



March 18, 2020

Telepractice Waiver Update II

1. Peer Services

The Telepractice Waiver & Attestation Materials dated March 9, 2020 and March 13, 2020, are updated to clarify that, during the duration of the declared disaster emergency, **Peer Services** delivered by CRPAs are allowable services and may be delivered by providers who have submitted a telepractice attestation or are otherwise approved to deliver telepractice services.

Providers should bill for Peer Services delivered **by telepractice and telephonic means** in the same way they usually bill for these services, with the only additional requirement being the inclusion of appropriate modifiers for telepractice (95 or GT) and Place of Service Code (02) on Medicaid claims. See:

https://www.health.ny.gov/health_care/medicaid/program/update/2019/feb19_mu_speced.pdf

2. Services delivered by Unlicensed, CASAC-T's and Limited Permit Holders

Assessment, counselling and other non-medical services may be provided using telepractice by unlicensed staff, CASAC-T's and individuals who possess a limited permit.

Providers should bill for any services delivered by these individuals via **telepractice and telephonic means** in the same way they usually bill for these services, with the only additional requirement being the inclusion of appropriate modifiers for telepractice (95 or GT) and Place of Service Code (02) on Medicaid claims. See:

https://www.health.ny.gov/health_care/medicaid/program/update/2019/feb19_mu_speced.pdf

3. Telepractice and Controlled Substances

Providers should also be aware that the Drug Enforcement Agency (DEA) has issued guidance waiving the requirement of a face to face **IN PERSON** medical evaluation with a patient and DEA registered/DATA waived practitioners prior to prescribing controlled substances (including buprenorphine) and now permits the prescription to be issued where the practitioner and patient have a telepractice session that is conducted using a **audio-visual, real-time, two-way interactive communication system**. Telephonic only communication is not sufficient. See: <https://www.deadiversion.usdoj.gov/coronavirus.html>

For authorization to deliver Telepractice Services please follow the previously issued guidance and attestation process found at the links below:

Telepractice Waiver Guidance

OASAS General Counsel guidance on the waiving of certain state regulations to provide telepractice services amidst COVID-19 outbreak. Complete and return the

telepractice attestation form to begin providing services.

Telepractice Attestation

Complete this attestation and return it to certification@oasas.ny.gov to begin providing telepractice services amidst the COVID-19 outbreak.

Telepractice Waiver Update

This guidance provides clarification on the recently issued telepractice waiver guidance and recognized telephonic communication as an allowable means of telepractice.