Telehealth Policy Coalition Meeting
June 21, 2019
MEETING NOTES

I. **DHCS- Cynthia Smiley**

Ms. Smiley answered pre-submitted questions posed to her by Coalition members. She indicated that DHCS has already released APL 19-002 in January which covers network adequacy and certification requirements, including for telehealth. She also stated that the goal in July is to release the provider manual for Medi-Cal FFS, Family PACT and for FQHC/RHC/IHS. Please see a separate APL for telehealth for questions related to passing on payments to capitated providers and other technical questions. DHCS considers telehealth to be a modality, not a separate service. Ms. Smiley was not familiar with the question regarding direct to consumer program requirements, which will be followed up separately.

Ms. Smiley reiterated that remote patient monitoring will not be covered in the provider manual. Privacy considerations will also not be addressed. DHCS’ intent is to always follow privacy laws like HIPAA.

Ms. Smiley then opened the floor to other questions. Ms. Carrion asked about provider enrollment via telehealth especially for the FPPACT program, and she will follow up separately. Note that providers must be licensed in California to enroll in Medi-Cal. Ms. Kwong asked what other activities DHCS will conduct to raise consumer awareness, and Ms. Smiley replied that most publications for FFS are either available through the provider manual update or the Medi-Cal webpage. There similarly will not be a training for providers on how to bill for telehealth.

Ms. Smiley also confirmed that e-consult will be a new benefit with a single CPT code. DHCS views e-consult very similarly to asynchronous telehealth. Note also that for synchronous visits, providers should bill using the 95 modifier, not GT.

For all questions or comments, please send them to Cynthia Smiley at Cynthia.Smiley@dhcs.ca.gov or to Cate Hicks at Catherine.Hicks@dhcs.ca.gov.

II. **Legislation Committee Update**

Ms. Kelly noted that the first legislation committee was a good discussion, although the group ran out of time before it could cover all bills. There was consensus around support for broader telehealth policy than bills aimed at one specific service. We are watching a majority of the bills at this
time. Many thanks to CCHP and BluePath for leading the charge for the letter of support, it was very compelling. Ms. Durbin thanked everyone for putting together the letter on such a short time frame.

Ms. Durbin then provided an update on AB 744. She reported that there was a stakeholder meeting with the bill author earlier in the week where they got more clarity as to where the concerns are. They will need more time for potential negotiation and to reach resolution.

Ms. Bates stated that a beneficial aspect to both committees is that they help build the case for or against an amendment or legislation. These help with the work and synching around these bills.

Mr. Franceschini then provided an update on all bills the Coalition is tracking.

Ms. Kwong provided an update on federal legislation and other states. She also noted that the FCC in July will be dispensing $100 million for telehealth projects.

III. **Education Committee Update**

Ms. Bates stated that the Education Committee plans to hold policy briefings, scheduled at two-week intervals on specific topics. They are targeted at staffers and folks that are not members of the Coalition. A 101 would be the subject of the first briefing.

IV. **Stakeholder Outreach**

Ms. Leslie then provided an update on stakeholder outreach. Almost all stakeholders interviewed said they would like to join the distribution list.

She also noted that members should save the date for a November 5 networking event and November 6 for the Coalition’s in-person meeting. Both will be held at the Sierra Health Foundation.

*CCHP serves as the convener of the Telehealth Policy Coalition monthly conference calls. The purpose of these calls is to share relevant information and provide a forum for strategy discussions.*
California Telehealth Policy Coalition
Monthly Meeting

June 21, 2019
## Agenda

<table>
<thead>
<tr>
<th>Topic</th>
<th>Duration</th>
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<tbody>
<tr>
<td>Introductions and Agenda Overview</td>
<td>5 min</td>
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<tr>
<td>Medi-Cal Provider Manual</td>
<td>20 min</td>
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<tr>
<td>• Cynthia Smiley, Chief, Benefits Division Department of Health Care Services</td>
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<tr>
<td>Legislation Committee</td>
<td>15 min</td>
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<tr>
<td>• Recap of June meeting</td>
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<td>• AB 744 letter</td>
<td></td>
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<td>• State and federal updates</td>
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<tr>
<td>Education Committee</td>
<td>10 min</td>
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<tr>
<td>• Recap of May meeting</td>
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<tr>
<td>• Summer briefings</td>
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<tr>
<td>• Stakeholder outreach</td>
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<tr>
<td>News and Announcements</td>
<td>5 min</td>
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<tr>
<td>Wrap up</td>
<td>5 min</td>
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DHCS update

Cynthia Smiley
Chief, Benefits Division
Department of Health Care Services
Legislation Committee Update

Updates from June 3 meeting:

- **Legislation scoring**
  - Assessed current telehealth bills for alignment with Coalition principles and policy priorities
  - Considered other factors such as bill scope and impact should be taken into consideration (i.e., does bill expand all RPM applications or just one, as in the case of AB 848 for glucose monitors)
  - Assigned each bill to a category: support, watch list, oppose
  - Determined that Coalition should support AB 744, potentially support AB 1642 depending on more information, watch list for all other bills (see next slide for detail)

- **Next steps on AB 744 support**
  - Decided that Coalition should submit letter of support for AB 744
  - Thank you for your quick feedback on our letter and for your support

Next meeting: July 9, 2-3 pm

- Legislative update and discussion of any other bills to support, watch or oppose
- Develop policy slate for 2020: What policy priorities should the Coalition pursue in 2020?
# Legislation Committee - California Status Update

## Bill updates:

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<tbody>
<tr>
<td>A.B. 156 (teleoptometry)</td>
<td>Held in Asm. Health</td>
<td>No</td>
<td>Watch list</td>
</tr>
<tr>
<td>A.B. 744 (payment parity)</td>
<td>In Sen. Health, hearing 7/3</td>
<td>Yes</td>
<td>Support; draft Coalition letter of support</td>
</tr>
<tr>
<td>A.B. 848 (Medi-Cal coverage of glucose monitors)</td>
<td>Passed Sen. Health, to Approps.</td>
<td>Yes</td>
<td>Watch list</td>
</tr>
<tr>
<td>A.B. 1264 (prescribing via telehealth)</td>
<td>Passed Sen. BPED, to Approps. Amended to go beyond contraceptives</td>
<td>Yes</td>
<td>Watch list</td>
</tr>
<tr>
<td>A.B. 1494 (telehealth reimbursement in emergencies)</td>
<td>In Sen. Health; Amended to included public hospitals</td>
<td>Yes</td>
<td>Watch list</td>
</tr>
<tr>
<td>A.B. 1529 (licensing- telephone medical advice)</td>
<td>Passed Sen. BPED</td>
<td>Yes</td>
<td>Watch list</td>
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<tr>
<td>A.B. 1642 (DHCS approval, EQRO review of alternative access plans inc. telehealth; consideration in capitation)</td>
<td>In Sen. Health</td>
<td>Yes</td>
<td>Reach out to bill author for more information; potential for support</td>
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<tr>
<td>A.B. 1676 (telemental health consultations)</td>
<td>Held in Asm. Approps.</td>
<td>No</td>
<td>Watch list</td>
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<tr>
<td>S.B. 24 (college abortion access and telehealth startup funding)</td>
<td>Passed Asm. Health, sent to Asm. Edu.</td>
<td>Yes</td>
<td>Watch list</td>
</tr>
<tr>
<td>S.B. 612 (health plan reporting)</td>
<td>Held in Asm. Approps.</td>
<td>No</td>
<td>Watch list</td>
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## Upcoming hearings:
- July 1: Senate Appropriations (AB 1264)
- July 3: Senate Health (AB 744)
- July 10: Senate Health (AB 1494)
Legislation Committee- Federal and Other State Updates

H.R. 2508: Better Respiration through Expanding Access to Tele-Health Act. Would create a 3-year pilot program to furnish telehealth services to individuals in the Medicare program diagnosed with COPD. Read more here.

Sens. Klobuchar, Murkowski introduce bill to protect health consumer data. Would create protections for consumer data from apps and genetic testing kits and create a task force on health data protection. Read more here.

Spotlight on Texas- Recently Passed Legislation

SB 71: statewide telehealth center for sexual assault and forensic examination. Texas follows Massachusetts and New York in creating a program to provide TA and consultation services using telehealth. Read more here.

HB 1: allocates $49.5M to the Texas Child Mental Health Consortium. Budget bill includes funding for Texas Child Health Access Through Telemedicine. Read more here.

SB 670: Requires coverage parity within the state's Medicaid managed care program for telehealth services. Read more here.

HB 4455: Clarifies that health professionals in Texas can provide telemental health services to patients outside of the state. Providers must practice in accordance with the laws of that jurisdiction. Read more here.

HB 1501: Creates the Texas Behavioral Health Executive Council. The Council will oversee Texas’ entrance into the Psychology Interjurisdictional Compact. Read more here.
Education Committee Updates

Updates from June 4 meeting:

- Summer policy briefings to be held in July and August
  - July 17, July 31, August 14
  - Topic, location and other details to be sent out in formal invite

- Quarterly newsletter to begin web publication June 30

Next meeting: July 8, 10-11 am

- Further develop outreach strategy for legislature, executive, administrative agencies
- Brainstorm ideas for November convening

Please email Trey Bierman at TreyB@cchpca.org if you would like to be added to either committee.
Stakeholder Outreach

- 23 organizations interviewed representing a wide range of stakeholders: providers, health plans, employers, school-based organizations, and technology providers

- Most organizations do not have their own definition of telehealth

- Overall enthusiasm and interest in Coalition efforts
  - Keen interest in tracking, monitoring and learning about the Coalition as a resource
  - Potential new participation in Coalition and committees (All organizations asked to be added to distribution list)
  - Policy priorities reinforced with interests that include:
    - Telehealth inclusion in network adequacy;
    - Potential coverage mandates;
    - Medicare, Medi-Cal & FQHC reimbursement;
    - Member/patient education;
    - Online prescribing & telehealth; and
    - Telehealth as integral part of value-based purchasing.

- Next Steps
  - Add interviewees to meeting and newsletter distribution lists and invite to Coalition education events
  - Conduct similar interviewees when new organizations are interested in the Coalition (on-boarding)
News and Announcements

Save the Date: In-Person Meeting to Be Held November 5 at the Sierra Health Foundation

Telehealth in the News:

- **CCHP State Telehealth Laws and Reimbursement Policies Report.** CCHP just released its annual compendium of state telehealth laws and reimbursement policies across the U.S. Read more [here](#).

- **Report: Positive disruption: health and education in a digital age.** Findings from the Oxford University Pathways to Prosperity Commission’s report suggest technology can improve service delivery in developing countries by boosting production at the point of delivery, improving interconnectivity within the health system, and allowing for more effective delivery designs. Read more [here](#).

- **Research: Impact of Availability of Telehealth Programs on Documented HIV Viral Suppression.** A cluster-randomized study discovered higher HIV suppression rates among VA patients offered specialty telehealth consultations. “Our findings describe the impact of HIV telehealth programs implemented as quality improvement programs in real-world settings, and are most relevant to other urban HIV clinics that serve patients who travel long distances to clinic from outlying suburban and rural areas,” the researchers wrote. Read more [here](#).

- **Research: Closed-loop digital meditation improves sustained attention in young adults.** A new UCSF study, published in *Nature Human Behavior*, reveals that UCSF’s closed-loop digital meditation platform, MediTrain, helps to improve and sustain young adults’ attention spans. Read more [here](#).

- **News: Anthem to acquire Beacon Health Options.** Anthem plans to acquire Beacon Health Options from Bain Capital and Diamond Castle Holdings in a bid to integrate behavioral health offerings that include telehealth access to expand “whole person care” for its plan members. Read more [here](#).

Please see final draft of charter attached with today’s materials. Thank you to all members that contributed feedback!
## Wrap Up/Next Steps

<table>
<thead>
<tr>
<th>Activity</th>
<th>Date(s)</th>
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<tbody>
<tr>
<td>Begin publishing quarterly newsletter</td>
<td>June 2019</td>
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<tr>
<td>Legislation Committee July Meeting</td>
<td>July 9, 2-3 pm</td>
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<tr>
<td>Education Committee July Meeting</td>
<td>July 8, 10-11 am</td>
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<tr>
<td>Telehealth Policy Briefing #1</td>
<td>July 17</td>
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<tr>
<td>July Coalition Meeting</td>
<td>July 21, 2019</td>
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<tr>
<td>• Legislative Briefing(s) highlights</td>
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<tr>
<td>• AB 1642: Overview</td>
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<td>• Budget overview</td>
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<td>Telehealth Policy Briefing #2</td>
<td>July 31</td>
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<td>Telehealth Policy Briefing #3</td>
<td>August 14</td>
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<tr>
<td><strong>Build-out and Update Telehealth Coalition website</strong></td>
<td><strong>July 2019</strong></td>
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<td>Ongoing Coalition Meetings</td>
<td>August- December 2019</td>
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<tr>
<td>In-Person Meeting to Review 2019 and Plan for 2020</td>
<td>November 5, 2019</td>
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New Organizations Interviewed

- America’s Physician Groups
- Anthem
- Beacon
- CalHIPSO
- California Health & Wellness/Health Net
- California School-Based Health Alliance
- California Primary Care Association
- Central California Alliance for Health
- Cognivive
- Community Health Center Network
- Covered California
- Doctor on Demand
- Hooper Lundy Bookman

- Local Health Plans of California
- National Alliance for Medicaid in Education
- National Association of Community Health Centers
- Pacific Business Group on Health
- Promise Health Plan
- Rubicon MD
- Safety Net Connect
- San Francisco Health Plan
- School-Based Health Alliance (national)
- Telemed2U
- Wildflower Health
Quarterly Newsletter Outline

Volume 1 target date: June 30.

Potential content includes:

- Charter overview
- Legislative update
- Overview of summer briefing
- Save the date for November convening
- Spotlight on federal developments: Medicare telemental health bill
- Member spotlight
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<tr>
<td>A.B. 156 (Voepel)</td>
<td>Eye care: remote assessment</td>
<td>• Would prohibit use of virtual eye exams unless certain prescribed requirements are met</td>
<td>Two year bill</td>
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| A.B. 385 (Calderon) | Medi-Cal: EPSDT mental health services | • Requires DHCS to create quality performance measurement system for mental health services within CHIP ESPDT  
• Requires DHCS to convene stakeholder group                                                                                     | Held in Asm. Approps. 5/16  
*Opportunity to advocate for telehealth measures*                                                                                   |
| A.B. 537 (Wood) | Medi-Cal Managed Care: QI and value based incentive program | • Requires DHCS to establish quality assessment and performance improvement program and value-based to ensure Medi-Cal MCPs achieve minimum performance level | Held in Asm. Approps. 5/16  
*Opportunity to advocate for telehealth measures*                                                                                   |
| A.B. 744 (Aguiar-Curry) | Health care coverage: telehealth | • Requires payment parity for telehealth services for all DOI and DMHC regulated products (including Medi-Cal Managed Care)  
• Amends definition of asynchronous telehealth to S-A-F  
• Prohibits annual and lifetime limits on telehealth  
• Prohibits separate telehealth cost-sharing requirements not imposed on non-telehealth benefits  
• Removes Medi-Cal requirement that individuals be able to request in-person consult w/ distant site provider for teleoph., teledentistry, telederm. | Set for Sen. Health hearing 6/26                           |
# Telehealth-Related Bills

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<tr>
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<tr>
<td><strong>A.B. 1494</strong> (&lt;i&gt;Aguiar- Curry&lt;/i&gt;)</td>
<td>Medi-Cal: telehealth: state of emergency</td>
<td>• Requires DHCS to reimburse FQHCs, RHCs and public hospitals for covered services provided via telehealth following declaration of state of emergency, regardless of whether patient is physically located at clinic, or whether existing provider-patient relationship exists</td>
<td>Referred to Sen. Health 6/12; amended to include public hospitals</td>
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<td><strong>A.B. 1529</strong> (&lt;i&gt;Low&lt;/i&gt;)</td>
<td>Telephone medical advice services</td>
<td>• Would specify that out of state health professionals providing medical advice over the phone are subject to licensing laws of the various boards in California, not just the DCA</td>
<td>Passed Sen. BPED 6/10, to consent calendar</td>
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| **A.B. 1642** (<i>Wood</i>) | Medi-Cal: managed care plans   | • Requires MMC plans to provide DHCS with justification for requesting alternative access standards; must arrange for non-emergency medical transportation if alternative access standards are approved  
• Requires actuarial rate methodology to include beneficiary access to Medi-Cal covered services, including travel times to receive services, and the ability of a Medi-Cal MCP to comply with the time and distance req’ts w/o seeking authorization to adopt alternative access standards  
• Authorizes DHCS to impose fines of up to $100K if plan fails to provide medically necessary services that the contractor is required to provide to an enrollee covered under the contract | Referred to Sen. Health 6/12                                            |
| **A.B. 1676** (<i>Maienschein</i>) | Health care: mental health     | • Requires DOI and DMHC regulated products to establish telehealth consultation programs to diagnose and treat child and postpartum mental illness  
• Requires communication 2x per year to enrollees regarding programs  
• Requires plans to keep utilization records | Held in Asm. Approps. 5/16                                         |
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| **A.B. 1689** (McCarty) | College Mental Health Services Program          | • Establishes grant program for community college, UC, CSU mental health programs  
• Requires submission of program evaluation to the state regarding state-funded mental health programs  
• *Opportunity to promote use of telehealth to increase access to college mental health services* |
|               |                                                 |                                                                                                                                          | Held in Asm. Approps. 5/16    |
| **S.B. 12** (Beall) | Mental health services: youth                   | • Would create Integrated Youth Mental Health Programs with sites across the state based on headspace model using MHSA dollars  
• *Headspace model on which this is based includes telehealth*                                                                                     | Passed Asm. Health 6/18, sent to Asm. Approps. |
| **S.B. 24** (Leyva) | Public health: public university student health centers: abortion by medication techniques | • Requires health clinics on UC and CSU campuses to offer medication abortions onsite  
• Established College Student Health Center Sexual and Reproductive Health Preparation Fund to provide private monies to public university health centers for medication abortion readiness  
• Grants each campus $200K for readiness assessments, including determining costs associated w/ using telehealth to provide abortions  
• Grants each campus $200K for direct and indirect costs that can be used to establish a corporate account to provide telehealth services | Passed Asm. Health 6/12, sent to Asm. Approps. |
| **S.B. 66** (Atkins and McGuire) | Medi-Cal: FQHCs and RHCs                         | • Would allow for max. of 2 visits per day to FQHC or RHC under PPS rate if second visit is for mental health or dental visit  
• *Opportunity to advocate for visits to be via telehealth, and not just in-person*                                                                     | Referred to Asm. Health       |
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<tr>
<td>S.B. 612 (Pan)</td>
<td>Health care data reporting</td>
<td>• Requires DOI and DMHC regulated products and medical groups to report to OSHPD on services and supports that are geographically located close to enrollees, or that are offered nontraditional settings, such as telehealth</td>
<td>Held in Sen. Approps. 5/16</td>
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