CHRISTOPHER T. SUNUNU
Governor

STATE OF NEW HAMPSHIRE
OFFICE OF THE GOVERNOR

STATE OF NEW HAMPSHIRE
BY HIS EXCELLENCY
CHRISTOPHER T. SUNUNU, GOVERNOR

Emergency Order #8 Pursuant to Executive Order 2020-04

Temporary expansion of access to Telehealth Services to protect the public and health care providers

Pursuant to Section 18 of the Executive order, it is hereby ordered, effective immediately, that:

1. In order to protect the public's health and mitigate exposure to and the spread of COVID-19, all health insurance carriers regulated by the New Hampshire Insurance Department, all health benefit plans authorized under RSA 5-B, and New Hampshire Medicaid coverage, including all Medicaid Managed Care Organizations, are hereby required to allow all in-network providers to deliver clinically appropriate, medically necessary covered services to members via telehealth. This shall include reimbursement for all modes of telehealth, including video and audio, audio-only, or other electronic media provided by medical providers to treat all members for all medically necessary covered services beginning today March 17, 2020, and shall remain in effect until rescinded, or until the State of Emergency is terminated, whichever happens first.

2. All medical providers shall be allowed to perform health care services through the use of all modes of telehealth, including video and audio, audio-only, or other electronic media, to treat the residents of the state of NH for all medically necessary services. Medical providers include Physicians and Physician Assistants, APRNs/ Clinical Nurse Specialists/Nurse Midwifes, Certified Registered Nurse Anesthetists, Clinical Psychologists and School Psychologists licensed by the Board of Psychologists, Clinical Social Workers, master's level psychiatric nurses, Pastoral psychotherapists, marriage and family therapists, clinical mental health counselors, and any other provider licensed by the Board of Mental Health Practice, LADCs, MLADCs, CRSWs, applied behavioral analysts, Registered Dietitians or nutritional professionals, Dentists, and community mental health providers.

3. All carriers shall ensure that rates of payment to in-network providers for services delivered via telehealth are not lower than the rates of payment established by the Carrier for services delivered via traditional (i.e. in-person) methods, and shall notify providers for any instructions necessary to facilitate billing for such telehealth services.

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4. All carriers shall cover, without any cost-sharing (i.e. copayments, deductibles, or coinsurance), medically necessary treatment delivered via telehealth related to COVID-19 by in-network providers.

5. There shall be no restriction on eligible originating sites for telehealth services. An originating site means the location of the member at the time the service is being furnished via a telecommunications system. This service can include locations such as a practitioner's office, a patient's home, schools, hospitals including critical access hospitals and those with renal dialysis centers, skilled nursing facilities, FQHCs/RHCs, and community mental health centers.

6. The Department of Health and Human Services shall, as necessary, provide assistance and guidance to health care providers in the development and implementation of telehealth services. The Insurance Department shall provide further guidance to affected carriers as necessary to effectuate the purposes of this Order and shall be authorized to enforce this Order as it affects carriers regulated by the Insurance Department.

Given under my hand and seal at the Executive Chambers in Concord, this 18th day of March, in the year of Our Lord, two thousand and twenty, and the independence of the United States of America, two hundred and forty-four.

Chris T. Sununu

GOVERNOR OF NEW HAMPSHIRE

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