GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Health Care Finance

Office of the Senior Deputy Director/Medicaid Director

Transmittal # 20-42

TO: District of Columbia Medicaid Providers

FROM: Melisa Byrd
Senior Deputy Director and State Medicaid Director

DATE: November 30, 2020

SUBJECT: **Documentation Standards for Services Delivered Via Telemedicine**

Purpose
The purpose of this transmittal is to provide additional guidance regarding documentation standards for services delivered via telemedicine, effective January 1, 2021, interpreting DHCF's final Telemedicine rule, issued on August 14, 2020.

Background
On August 14, 2020, DHCF issued a final rule to amend Section 910 of Chapter 9 (Medicaid Program) of Title 29 (Public Welfare) of the District of Columbia Municipal Regulations, entitled "Medicaid-Reimbursable Telemedicine Services." Under this rule, DHCF established standards required for Medicaid-covered services to be provided using the telemedicine modality, including recordkeeping and documentation requirements.

Specifically, the rule required under 29 DCMR 910.19, that telemedicine providers must "maintain complete and accurate beneficiary records of services provided (not to include videos) for each beneficiary that document the specific healthcare services provided to each beneficiary for a period of ten (10) years or until all audits are completed, whichever is longer."

Regarding retention of documentation, the rule required under 29 DCMR 910.20, that "[a]ll beneficiary, personnel and telemedicine program administrative and fiscal records shall be maintained so that they are accessible and readily retrievable, upon request, for inspection and review or audit by DHCF, the federal Centers for Medicare and Medicaid Services, and other authorized government officials or their agents."

This guidance provides additional detail on how telemedicine providers can meet the documentation requirements to ensure "complete and accurate beneficiary records of services" are maintained.

Documentation Standards for Services Delivered Via Telemedicine
DHCF is providing this additional guidance to clarify how providers should document or record delivery of services via telemedicine to meet the requirements under Sections 910.19 and 910.20 of the final rule. Effective January 1, 2021, for the purposes of services delivered via telemedicine, for providers to "maintain complete and accurate beneficiary records of services provided" required under the rule they must document:

- The modality of service used to deliver the service (e.g. audio/visual, audio-only, etc.);
- The patient's telephone number, cellphone number, or other information on how communications were established with the patient based on the mode of communication used to deliver the service via telemedicine; and
- Any other requirements applicable to the specific health service, per District law or regulation.

Effective January 1, 2021, providers must include this documentation in the record for each clinical encounter. Providers can record this documentation in the providers' clinical notes or other fields in the electronic health record (EHR).

Contact

For questions regarding this transmittal, please contact Jordan Kiszla, Project Manager, Department of Health Care Finance (DHCF) at jordan.kiszla@dc.gov or (202) 442-9055.

Cc: DC Hospital Association
DC Primary Care Association
DC Health Care Association
DC Home Health Association
DC Behavioral Health Association
DC Coalition of Disability Service Providers
Medical Society of DC