

Tennessee

Medicaid Program: TennCare

Program Administrator: Dept. of Human Services

Regional Telehealth Resource Center: South Central Telehealth Resource Center <http://learntelehealth.org>

Tennessee 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
✓	✓	✗	✓	✗	IMLC, NLC, PTC	✓

Tennessee Detailed Policy

Medicaid Telehealth Reimbursement	Summary	<p>TennCare reimburses for live video only for crisis-related services. TennCare services are offered through managed care entities. Each MCO has its own telehealth policy. Coverage and reimbursement for live video and store-and-forward may vary between MCOs.</p>
	Definitions	<p>Telehealth means the use of real-time interactive audio, video telecommunications or electronic technology, or store-and-forward telemedicine services by a healthcare services provider to deliver healthcare services to a patient within the scope of practice of the healthcare services provider when such provider is at a qualified site other than the site where the patient is located; and the patient is at a qualified site at a school clinic staffed by a healthcare services provider and equipped to engage in the telecommunications described in this section or a public elementary or secondary school staffed by a health care services provider and equipped to engage in the telecommunications described in this section and does not include audio only conversation; an electronic mail message or facsimile transmission.</p> <p>Source: TN Code Annotated, Title 56, Ch. 7, Part 1002.(a(6)) (Accessed Feb. 2020).</p> <p>TN Department of Mental Health and Substance Abuse Services “Telehealth is the use of electronic information and telecommunication technologies to support clinical care between an individual with mental illness and/or substance abuse issues and a health-care practitioner.”</p> <p>“Telehealth systems provide a live, interactive audio-video communication or videoconferencing connection between the individual in need of services and the crisis service delivery system.”</p> <p>Source: TN Dept. of Mental Health and Substance Abuse Services. Office of Crisis Services and Suicide Prevention. Minimal Standards of Care. p. 46, (2017) (Accessed Feb. 2020).</p>



Policy

Health insurance entities (including managed care organizations) participating in the medical assistance program are required to provide coverage for telehealth (which includes live video) delivered services in a manner that is consistent with the health insurance policy or contract provided for in-person services. Any provisions not stipulated in the telehealth services section of the insurance code shall be governed by the terms and conditions of the health insurance contract.

Source: TTN Code Annotated, Title 56, Ch. 7, Part 1002(e) & (g). (Accessed Feb. 2020).

Eligible Services / Specialties

Mental Health & Substance Abuse Services

TennCare will reimburse for live video for crisis-related services or an assessment for emergency admission by an in-patient psychiatric facility.

Source: TN Dept. of Mental Health and Substance Abuse Services. Office of Crisis Services and Suicide Prevention. Minimal Standards of Care. p. 46 & 56, (2017) (Accessed Feb. 2020).

Eligible Providers

No reference found.

Eligible Sites

Qualified Sites:

- Office of a healthcare services provider (an individual acting within the scope of a valid license issued pursuant to title 63 or any state-contracted crisis service provider employed by a facility licensed under title 33);
- A hospital licensed under title 68;
- A facility recognized as a rural health clinic under federal Medicare regulations;
- A federally qualified health center;
- A school clinic staffed or at a public elementary or secondary school appropriately staffed and equipped; or
- Any facility licensed under title 33, or any other location deemed acceptable by the health insurance entity.

Source: TN Code Annotated, Title 56, Ch. 7, Part 1002(a)(4) & (6)(A)(ii). (Accessed Feb. 2020).

Mental Health & Substance Abuse Services

Crisis service providers may connect from:

- Emergency departments;
- Jails;
- Detention centers; and
- Other similar locations

All telehealth sites shall ensure that telehealth equipment is located in a space conducive to a clinical environment.

Source: TN Dept. of Mental Health and Substance Abuse Services. Office of Crisis Services and Suicide Prevention. Minimal Standards of Care. p. 46 & 50, (2017) (Accessed Feb. 2020).



Medicaid Telehealth Reimbursement

Live Video	Geographic Limits	<p>Reimbursement and coverage must be provided for telehealth services without any distinction or consideration of the geographic location or any federal, state, or local designation, or classification of the geographic area where the patient is located.</p> <p>Source: TN Code Annotated, Title 56, Ch. 7, Part 1002(d)(2) & (e). (Accessed Feb. 2020).</p>
	Facility/Transmission Fee	No reference found.
Store-and-Forward	Policy	<p>TN Medicaid Managed Care plans must cover and reimburse for telehealth, which includes store-and-forward telemedicine services in a manner that is consistent with what the health insurance policy or contract provides for in-person encounters for the same service. Store-and-forward telemedicine services include:</p> <ul style="list-style-type: none"> Using asynchronous computer-based communications between a patient and healthcare services provider at a distant site for the purpose of diagnostic and therapeutic assistance in the care of patients; and The transferring of medical data from one (1) site to another through the use of a camera or similar device that records or stores an image that is sent or forwarded via telecommunication to another site for consultation. <p>Source: TN Code Annotated, Title 56, Ch. 7, Part 1002(a)(5). (Accessed Feb. 2020).</p> <p>Mental Health & Substance Abuse Services TennCare will not reimburse for store-and-forward based upon definition of “telehealth systems” which describes it as “live interactive audio-video”.</p> <p>Source: TN Dept. of Mental Health and Substance Abuse Services. Office of Crisis Services and Suicide Prevention. Minimal Standards of Care. p. 46, (2017) (Accessed Feb. 2020).</p>
	Eligible Services/Specialties	No reference found.
	Geographic Limits	<p>Reimbursement and coverage must be provided for telehealth services without any distinction or consideration of the geographic location or any federal, state, or local designation, or classification of the geographic area where the patient is located.</p> <p>Source: TN Code Annotated, Title 56, Ch. 7, Part 1002(d)(2) & (e). (Accessed Feb. 2020).</p>



Medicaid Telehealth Reimbursement

Remote Patient Monitoring	Store-and-Forward	Transmission Fee	No reference found.
	Other Restrictions	Policy	No reference found.
		Conditions	No reference found.
		Provider Limitations	No reference found.
		Other Restrictions	No reference found.
Email / Phone / Fax	<p>No reimbursement for telephone. No reimbursement for fax. No reimbursement for email.</p> <p>Source: TN Code Annotated, Title 56, Ch. 7, Part 1002(a)(6)(B). (Accessed Feb. 2020).</p>		



Medicaid Telehealth Reimbursement	Consent	<p>Privacy policies must be reviewed with the individual before beginning a telehealth assessment and the review must be documented in the patient record. The patient must be informed about privacy policies and given an opportunity to request an in-person assessment before receiving a telehealth assessment.</p> <p>Source: TN Dept. of Mental Health and Substance Abuse Services. Office of Crisis Services and Suicide Prevention. <i>Minimal Standards of Care</i>. p. 49-50, (2017) (Accessed Feb. 2020).</p>
	Out of State Providers	No reference found.
	Miscellaneous	No reference found.
Private Payer Laws	Definitions	<p>Telehealth means the use of real-time interactive audio, video telecommunications or electronic technology, or store-and-forward telemedicine services by a healthcare provider to deliver health-care services to a patient within the scope of practice of the healthcare services provider when such provider is at a qualified site other than the site where the patient is located; and the patient is at a qualified site or at a school clinic staffed by a healthcare services provider and equipped to engage in the telecommunications described in this section or a public elementary or secondary school staffed by a health care services provider and equipped to engage in the telecommunications described in this section and does not include audio only conversation; an electronic mail message or facsimile transmission.</p> <p>Source: TN Code Annotated, Title 56, Ch. 7, Part 1002(6). (Accessed Feb. 2020).</p>
	Requirements	<p>A health insurance entity shall provide coverage for healthcare services provided during a telehealth encounter in a manner that is consistent with what the health insurance policy or contract provides for in-person encounters for the same service.</p> <p>Private payers are only required to reimburse for telehealth when the patient is located at a qualified site, a school clinic, or a public elementary or secondary school staffed by a healthcare services provider. Insurers may decide to reimburse for additional sites but are not required to.</p> <p>A health insurance entity cannot exclude from coverage, a healthcare service solely because it is provided through telehealth and is not provided through an in-person encounter.</p> <p>Source: TN Code Annotated, Title 56, Ch. 7, Part 1002. (Accessed Feb. 2020).</p>



Private Payer Laws	Parity	Service Parity	<p>Health insurance entities (including managed care organizations) participating in the medical assistance program are required to provide coverage for telehealth (which includes live video) delivered services in a manner that is consistent with the health insurance policy or contract provided for in-person services.</p> <p>Source: TN Code Annotated, Title 56, Ch. 7, Part 1002. (Accessed Feb. 2020).</p>
	Parity	Payment Parity	<p>Health Insurance entities are required to reimburse for the diagnosis, consultation, and treatment of an insured patient for a healthcare service covered under a health insurance policy or contract provided through telehealth without distinction of the geographic location or any federal, state, or local designation, or classification of the geographic area where the patient is located. The reimbursement is not required to exceed the cost of reimbursement for the same service provided in-person.</p> <p>Out-of-network providers providing healthcare services through telehealth must be reimbursed under the same policies applicable to other out-of-network healthcare service providers.</p> <p>A health insurance entity is not required to pay total reimbursement for a telehealth encounter, including the use of telehealth equipment, in an amount that exceeds the amount that would be paid for the same service provided by a healthcare services provider in an in-person encounter.</p> <p>Source: TN Code Annotated, Title 56, Ch. 7, Part 1002. (Accessed Feb. 2020).</p>
Professional Regulation/Health & Safety	Definitions		<p>Telemedicine is the practice of medicine using electronic communication, information technology or other means, between a licensee in one location and a patient in another location. Telemedicine is not an audio only telephone conversation, email/instant messaging conversation or fax. It typically involves the application or secure video conferencing or store-and-forward to provide or support healthcare delivery by replicating the interaction of a traditional encounter between a provider and a patient.</p> <p>Source: TN Rule Annotated, 0880-02-16(1)(g). (Accessed Feb. 2020).</p>
	Consent		<p>Dentists who are licensed in this state and who deliver services using teledentistry shall establish protocols for the practice that should include proper methods of keeping the patient fully informed.</p> <p>Source: TN Code Annotated 63-5-108. (Accessed Feb. 2020).</p>
	Online Prescribing		<p>Prior to online or telephone prescribing, providers must complete and document all of the following:</p> <ul style="list-style-type: none"> • Perform an appropriate history and physical examination; • Make a diagnosis, consistent with good medical care; • Formulate a therapeutic plan and discuss it with the patient; • Ensure the availability for appropriate follow-up care. <p>Source: TN Rule Annotated, 0880-02-14(7)(a). (Accessed Feb. 2020).</p> <p>A physician-patient relationship can be established via telemedicine with or without a facilitator present. Certain conditions apply in each case. See rule for details.</p> <p>Source: TN Rule Annotated, 0880-02-16(6)(a). (Accessed Feb. 2020).</p>



Member of the Interstate Medical Licensure Compact.

Source: *Interstate Medical Licensure Compact. (Accessed Feb. 2020).*

Member of the Nurses Licensure Compact.

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

Member of the Physical Therapy Compact.

Source: *Compact Map. Physical Therapy Compact. (Accessed Feb. 2020).*

Tennessee may issue restricted and special licenses authorizing the practice of telemedicine to board-certified physicians from out of state (although not required to do so).

Source: *TN Code Annotated Sec. 63-6-209(b). (Accessed Feb. 2020).*

The Tennessee Medical Board eliminated the telemedicine license. Individuals granted a telemedicine license under the former version of the rule may apply to have the license converted to a full license. Under certain circumstances individuals who do not convert to a full license can retain their telemedicine license.

Source: *TN Rule Annotated, Rule 0880-02.-16.(2) (Accessed Feb. 2020).*

The TN Osteopathic Board will still issue a telemedicine license.

Source: *TN Rule Annotated, Rule 1050.02.17.(2) (Accessed Feb. 2020).*

Teledentistry means “the delivery of dental health care and patient consultation through the use of telehealth systems and technologies, including live, two-way interactions between a patient and a dentist licensed in this state using audiovisual telecommunications technology, or the secure transmission of electronic health records and medical data to a dentist licensed in this state to facilitate evaluation and treatment of the patient outside of a real-time or in-person interaction.”

Any and all services provided via teledentistry shall be consistent with the in-person provision of those services. Any and all services provided via teledentistry shall comply with this chapter and shall be provided in accordance with the rules of the board of dentistry.

Source: *TN Code Annotated 63-5-108. (Accessed Feb. 2020).*

Worker's Compensation Reimbursement

Payment shall be based on the Medicare guidelines and coding, with the exception of the geographic restrictions.

Source: *TN Rule Annotated, 0800-2-17-.05.(5) (Accessed Feb. 2020).*

