

Continuity of Care While Social Distancing: Telehealth & Other Virtual Support Options

May 20, 2020

This resource guide is to provide resources for providing billable telehealth services, as well as other opportunities to preserve continuity of care and client support via remote technologies during the COVID-19 Nationwide Public Health Emergency.

National and State Recommendations

The Office for Civil Rights (OCR) at the Department of Health and Human Services (HHS) has issued a [Notification of Enforcement Discretion for Telehealth Remote Communications During the COVID-19 Nationwide Public Health Emergency](#) (Notification Release: 3/17/20). A takeaway from this notification:

“... health care providers may use popular applications that allow for video chats, including Apple FaceTime, Facebook Messenger video chat, Google Hangouts video, or Skype, to provide telehealth without risk that OCR might seek to impose a penalty for noncompliance with the HIPAA Rules...” (This is NOT extended to the use of Facebook Live, Twitch, TikTok, or similar video communication applications which are public facing.)

In Kansas, [Executive Order No. 20-08](#) has been implemented across the state to temporarily expand telehealth services and addresses certain licensing requirements to promote the well-being of residents and providers. In summary, **the order will expand telehealth services in place of required in-person visits**. Details regarding prescribing and applicability of laws from now until May 1, 2020 (or until the State of Disaster Emergency expires) are addressed within the Executive Order.

Examples of when Telehealth may be used for continuity of care:

- To avoid on-site visits with a client, a case manager or home visitor may use Apple Facetime to connect with a client.
- A client calls their local care coordinator for assistance (Tobacco Cessation, Parenting Classes, Breastfeeding Support); the coordinator may connect the client to a virtual support group or a counseling session using Zoom.
- A WIC client can schedule a phone call or video chat to continue to receive services without a physical visit to a clinic. **NOTE:** Telephone, without video capability, may not be billable or appropriate for all services. Under the [USDA](#)

[Physical Presence Waiver](#), WIC clients can continue to receive services using telephone, computer, or other technology.

Important Things to Keep in Mind:

- **Emergencies:** Organizations should retain their current processes for addressing emergency situations, including if an emergency is identified during a telehealth visit.
- **Billing:** Under [Waiver 1135](#), the Centers for Medicare & Medicaid Services (CMS), has broadened access to Medicare telehealth services. These visits are considered the same as in-person visits and are paid at the same rate as regular, in-person visits. For more information, including billing codes, refer to the [CMS Medicare Telemedicine Health Care Provider Fact Sheet](#).
- **HIPPA and Client Consent:** Under HHS's *Notification of Enforcement Discretion*, OCR will not be imposing penalties for the use of video chat technologies to provide telehealth services that under normal circumstances may not conform to HIPPA standards of privacy and confidentiality. However, providers are encouraged to notify clients that these third-party applications potentially introduce privacy risks, and providers should enable all available encryption and privacy modes when using such applications. Programs may also want to establish protocols for recording and obtaining client consent, via existing consent forms amended to address telehealth use. A customizable sample client consent form for telehealth is also linked [here](#).
- **Technology:** Both your organization's and client's technology access and capabilities should be addressed prior to implementing telehealth support options. A desktop/laptop with both audio and visual capabilities or a smartphone with video chat capabilities is recommended.

This is not intended to be an exhaustive list of considerations or implementation strategies, but a broad overview to facilitate continuity of care as the public health landscape continues to evolve. [Check-in with your local program coordinators, accrediting body, or professional organization for more specific guidance as needed.](#)

Additional Resources:

The following links will provide additional information and strategies for connecting clients to virtual support opportunities

- [National Telehealth Policy Resources Center](#) provides updated information on telehealth policy at the national and state level, including:

- [Telehealth Coverage Policies in the Time of COVID-19 to date](#)
- [Billing for Telehealth Encounters: An Introductory Guide on Fee-for-Service](#)

- **Telehealth & COVID-19 Toolkits:**
 - [CMS General Telemedicine Toolkit](#)
 - National Consortium of Telehealth Resources [COVID-19 Telehealth Toolkit](#)
 - Heartland Telehealth Resource Center [Telehealth Resources for COVID-19](#)

- **Virtual Support Groups:** Online, telephone, or app-based support groups allow for clients to connect with peers (and professionals) with lived experience and expertise in each topic. Supportgroupsinkansas.org has additional information on accessing existing or establishing new virtual support groups.

- **Free or Low-Cost Internet Options** are available [here](#).

