



## 10-Telemedicine and Telehealth Services

Approved by: William Voss

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# Telemedicine and Telehealth Services

### Policy Statement

River City TMS, PLLC offers Telemedicine and Telehealth Services to patients.

The American Telemedicine Association (ATA) defines telemedicine as, “the use of medical information exchanged from one site to another via electronic communications to improve a patient’s clinical health status.” Telemedicine enables providers to serve patients without an in-person visit.

The Health Resources and Services Administration (HRSA) of the US Department of Health and Human Services (HHS) defines telehealth as “the use of electronic information and telecommunications technologies to support and promote long-distance clinical health care, patient and professional health-related education, public health and health administration. Technologies include videoconferencing, the internet, store-and-forward imaging, streaming media, and terrestrial and wireless communications.” Telehealth refers to technologies and services for providing patient care across the healthcare delivery system allowing for remote delivery of care.

Center for Medicare and Medicaid Services (CMS) terms the location where a Medicare beneficiary gets physician or practitioner medical services through a telecommunications system, as the originating site. Originating sites apply to individuals receiving care in a county outside of a Metropolitan Statistical Area, or a rural Health Professional Shortage Area.

### Procedure

- **HIPAA-Compliant Transmission Tools**

Transmitting Protected Health Information (PHI) including, but not limited to, patient records, diagnostic results, and videotapes must be secure and HIPAA-compliant on both the transmitting and receiving ends. The same standards apply to any live discussions of PHI over telehealth communication. River City TMS, PLLC has approved for use of the following technologies when transmitting PHI:

None, We don't do Telehealth

- **Patient Consent**

Patient consent is required prior to the first telemedicine encounter. The provider requesting the telemedicine and telehealth services, at the originating site when dealing with Medicare patients, must advise the patient about the proposed use of telemedicine and telehealth, any potential risks, consequences, and benefits. The provider must also obtain the patient's or the patient's authorized representative's written consent using the Informed Consent for Telemedicine and Telehealth Services form ([Appendix G](#)). Telemedicine and telehealth services will not be permitted until this form is signed by both parties.

- **Medical Record**

All telemedicine and telehealth services will be documented in the patient's medical record consistent with the standards for documentation of traditional medical services and provided to the originating site when applicable. The physical location of the patient as well as the physical location of the provider must be documented as well as everyone involved in the clinical encounter, including those who may be off camera. Additional documentation needs are dictated by the service or procedure performed.

All federal and state laws regarding the privacy and security of healthcare information and a member's rights to his or her medical information apply to telemedicine and telehealth services.

- **Physician-Patient Relationship**

The physician-patient relationship should be established prior to the patient receiving telemedicine or telehealth services. This interaction may be in person or through electronic modes of communication. The physician-patient relationship is established once the physician agrees to diagnose and treat the patient, and the patient agrees to be treated.

As part of this process, the patient's state of residency (originating site) must be established prior to treatment. Providers must be licensed in the state where the patient resides and credentialed at their originating site. Providers are responsible for being aware of and abiding by the current rules and laws governing the state of the originating sites relating to prescribing medications. Prior to the delivery of healthcare via telemedicine and/or telehealth, the physician who is primarily responsible for the care of and for indicating the patient's primary diagnosis will inform each patient that:

- The patient has the right to withhold/withdraw consent to telemedicine and/or telehealth at any time, without affecting his/her right to treatment or the loss of any program benefits to which he/she would otherwise be entitled.
- The patient must sign a written statement, prior to the delivery of healthcare via telemedicine, indicating that he/she understands the information provided and that this information has been discussed with him/her by the primary care physician.
  - The patient is entitled to receive a description of the potential risks, consequences, and benefits of telemedicine and telehealth.
- All existing confidentiality protections apply.
- All existing laws regarding patient access to medical information and copies of such information apply.

- Dissemination of any patient identifiable images and/or information from telemedicine and/or telehealth interactions with researchers or other entities will not occur without patient consent.

- **Standard of Care**

River City TMS, PLLC will ensure that the standard of care for practicing telemedicine and telehealth is the same as that of traditional medicine. Evaluation, consultation, and prescribed treatment must all be thoroughly documented in the patient's medical record. Follow-up care should be readily available to the patient.

- **Plan for Emergency Care**

Providers practicing telemedicine should establish an emergency plan that can be implemented when the information obtained via telemedicine indicates that the patient requires referral to an acute care facility. The physician must provide the patient with this emergency plan and the plan should include a formal, written protocol that is appropriate to the services being rendered via telemedicine.

Healthcare professionals should have a backup plan in place regarding how to communicate with patients if a technology failure occurs and patients should be aware of the plan.

- **Prescriptions**

When prescribing via telemedicine, precautions will be taken to ensure patient safety in the absence of a traditional physical examination. These precautions include . Measures taken are meant to maintain patient safety through informed, accurate and error-prevention practices. Caution should be exercised in prescribing medications that require close monitoring or that could lead to acute changes in a patient's condition, particularly if the patient does not live near a health facility or healthcare provider.

- **Billing**

Billing for services must comply with State and Federal laws as well as in accordance with any third-party payer's requirements. These laws and requirements vary by state.