

Publications

Health Care Alert: Expansion of Payment for Some Mental Health Telemedicine Services under Medicare Part B

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Each year, Medicare makes additions and deletions to its annual physician fee schedule (PFS). Medicare recently released a proposed rule for calendar year 2015 which includes an expansion of some telemedicine health services. Under the proposed rule, Medicare will expand payment for certain mental health and medical services that are furnished via telemedicine.

Generally, for telemedicine services to be payable under the PFS several conditions must be met:

- The services must be provided through an interactive telecommunications system
- The practitioner furnishing the services must meet the telehealth requirements as well as Medicare requirements
- The services must be furnished to an eligible telehealth individual
- The individual receiving the services must be in an eligible originating site

In order to meet the requirement for an interactive telecommunications system, services must be delivered utilizing multimedia communications equipment that includes audio and video equipment permitting real-time interactive communication between the patient and the practitioner.

An eligible telehealth individual is a person who is enrolled in Medicare Part B who receives a telehealth service at an originating site. The regulations limit originating sites to those located in rural health professional shortage areas, or in a county that is not included in a metropolitan statistical area. In 2014, the regulations were modified to expand the definition of rural to allow for broader inclusion of sites. There is a [tool on the CMS website](#) that provides assistance for potential originating sites to determine their geographic status.

The recently released proposed rule states that the following services are sufficiently similar to psychiatric diagnostic procedures or office/outpatient visits currently on the telehealth list and proposes that they be added to the PFS:

- Psychoanalysis (CPT code 90845)
- Family psychotherapy without the patient present (CPT code 90846)
- Family psychotherapy, conjoint psychotherapy with patient present (CPT code 90847)

The proposed rule also rejected proposals to cover other types of psychological and neuropsychological testing through telemedicine. These proposed rules are open for public comment until September 2. The final rules will be issued in early November. Providers interested in performing telemedicine services should seek input from their legal counsel regarding regulatory and legal compliance.