Governor Mills Acts to Promote Access to Health Care During COVID-19

March 25, 2020

Two new orders bolster health care workforce and telehealth

AUGUSTA – The Administration of Governor Janet Mills has taken two actions to promote Maine people's access to health care in response to COVID-19, which bolster the health care work force and facilitate the expansion of telehealth.

"I am committed to ensuring that Maine people have access to quality, affordable health care as we respond to COVID-19," **said Governor Mills**. "As a result of these actions, I am hopeful that more Maine people will be able to get counseling, prescriptions, and treatment from their trusted health care providers from the safety of their homes whenever possible and without sacrificing other basic necessities."

"These changes advance Maine's role as a national leader in supporting telehealth and make it possible for more of our patients and health care providers to connect online and over the phone rather than in person," **said Department of Health and Human Services Commissioner Jeanne Lambrew**. "We stand ready to work with providers to ensure patients can get the health care they need, especially with so many Maine people staying home to help prevent the spread of COVID-19."

First, Governor Mills has signed an Executive Order (//www.maine.gov/governor/mills/sites/maine.gov.governor.mills/files/inline-files/EO%2016%20An%20Order%20Suspending%20Provisions%20of%20Certain%20HC%20Professional%20Licensing.pdf) allowing licensed physicians, physician assistants, and nurses greater flexibility to contribute to Maine's response during the civil state of emergency. Those who are licensed and in good standing in other states can now:

- Receive an emergency license to provide health care in person or through telehealth to Maine people, with no application fee
- See Maine patients through telehealth without obtaining a Maine license, if already serving those patients at out-of-state locations
- Have their licenses automatically renewed if up for renewal during the state of emergency
- Suspend conforming to physician oversight requirements (for physician assistants and advanced practice registered nurses)
- Reactivate their license immediately with no application fee, if retired.

Additionally, all physicians, physician assistants and nurses licensed in Maine and those authorized under the order may provide services through all methods of telehealth, including video, audio and other electronic technologies to treat Maine people for all medical needs. The order expands acceptable technologies beyond only those that are compliant with patient privacy laws, to align Maine with major changes made by the federal government that provide broad coverage for telehealth services for Medicare members.

In addition to this Executive Order, the Administration's second action also aligns Maine with federal guidance and improves the affordability of needed health care services delivered through telehealth. To implement the Governor's initiative, Superintendent of Insurance Eric Cioppa on Friday signed an order (//www.maine.gov/pfr/insurance/covid19_cornoavirus/pdfs/Insurance%20Emergency%20Response%20Order%20re%20Telehealth.pdf) that requires insurance companies to provide coverage for clinically-appropriate services delivered by telephone, as well as via more commonly used apps, such as FaceTime, WhatsApp and Skype, as long as they are private. This provides flexibility to patients who may not have access to web-based applications traditionally used for telehealth.

"The telehealth order allows health care providers greater options in delivering care to Mainers," **said Cioppa**. "The change will allow people to have virtual house calls, providing them with the health care they need, while at the same time maintaining social distancing."

The Superintendent's order also requires insurance carriers to pay providers for telehealth services at the same rate they would pay for an in-person visit for the same service. This supports health care providers who are following national and state recommendations to postpone in-person appointments for non-urgent care and makes it more likely that patients will be able to get the care they need through telehealth visits.

MaineCare, or Medicaid, already pays the same rate for most covered services whether delivered in person or through telehealth. Last week, the Maine Department of Health and Human Services (DHHS) announced (//www.maine.gov/dhhs/press-release.shtml?id=2227379) an expansion of this already robust policy through an emergency rule change that allows for prescribing through telehealth. Maine DHHS has long supported the promotion of telehealth services, as described in a new fact sheet (//www.maine.gov/dhhs/oms/COVID-19.shtml#Pro) .

The Insurance Superintendent's authority extends only to fully-insured health plans -- not to Medicare Advantage or self-insured plans. The Governor urges all self-insured large employers in Maine to adopt the same policies to ensure their employees continue to get the care they need.

DHHS Commissioner Jeanne Lambrew and the Northeast Telehealth Resource Center will host a statewide virtual statewide Telehealth Town Hall meeting on Thursday, March 26 for health providers to explain these changes and announce a range of resources (//netrc.org/work-group/resources/Telehealth%20Policy%20and%20Reimbursement/Provider-Guide-ME-Telehealth-Policy-COVID-19_FINAL.pdf) available to support them in using telehealth services.

Additionally, DHHS reconstituted a statewide Telehealth Advisory Committee in 2019 to promote consistent practices across health care payers, use of tele-psychiatry in emergency departments, and use of telehealth for new workforce models.

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