Source:</b> LA Dept. of Health and Hospitals, Community Choices Waiver Provider Manual, Chapter Seven of the Medicaid Svcs. Manual, Section 7.6, p. 17 (As revised on Mar. 2, 2020). (Accessed Mar. 2020).</p>
	Other Restrictions	<p><b>Limitations</b></p> <ul style="list-style-type: none"> <li>• Services must be based on verified need and have a direct or remedial benefit with specific goals and outcomes.</li> <li>• Benefit must be determined by an independent assessment on any item that costs over \$500 and on all communication devices, mobility devices, and environmental controls.</li> <li>• Independent assessments must be performed by individuals who have no fiduciary relationship with the manufacturer, supplier, or vendor of the item.</li> <li>• All items must reduce reliance on other Medicaid state plan or waiver services</li> <li>• All items must meet applicable standards of manufacture, design and installation</li> <li>• The items must be on the Plan of Care developed by the support coordinator and are subject to approval by OAAS Regional Office of its designee.</li> </ul> <p>A recipient is not able to receive simultaneously Telecare Activity and Sensor Monitoring services and traditional PERS services.</p> <p>Where applicable, recipients must use Medicaid State Plan, Medicare or other available payers first.</p> <p><b>Source:</b> LA Dept. of Health and Hospitals, Community Choices Waiver Provider Manual, Chapter Seven of the Medicaid Svcs. Manual, Section 7.1, p. 22 &amp; 24-25 (As revised on Mar. 2, 2020). (Accessed Mar. 2020).</p>
Email / Phone / Fax		<p>Hospices may report some social worker calls as a visit.</p> <p><b>Source:</b> LA Medicaid, Chapter 24: Hospice, Sec. 24.9, Medicaid Svcs. Manual, p. 11, (April 15, 2012), (Accessed Mar. 2020).</p>
Consent		<p>No reference found.</p>



Medicaid Telehealth Reimbursement	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><b>Source:</b> 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 Mar. 2020).</p> <p><b>FQHC and RHC</b> Effective August 1, 2019, FQHCs and RHCs must use POS 02 with modifier 95 when billing for telemedicine/telehealth services.</p> <p><b>Source:</b> LA Dept. of Health, Informational Bulletin 20-1. (Jan. 10, 2020). (Accessed Mar. 2020).</p>	
Private Payer Laws	Definitions	No reference found.	
	Requirements	<p>Payment, benefit, or reimbursement under such policy or contract shall not be denied to a licensed physician conducting or participating in the transmission at the originating health care facility or terminus who is physically present with the individual who is the subject of such electronic imaging transmission and is contemporaneously communicating and interacting with a licensed physician at the receiving terminus of the transmission. The payment, benefit, or reimbursement to such a licensed physician at the originating facility or terminus shall not be less than seventy-five percent of the reasonable and customary amount of payment, benefit, or reimbursement which that licensed physician receives for an intermediate office visit.</p> <p>No reference found for distant-site physician reimbursement.</p> <p><b>Source:</b> LA Revised Statutes 22:1821(F) (2012). (Accessed Mar. 2020).</p>	
	Parity	Service Parity	No reference found.
		Payment Parity	<p>The payment, benefit, or reimbursement to such a licensed physician at the originating facility or terminus shall not be less than seventy-five percent of the reasonable and customary amount of payment, benefit, or reimbursement which that licensed physician receives for an intermediate office visit.</p> <p><b>Source:</b> LA Revised Statutes 22:1821(F) (2012). (Accessed Mar. 2020).</p>



## Definitions

**Medical Board**

“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.”

**Source:** LA Revised Statutes 37:1262(4). (Accessed Mar. 2020).

**Public Health & Safety**

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.

**Source:** LA Revised Statutes 40:1223.3 (Accessed Mar. 2020).

**Speech-Language Pathology & Audiology**

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.

**Source:** LA Admin. Code 46:LXXV.103. (Accessed Mar. 2020).

**Physician's Use of Telemedicine in Practice**

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.

**Source:** LA Admin. Code 46:XLV.7503. (Accessed Mar. 2020).

## 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. (Accessed Mar. 2020).

## 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. Appropriate contact and identifying information shall be made part of the medical record;
- Conduct an appropriate exam. The examination does not require an in-person visit if the technology is sufficient to provide the physician the pertinent clinical information reasonably necessary to practice at an acceptable level of skill and safety;
- Establish a proper diagnosis through the use of accepted medical practices;
- 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. (Accessed Mar. 2020).



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 use telemedicine to 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.

The Board may grant an exception if the physician submits a written application.

**Source:** LA Admin. Code 46:XLV.7503,7505 & 7513. (Accessed Mar. 2020).

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. (Accessed Mar. 2020).

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 Mar. 2020).





The board shall issue a telemedicine license to allow the practice of medicine across state lines to an applicant who holds a full and unrestricted license to practice medicine in another state or territory of the United States.

The board shall establish by rule in accordance with the Administrative Procedure Act the requirements for licensure including not opening an office in Louisiana, not meeting with patients in Louisiana, and not receiving calls in Louisiana from patients. The physician, when examining a patient by telemedicine, shall establish a bona fide physician-patient relationship by:

- Conducting an appropriate examination of the patient as determined by the board.
- Establishing a diagnosis through the use of accepted medical practices including but not limited to patient history, mental status, and appropriate diagnostic and laboratory testing.
- Discussing with the patient any diagnosis as well as the risks and benefits of various treatment options.
- Ensuring the availability for appropriate follow-up care.
- Fulfilling any other requirements as deemed appropriate and necessary by the board.

**Source:** *LA Revised Statutes 37:1276.1 (2012). (Accessed Mar. 2020).*

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

**Source:** *LA Revised Statutes 40:1223.4 (Accessed Mar. 2020).*

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

**Source:** *LA Admin. Code 46:XLV.7507. (Accessed Mar. 2020).*

Member of Physical Therapy Compact.

**Source:** *SB 203 (2018). PT Compact. Compact Map. (Accessed Mar. 2020).*

Member of Nurse Licensure Compact.

**Source:** *Nurse Licensure Compact. Current NLC States and Status. NCSBN. (Accessed Mar. 2020).*

### Professional Board Telehealth-Specific Regulations

- Louisiana Medical Board (LA Admin. Code 46:XLV.75 (Accessed Mar. 2020).)
- Speech Language Pathology and Audiology (LA Admin. Code 46:LXXV.135. (Accessed Mar. 2020).
- Licensed Professional Counselors (LA Admin. Code 46:LX.505. (Accessed Mar. 2020).
- Physical Therapy Board (LA Admin. Code 46:LIV.319. (Accessed Mar. 2020).)
- Registered Dietitians/Nutritionists (LA Admin. Code 46:LXIX.101. (Accessed Mar. 2020).

Louisiana has specific standards for its telemedicine physicians.

**Source:** *LA Statute Sec. 37:1271 (Accessed Mar. 2020).*

