

# COVID-19

## CORONAVIRUS DISEASE

**VISION:** To improve the health of all Texans.

**MISSION:** TMA supports Texas physicians by providing distinctive solutions to the challenges they encounter in the care of patients.



Physicians Caring for Texans

## Telemedicine: Getting Started

### TMA COVID-19 Task Force

MARCH 2020

As COVID-19 spreads through our communities, there are steps you can take to minimize contact with patients. A primary step is to implement telemedicine. TMA has developed some quick tips to help you get started.

#### TECHNOLOGY

- Choose your technology.** TMA has listed a variety of [telemedicine platforms](#); some are stand-alone while others have integrations with various electronic health record (EHR) vendors. A few things to consider:
  - During the COVID-19 emergency declaration, the U.S. Health and Human Services (HHS) Office of Civil Rights (OCR) will not penalize physicians for noncompliance with HIPAA when they service patients in good faith through common communication technologies such as FaceTime or Skype.
  - TMA has a telemedicine [vendor evaluation tool](#) that provides a list of questions you should ask a vendor you are considering.
  - If you do choose a secure, encrypted technology that is HIPAA-compliant, you should execute a business associate agreement (BAA) with the vendor. A sample BAA for members is in TMA's HIPAA resource center: [www.texmed.org/HIPAA](http://www.texmed.org/HIPAA).
  - TMA members are eligible for a [free technology contract review](#) by the Coker Group.
- Set up your technology and equipment.** If you will use your desktop to conduct your telemedicine visits, be sure you have a camera, microphone, and speakers. If you will use a smartphone, download the appropriate application.
- Test the technology.** Be sure the camera and speakers work. Make sure you can log into the technology. Conduct test visits with practice staff or family members.

#### COMPLIANCE

- Standard of care.** When providing telemedicine, the standard of care that applies is the same that would apply if you provided the same health care service in an in-person setting.
- Medical liability insurance.** Inform your medical liability insurance carrier that you intend to begin conducting virtual visits. Policies with Texas Medical Liability Trust, TMA's exclusively endorsed liability carrier, cover telemedicine visits. Before coverage is active, TMLT typically asks policyholders to complete a questionnaire specific to telemedicine. However, during the COVID-19 crisis, that requirement is waived.
- Patient location.** Physicians licensed in Texas may conduct virtual visits only with patients physically located in Texas. Please refer to TMA's white paper: [Texas Laws and Regulations Relating to Telemedicine](#).
- Documentation.** Physicians providing telemedicine medical services are under the same obligation to keep and maintain an adequate medical record as they are if the services are provided in person.

## BILLING AND PAYMENT CONSIDERATIONS

Telemedicine payment policies vary by payer, and there is a possibility a payer will not pay for a telemedicine visit. TMA developed a [quick reference guide](#) to help you navigate telemedicine payment by payer. As new information is known, the chart is updated. A few exemptions to note during the COVID-19 emergency declaration:

1. The Centers for Medicare & Medicaid Services (CMS) has temporarily broadened telehealth access to Medicare patients. Medicare can pay for office visits furnished via telehealth while the patient is at home (originating site). CMS will pay for these services when provided via audio and video technology at the same rate as an in-person visit. Additionally, CMS has indicated it will temporarily waive the patient's coinsurance regardless of whether the visit is related to COVID-19.
2. Governor Abbott has directed the Texas Department of Insurance (TDI) to issue an emergency rule directing state-regulated health plans to cover audio-visual and audio-only telemedicine visits at the same rate as in-person visits during the COVID-19 emergency declaration. The Texas Medical Board posted [frequently asked questions](#) related to telemedicine that include TDI guidance on billing.

## POLICIES, PROCEDURES, AND WORKFLOW

As you think through the workflow of each visit, take a few minutes to review the various telemedicine policies, procedures, and forms available on the TMA telemedicine page ([www.texmed.org/Telemedicine/](http://www.texmed.org/Telemedicine/)), such as:

- [Telemedicine visit checklist](#),
- [Telemedicine appointment scheduling](#),
- [Obtaining and documenting patient consent](#) (patients can view form on practice site and provide verbal consent – be sure to document),
- [Physician surroundings during a telemedicine visit](#), and
- [Prescribing and medication management](#).

Be sure to check with your chosen vendor as telemedicine platforms have various capabilities for obtaining consent and gathering previsit information. The sample policies and procedures need to be customized to the practice.

## INFORMING YOUR PATIENTS

Once you have telemedicine capabilities in place, determine which patient populations you could offer this service to and for which illnesses. You can then alert your patients in numerous ways:

1. When a patient calls for an appointment, if appropriate, the office staff can offer a telemedicine visit option.
2. Post notices and/or flyers throughout the practice alerting patients of this new visit option.
3. Post an announcement on your website.



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