



Supplemental Guidance Regarding Use of Telehealth for People Served by OMH Licensed or Designated Programs Affected by the Disaster Emergency

Revised March 17, 2020

This Supplemental Guidance expands on the information provided in the previously released [Use of Telemental Health for People Affected by the Disaster Emergency](#) issued by the Office of Mental Health on March 11, 2020.

This Supplemental Guidance expands the definition of telemental health and the types of staff able to use telemental health during the duration of the declared disaster emergency.

The attestation requirements put forth in the guidance may now be used for the staff and technology listed below. Providers may use the same process identified in the [Self-Attestation of Compliance to Offer Telemental Health Services](#). Any provider that already submitted a Self-Attestation form to OMH is not required to resubmit.

Definitions:

Telemental health for Medicaid-reimbursable services is temporarily expanded to include:

- Telephonic; and/or
- Video, including technology commonly available on smart phones and other devices.

During the duration of the declared disaster emergency, specific OMH licensed and designated programs can deliver services through telephone and/or video using any staff allowable under current program regulations or State-issued guidance as medically appropriate.

Telemental health practitioner includes any professional, paraprofessional, or unlicensed behavioral health staff who deliver a qualified service via telemental health. Any limitations and restrictions pertaining to the location of the telemental health practitioner while providing services via telemental health are waived.

Applicability:

This Supplemental Guidance is applicable to the following OMH licensed programs and designated services:

- **OMH Licensed Services:** Article 31 Clinic, Certified Community Behavioral Health Clinics (CCBHCs), Personalized Recovery Oriented Services (PROS), Assertive Community Treatment (ACT), Continuing Day Treatment (adult), Children's Day Treatment, Treatment Apartment Programs, and Partial Hospitalization.
- **OMH Designated Services:** Children and Family Treatment and Support Services (CFTSS), Adult Behavioral Health Home and Community Based Services (BH HCBS), Adult BH HCBS Eligibility Assessments, and Recovery Coordination services.

This Supplemental Guidance does not apply to Community Residences, Adult BH HCBS Short-Term Respite and Intensive Crisis Respite, nor to private practitioners operating outside of an OMH-licensed or designated service.

Service Delivery and Billing/Claiming:

This Supplemental Guidance only addresses service delivery modality, it DOES NOT change the reimbursement amount, nor the service requirements for Medicaid reimbursement.

There is no change in the Medicaid reimbursement rates or methodology. In order to claim for services delivered via telemental health, provider must ensure the following:

- Providers may deliver any service appropriate for individuals to receive via telemental health. Including:
 - Individual, group, and collateral services;
 - Clinic Integrated Outpatient Services (IOS); and
 - Clinic Based – Intensive Outpatient Program (CB-IOP) services
- Providers must continue to deliver services in accordance with current program regulations and/or State-issued guidance to receive Medicaid reimbursement.
- Providers must use claim modifiers “95” or “GT” on each claim that represents a service delivered via telemental health.
 - 95 modifier-
 - Synchronous telemedicine service rendered via real-time interactive audio and video telecommunication system.
 - Note: Modifier 95 may only be appended to the specific services covered by Medicaid and listed in Appendix P of the AMA's CPT Professional Edition 2018 Codebook. The CPT codes listed in Appendix P are for services that are typically performed face-to-face but may be rendered via a real-time (synchronous) interactive audio-visual telecommunication system.
 - GT modifier-
 - Via interactive audio and video telecommunication systems.
 - Note: Modifier GT is only for use with those services provided via synchronous telemedicine for which modifier 95 cannot be used.

Previously Issued Telemental Health Documents:

1. Use of Telemental Health for People Affected by the Disaster Emergency_

<https://omh.ny.gov/omhweb/guidance/use-of-telemental-health-disaster-emergnecy.pdf>

2. Self-Attestation of Compliance to Offer Telemental Health Services:_

<https://omh.ny.gov/omhweb/guidance/self-attestation-telemental-health-disaster-emergency.pdf>