



COVID-19 STATE RESOURCES

STATE ACTIONS ON TELEBEHAVIORAL HEALTH

SUMMARY

The following reference guide is a compilation of state actions taken regarding telebehavioral health as a result of COVID-19 to date. Please click on the links provided for relevant information including telebehavioral health regulations, insurance commission data, Medicaid guidance, and additional updates. This guide is not exhaustive and will be updated periodically.

ACA Government Affairs and Public Policy
Advocacy@Counseling.Org

AL - March 16, 2020: Alabama Medicaid [announced](#) a temporary extension of telemedicine (including telebehavioral healthcare) coverage for Physicians, CRNPs, PAs, FQHCs, RHCs, Psychologists, *Licensed Professional Counselors*, Associate Licensed Counselors, Licensed Marriage and Family Therapists, Licensed Master Social Workers, and Licensed Independent and Clinical Social Workers. For additional information, please visit the Medicaid website [here](#) or call the Medicaid Fiscal Agent at 1.800.688.7989.

AK - March 20, 2020: The Governor's office, in partnership with the Department of Health and Social Services (DHSS) formally announced the expansion of Medicaid telehealth coverage (inclusive of telebehavioral healthcare) through the Alaska Medicaid program. More information on this announcement can be found [here](#).

AR - March 13, 2020: Arkansas Medicaid reimburses for live video and telebehavioral health services when the telebehavioral health service is comparable to an in-person service. More information on the supplementary Governor's Order regarding telehealth services during the COVID-19 emergency can be found [here](#).

AS – March 18, 2020: The Governor of Samoa declared a state of emergency regarding COVID 19. Implementation of health policy related to COVID 19 will be handled through the Ministry of Health Duties. Contact the Minister of Health [here](#).

AZ - March 25, 2020: The Governor's Executive Order expanding telebehavioral healthcare during COVID-19 prevents insurers from charging more for a tele-visit than they would for an in-person visit. In addition, the order: Includes all electronic means of delivering telehealth including telephone and video calls; Ensures that a patient's home is considered an approved location to receive telemedicine services; And prohibits a regulatory board from requiring an in-person examination of a patient prior to the issuance of a prescription. View the Executive Order [HERE](#).

CA - March 19, 2020: Telebehavioral health is not a distinct service in CA, but an allowable mechanism to provide clinical services. The standard of care is the same whether the patient is seen in-person, by telephone, or through other remote platforms. Telebehavioral health is reimbursable in Medi-Cal managed care (physical health care), Specialty Mental Health Services (SMHS), and the Drug Medi-Cal Organized Delivery System (DMC-ODS). DHCS does not restrict the location of services. Patients may receive services in their home and providers may deliver services from anywhere in the community, outside a clinic or other provider site. Read the Behavioral Health Information Notice No: 20-009 [HERE](#).

CO - March 11, 2020: Following the Governor's [Executive Order](#) declaring a state of emergency, the Department of Healthcare Policy has implemented temporary telehealth (inclusive of telebehavioral healthcare) expansion throughout the state. Health First Colorado (Colorado's Medicaid Program) is temporarily expanding its telemedicine policy to authorize the following: Expanding the definition of services to include telephone only and live chat modalities; Authorizing Federally Qualified Health Centers (FQHCs), Rural Health Clinic (RHCs), and Indian Health Services to bill encounters for tele-visits. More information on this expansion can be found [here](#). Further information on billing from the Department of Healthcare Policy and Financing can be found [here](#).

CT - March 13, 2020: The Department of Social Services (DSS) is temporarily expanding portions of telebehavioral health coverage effective for dates of service from March 13, 2020 until the Department has notified providers in writing that the state has deemed COVID-19 no longer to be a public health emergency (the "Temporary Effective Period"). For questions about billing or if further assistance is

needed, please contact the Provider Assistance Center, Monday through Friday from 8:00 a.m. to 5:00 p.m. at 1-800-842-8440. Additional contact: Behavioral Health – William Halsey, Director of Integrated Services at 860-424-5077 or William.halsey@ct.gov. Further information on the specifics of the waiver can be found [here](#).

DC - March 12, 2020: DC Health is issuing guidance on the use of telehealth services, including telebehavioral health, in the District of Columbia. This guidance can be found [here](#). More information about boards and licensure can be found [here](#). For regular updates on COVID-19, DC encourages everyone to regularly check their state's COVID-19 webpage [here](#).

DE - March 19, 2020: To the extent it is practical, the Delaware Division of Medicaid and Medical Assistance (DMMA) encourages the use of telehealth to provide COVID-19 related services to Medicaid members. In accordance with the Governor's amended Executive Order, CMS guidance for Medicaid telehealth services, and the Office for Civil Rights Notification of Enforcement Discretion for telehealth remote applications, DMMA is revising telebehavioral health policies to remove barriers created by requirements that patients present in-person before services may be provided and allow out of state healthcare providers to provide services if they hold an active license in another jurisdiction. DMMA will also expand allowable interfaces. Additional guidance regarding telehealth is under review and will be issued shortly. More guidance and up-to-date information [here](#).

FL - March 16, 2020: Pursuant to Executive Order 20-52, the Florida Department of Health ("Florida Health") is expanding services provided through enhanced telehealth, including telebehavioral health. Enhancements include relaxing FL licensure through a waiver of out-of-state licensing requirements. Find the most up-to-date guidance, including Medicaid waivers and instructions, [here](#).

GA - March 14, 2020: Following Georgia's [first declared state of emergency](#) in history, Georgia Medicaid released updated telehealth guidance for providers. The up-to-date resource page includes a joint statement with the Governor, specific Medicaid enhancements (inclusive of telebehavioral health), and can be found [here](#).

GU - ACA is continually gathering information related to COVID-19. Additional information to follow.

HI - ACA is continually gathering information related to COVID-19. Additional information to follow.

IA - March 13, 2020: The Iowa Department of Human Services (DHS) and Iowa Medicaid Enterprise (IME) announced a decision to allow telehealth services, regardless of the recipient's location, for all Medicaid-covered benefits including mental and behavioral health benefits. As part of this announcement, members will now be able to access their service providers using a wider range of communication tools including telephones that have audio and video capabilities, making it easier for members and providers to connect. If you have questions, please contact the appropriate MCO or the IME Provider Services Unit at 1-800-338-7909 or email at imeproviderservices@dhs.state.ia.us. On March 19, the ACA of Iowa board and members successfully advocated for telebehavioral health payment parity regarding the network provider, Wellmark of Iowa. ACA of Iowa members and board members have been active in advocacy by contacting Gov. Reynold's office, state representatives, state senators, media, and Wellmark of Iowa. A COVID-19 provider toolkit, information on Medicaid Waivers, and telebehavioral health guidance can be found [here](#).

ID - March, 13 2020: Following the [declared state of emergency](#) in ID, The ID Department of Health and Welfare (IDHW) has released an instructional memo on Medicaid enhancements through telehealth and telebehavioral health for the duration of the emergency. Find the memo and further guidance [here](#).

IL- March 19, 2020: COVID-19 Executive Order No. 7 allows for the provision of mental health treatment, substance use disorder treatments, and related services to a patient, regardless of their location, through electronic or telephonic methods beginning March 19, 2020, and continuing for the duration of the Gubernatorial Proclamation. Read the Executive Order [HERE](#).
On March 20, the Telehealth Services Expansion Order allows for the reimbursement of medically necessary and clinically appropriate telebehavioral health services with dates of service on or after March 9, 2020, until the public health emergency no longer exists. A physician or other licensed health-care professional is not required to be present at all times with the patient at the originating site. Providers include therapists, substance abuse disorder treatment programs, school based health services, and health center services among others. Read the Provider Notice [HERE](#).

IN - March 6, 2020: Supplementary Rule-Making for Executive Order 20-05 states that Family and Social Services Administration (FSSA) shall suspend telehealth restrictions and requirements for face-to-face encounters for healthcare services and prescribing which will permit the increased use of telehealth for statewide services such as Medicaid-covered services, mental health services, and substance use disorder treatment and prescribing. Indiana Health Coverage Programs (IHCP)-enrolled providers may use the following billing guidance. All services delivered through telebehavioral health are subject to the same limitations and restrictions as they would be if delivered in-person. More information can be found through the IHCP at 1-800-457-4584 or their bulletins and updates [here](#).

KS - March 12, 2020: Governor Kelly's Executive Order 20-08, Temporary Expansion of Telemedicine and Certain Telemedicine Requirements, can be found [here](#). KS residents may apply for a temporary emergency license [here](#).

KY - March 11, 2020: In response to the COVID-19 state of emergency, Kentucky is waiving certain policies related to telehealth, including telebehavioral health, to support the use of telehealth in diagnosis and treatment. Find guidance on Medicaid expansion, including a waiver of cost-sharing and elimination of prior authorization, [here](#). Standing telehealth law can be found [here](#). Information on home and community-based service waivers can be found [here](#).

LA - March 20, 2020: Louisiana is waiving certain policies to support the use of telehealth, including telebehavioral health, in diagnosis and treatment. Services must be medically necessary to promote the maximum reduction of symptoms and restoration to both child and adult recipients, as determined by a physician or a fully licensed mental health professional (LMHP). The Louisiana Department of Health (LDH) is issuing approval for the delivery of MHR services via telemedicine/telehealth communications for the length of the declared emergency. Find more information on the LDH informational memo [here](#).

ME - March 15, 2020: Governor Mills declared [a state of emergency for Maine](#) in response to COVID-19. Following this declaration, the Governor signed [executive orders](#) expanding telehealth, including telebehavioral health, throughout the state and requiring insurers to cover necessary healthcare services provided remotely. Further information on this can be found [here](#).

MA - March 16, 2020: Following the declared state of emergency, Governor Baker released a [supplementary order](#) expanding access to telehealth services and requiring all insurers to provide

coverage. The Executive Office of Health and Human Services (“Mass Health”) subsequently released guidance on [billing](#) and [coverage reimbursement](#).

MD - NEW: April 6, 2020: The Secretary of the Maryland Department of Health has announced new temporary policy on telebehavioral health regarding substance abuse disorder counselors who are still in training as well as out-of-state counselors who have clients currently residing in Maryland. This new policy waives certain regulations during the COVID-19 emergency, allowing trainees and out-of-state counselors the ability to practice within certain parameters during the duration of the emergency. Find more information on these temporary allowances [here](#).

March 5, 2020: Expanding on the Governor’s declared state of emergency, Secretary Neall (MD Department of Health) has released [an instructional memo](#) on the temporary expansion of Medicaid regulations and telehealth services temporarily expanding the definition of a telehealth originating site under COMAR 10.09.49.06 to include a participant’s home or any other secure location as approved by the participant and the provider for the purpose of delivery of Medicaid-covered services. This expansion applies to services delivered to a Medicaid participant via fee-for-service or through a Health Choice Managed Care Organization (“MCO”). This expansion will remain in place until further notice by the Department.” Additional information regarding telebehavioral health, telehealth program requirements, and FAQs can be found [here](#).

MI - March 12, 2020: The Governor has expanded access to telebehavioral health for Michiganders by allowing Medicaid beneficiaries to receive services in their home and by ensuring that insurance plans like Blue Cross Blue Shield of Michigan, Blue Care Network of Michigan, Priority Health, Meridian, CVS Health, McLaren, and Health Alliance Plan cover and encourage the use of virtual care. Additional information can be found [here](#). The Department of Health and Human Services (MDHHS) has issued [guidance](#) on telebehavioral health policy expansion during a declared state of emergency.

MN - March 18, 2020: Article 3 of SF No. 4344 (c) under Minnesota statutes, states that a health carrier shall not exclude or reduce coverage for a health care service or consultation solely because the service or consultation is provided virtually at the patient’s residence. “Telemedicine” as defined in Minnesota statutes, includes the delivery of health care services or consultations with a patient at the patient’s residence and the licensed health care provider at a distant site. This section expires on February 1, 2021. Read Article 3 of the Executive Order [HERE](#).

MO - March 13, 2020: Following the Governor’s [state of emergency declaration](#), Missouri Health Department (MHD), will allow providers to bill for telehealth, including telebehavioral health, services as long as they are licensed in the state in which they practice. Find more information and guidance on telehealth enhancements [here](#).

MP - ACA is continually gathering information related to COVID-19. Additional information to follow.

MS - March 19, 2020: The Mississippi Division of Medicaid provided public notice of a new Medicaid Emergency Waiver allowing for telehealth service expansion during this time. A copy of the proposed language will be available in each county health department office. A hard copy can be downloaded and printed from www.medicaid.ms.gov or by emailing at Margaret.Wilson@medicaid.ms.gov. Find more information [here](#).

MT - March 19, 2020: Montana Medicaid will permit qualified providers to deliver clinically appropriate, medically necessary services to Montana Medicaid members via reimbursable telebehavioral health

services, including telephone and live video. Provider types include rural health centers, Licensed Professional Counselors, mental health centers, substance abuse disorder clinics, public health clinics, among others. Read their bulletin [HERE](#).

NC - March 13, 2020: In response to the COVID-19 state of emergency, North Carolina is waiving certain policies related to telebehavioral health to support the use of virtual diagnosis and treatment. Find more information [here](#).

ND - March 25, 2020: North Dakota Medicaid is issuing temporary telebehavioral health policy to provide flexibility for members and providers during the COVID 19 emergency. This policy covers services rendered between March 20, 2020 and the date the national emergency is declared over. More information on the temporary flexibility can be found [here](#).

NE - March 17, 2020: Nebraska Medicaid is committed to ensuring beneficiaries continue to receive Medicaid services while limiting interruptions due to COVID-19. In order to do so Nebraska Medicaid is temporarily modifying certain policies. Until further notice, Nebraska Medicaid is offering reimbursement for telephonic evaluation and health management for beneficiaries impacted by the crisis. Find more information on these temporary modifications [here](#).

NH - March 17, 2020: Emergency Order #8, pursuant to Executive Order 2020-04, states that all health insurance carriers regulated by the New Hampshire Insurance Department, all health benefit plans, and New Hampshire Medicaid coverage, including all Medicaid Managed Care Organizations, are required to allow all in-network providers to deliver services to members via telehealth, including telebehavioral health. Find specific language and definitions [here](#).

NJ - March 19, 2020: Governor Murphy has signed legislation (A3680 and A3682) to expand access to telebehavioral health services and to allow professional and occupational licensing boards to expedite licensure of out-of-state professionals. Read the press release on this new legislation [here](#). The Department of Human Services has released interim guidance that can be found [here](#).

NM - March 20, 2020: New Mexico's Medicaid Program is now requiring managed care organizations to reimburse doctors, behavioral health providers and other health care professionals for telephone and video patient visits until the end of the COVID-19 public health emergency. Read more [here](#).

NV - March 17, 2020: Nevada Medicaid currently allows for the reimbursement of telebehavioral health services. The Department of Health and Human Services has released guidance to aid providers in Nevada with helpful information on allowable services. The guidance also includes information on the expansion of telephonic services for COVID-19. Further information can be found [here](#). See language on group therapy during COVID-19 [here](#). Billing information regarding telebehavioral health through Medicaid can be found [here](#).

NY - March 18, 2020: Telebehavioral healthcare for Medicaid reimbursable services has been temporarily expanded to include: Telephonic; and/or video, including technology commonly available on smartphones 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. An attestation form must be submitted consistent with the Office of Mental Health (OMH) guidance dated

March 30, 2020, which allows for the delivery of telebehavioral health services by OMH licensed, funded or designated programs. Find more information [here](#).

OK - March 15, 2020: Governor Stitt's recent executive order waives part of Oklahoma state law requiring an existing doctor-patient relationship before telebehavioral health consultations can be conducted. Find more information and guidance [here](#). Further guidance on state implementation of the Executive Order can be found through the OK Department of Health [here](#).

OH - March 16, 2020: Governor Mike DeWine is in the process of issuing an emergency rule for complete telebehavioral health coverage. We will share more details as they become available. The Governor signed Executive Order 2020-01D on March 6, declaring a state of emergency. Additional information can be found [here](#).

OR - March 20, 2020: The Oregon Health Authority is expanding Medicaid coverage of telehealth and telebehavioral health in light of COVID-19. More information on Medicaid coverage can be found [here](#).

PA - March 16, 2020: PA Department of Health has released an instructional memo expanding telebehavioral health practice. Health care professionals licensed under any of the Department of State's Bureau of Professional and Occupational Affairs (BPOA) licensing boards may now provide services to patients remotely. The memo further allows licensed practitioners in other states to provide services to Pennsylvanians through the use of telebehavioral health, without obtaining a Pennsylvania license. The Department of State is working with the Governor's Office, the Department of Health, and Department of Human Services to identify additional regulations and requirements that can be suspended to provide more flexibility to respond to the crises. Additional information will be posted at the Department of State's [website](#).

PR - ACA is continually gathering information related to COVID-19. Additional information to follow.

RI - March 18, 2020: In the fourth supplemental [Emergency Declaration](#) Executive Order for RI, the Governor has expanded access to telehealth, including telebehavioral health, services. Location requirements, specific service platforms, and insurance carriers are expanded for inclusivity and to broaden access throughout the state. The Health Insurance Commissioner has released further guidance on Medicaid [here](#). Emergency telemedicine measures can be found [here](#).

SC- March 13, 2020: The Governor has declared state of emergency and has since convened the Public Health Emergency Plan Committee. All South Carolina practitioners should be familiar with [SC Telemedicine Act \(S1035\)](#). Out of state telecommunication practice has been waived for practitioners that are licensed and in good standing. The state licensing board has taken further action: "During the period of the declared public health emergency, the Board has determined that appropriately licensed professional counselors, marriage and family therapists, addiction counselors, and psychoeducational specialists, who are licensed out-of-state, and who are currently in an established relationship with a client who now resides in South Carolina, may continue their therapeutic relationship via telecommunication." You can find more information [here](#).

SD - April 1, 2020: Wellmark Blue Cross and Blue Shield announced new access to virtual health care visits for all appropriate medical and behavioral health visits. Wellmark will allow telephonic visits when audio/visual capabilities are not accessible. Further information on Wellmark's announcement can be found [here](#). The Governor's Executive Order waiving regulations during COVID-19 can be found [here](#).

TN - March 12, 2020: Executive Order No. 14 suspends certain provisions of state health statutes in order to facilitate treatment during this declared emergency. Suspended provisions allow healthcare provider licensed in another state is allowed to practice in the state of Tennessee as long as the healthcare provider is assisting in the COVID-19 response efforts and further suspends requirements to allow health care professionals who would otherwise be subject to licensing requirements to provide localized treatment of patients in temporary residences. More information and guidance can be found [here](#).

TX - March 17, 2020: The Texas Counseling Association (TCA) has been working with their MH Coalition (APA, LMFT, LCSW) to engage the Governor's office. Due in part to their efforts, the Governor issued emergency rules defining telemedicine and telebehavioral health to include LPCs and credentialed mental health professionals. The emergency rule, which can remain in effect for up to 120 days, requires health care plans to reimburse providers delivering services via telebehavioral health at the same rate as in-person visits. In addition, health plans may not limit, deny, or reduce payments based on the platform used by the provider to deliver services or require documentation beyond what is currently required for in-person visits. Further guidance can be found [here](#).

UT - March 25, 2020: A Governor's Order suspending enforcement of statutes relating to telehealth services during COVID-19 is now in effect. Further information on this suspension can be found [here](#).

VA - NEW: March 27, 2020: Pursuant to the authority granted to the agency head by Executive Order 51 (2020), Director Brown (Department of Health Professions) hereby waives internship hours governing the Practice of Professional Counseling, the Practice of Marriage and Family Therapy, and the Practice of Licensed Substance Abuse Treatment Practitioners Regulations. The full waiver can be found [here](#).

March 19, 2020: The Department of Medical Assistance Services (DMAS) has released an instructional memo on provider flexibilities related to COVID-19. These flexibilities include expanded telehealth coverage, as well as the waiver of certain program requirements, including specified service authorizations. More information can be found [here](#).

VI - ACA is continually gathering information related to COVID-19. Additional information to follow.

VT - MARCH 18, 2020: The Department of Vermont Health Access (DVHA) has released an instructional memo for Medicaid participating providers on telehealth services. Up-to-date memos on telebehavioral health can be found [here](#).

WA - March 20, 2020: The Health Care Authority will prioritize Zoom (a video conferencing technology) licenses for those providers who need them most, including those who: serve a meaningful number of Medicaid clients, do not already have other HIPAA or 42 CFR Part 2-compliant video capabilities, are in smaller practices with less infrastructure, serve children, adolescents, pregnant or parenting women or tribal members, opioid treatment programs, substance use disorder programs, or serve as community mental health centers. Read the Washington State Healthcare Authority Notice [HERE](#).

WI - March 12, 2020: For the duration of the Wisconsin public health emergency for COVID-19, Wisconsin Medicaid will allow remote services utilizing interactive real-time technology, including audio-only phone communication, for services that can be delivered with functional equivalency to the face-to-face service. Find more information on this temporary policy change [here](#).

WV - March 13, 2020: The West Virginia Bureau for Medical Services has released an instructional memo on telehealth modality for Medicaid providers. The memo expands services to include live video conferencing and can be found [here](#).

WY - March 13, 2020: Following the Governor's [declaration of a state emergency](#), the WY Telehealth Network has released COVID-19 resources for providers. Resources for providers will be updated daily and available on the [COVID-19 Resource Page](#). You can find up-to-date guidance to providers from the WY Department of Health [here](#).

LINKS TO FURTHER RESOURCES:

- [ACA Government Affairs & Public Policy Instructional Memo to States on Telebehavioral Health during a National Emergency.](#)
- [Template Letter to State Governors](#)
- [ACA Endorses Telehealth State Coverage for COVID-19](#)