

MMHPI COVID-19 Regulatory & Reimbursement Newsletter

Letter to Providers #15: State and Federal Updates – July 2, 2020

With federal and state health care policies changing in response to COVID-19, the Meadows Mental Health Policy Institute (MMHPI) is issuing *COVID-19 Regulatory & Reimbursement Newsletters* to support providers. In these newsletters, we highlight recent changes and extensions to regulatory and reimbursement rules, as well as newly published or updated guidance and answers to frequently asked questions.

These newsletters, along with additional information on mental health resources during a pandemic, are posted here: <https://www.texasstateofmind.org/covid-19/>. If you would like to have additional organizations added to our distribution list or have follow up questions on the content, please email Catie Hilbelink at chilbelink@mmhpi.org.

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Texas Updates

Texas Department of Insurance Extends Telemedicine Emergency Rule

Date	June 24, 2020
Summary	<p>The Texas Department of Insurance (TDI) extended a requirement that insurers cover telemedicine services, including mental health visits, at the same rate as in-person visits. The original emergency rule took effect March 17, 2020 and was set to expire July 14, 2020. With the extension, the rule will remain in effect through September 12, 2020.</p> <p>Under the emergency rule, state-regulated health insurers and health maintenance organizations must:</p> <ul style="list-style-type: none"> • Pay in-network health professionals at least the same rate for telemedicine services as for in-person services, including covered mental health services. • Cover telemedicine services using any platform permitted by state law. • Not require more documentation for telemedicine services than they require for in-person services.
Link	https://www.tdi.texas.gov/news/2020/tdi06242020.html

HHSC Updates FAQs for Behavioral Health Providers on Telephone Contact

Date	June 26, 2020
Summary	<p>The Texas Health and Human Services Commission (HHSC) updated the COVID-19-related frequently asked question (FAQs) for behavioral health providers with the following:</p> <ul style="list-style-type: none"> • Q. When will HHSC allow substance use disorder block grant-funded providers to bill for specific telephone services? <ul style="list-style-type: none"> A. Effective June 27, 2020, HHSC will release a change in Clinical Management for Behavioral Health Services (CMBHS) that adds a new

drop-down menu option to the billable service types for progress notes. When “Telephone” is selected as the contact type, CMBHS will internally flag the service as billable. This applies to Texas Medicaid & Healthcare Partnership (TMHP), behavior management organization (BMO), Department of State Health Services (DSHS) and HHSC funding types.

Link

<https://hhs.texas.gov/sites/default/files/documents/services/health/behavioral-health-services-covid-faq.pdf>

Governor Abbott Announcements**Date**

June 23, 2020

Summary

Governor Abbott issued an executive order to increase hospital capacity in certain urban counties. Effective June 27, 2020, all hospitals licensed under Chapter 241, Texas Health and Safety Code, and operating in Harris, Dallas, Bexar or Travis counties must postpone all surgeries and procedures that are not medically necessary to diagnose or correct a serious medical condition of, or to preserve the life of, a patient who without timely performance of the surgery or procedure would be at risk for serious adverse medical consequences or death, as determined by the patient’s physician. On June 30, 2020, Gov. Abbott [expanded the order](#) to include Cameron, Hidalgo, Nueces and Webb counties.

Additional announcements from Gov. Abbott include:

- Texas [will pause](#) any further phases to open Texas as the state responds to the recent increase in positive COVID-19 cases and hospitalizations. Businesses that are permitted to open under the previous phases can continue to operate at the designated occupancy levels and under the minimum standard health protocols provided by the Department of State Health Services.
- An [executive order](#) to allow a county judge or mayor to impose additional restrictions on outdoor gatherings of 100 people or more. This order increases local authority by reducing the threshold of gatherings from 500 to 100 people.
- The availability of [free masks](#) for all Texans tested at state-run COVID-19 mobile testing sites.

Link

https://gov.texas.gov/uploads/files/press/DISASTER_proclamation_amending_GA-26.pdf

Reimbursement Rate Updates for Procedure Codes Related to COVID-19

Date	June 26, 2020
Summary	<p>Effective June 4, 2020, for dates of service on or after March 1, 2020, March 13, 2020, April 10, 2020, and April 14, 2020, reimbursement rates for the following procedure codes related to COVID-19 will be updated:</p> <p>Effective for dates of services on or after March 1, 2020</p> <ul style="list-style-type: none"> • COVID-19 HCPCS procedure codes G2023 and G2024, related to specimen collection • COVID-19 Special Review Telephonic procedure codes 99441, 99442 and 99443 <ul style="list-style-type: none"> – Affected claims with dates of service from March 1, 2020 through June 4, 2020, if any are identified, will be reprocessed. Providers are not required to appeal the claims unless they are denied for additional reasons after the claims reprocessing is completed. <p>Effective for dates of services on or after March 13, 2020</p> <ul style="list-style-type: none"> • COVID-19 HCPCS procedure code 87635, related to viral testing <ul style="list-style-type: none"> – Affected claims with dates of service from March 13, 2020 through June 4, 2020, if any are identified, will be reprocessed. Providers are not required to appeal the claims unless they are denied for additional reasons after the claims reprocessing is completed. <p>Effective for dates of services on or after April 10, 2020</p> <ul style="list-style-type: none"> • COVID-19 HCPCS procedure codes 86318, 86328, 86769, related to antibody testing <ul style="list-style-type: none"> – Affected claims with dates of service from April 10, 2020 through June 4, 2020, if any are identified, will be reprocessed. Providers are not required to appeal the claims unless they are denied for additional reasons after the claims reprocessing is completed. <p>Effective for dates of services on or after April 14, 2020</p> <ul style="list-style-type: none"> • COVID-19 HCPCS procedure codes U0003 and U0004, related to testing using high throughput technologies <ul style="list-style-type: none"> – Affected claims with dates of service from April 14, 2020 through June 4, 2020, if any are identified, will be reprocessed. Providers are not required to appeal the claims unless they are denied for additional reasons after the claims reprocessing is completed.

Link | http://www.tmhp.com/News_Items/2020/06-June/06-26-20%20Reimbursement%20Rate%20Updates%20for%20Procedure%20Codes%20Related%20to%20COVID-19.pdf

HHSC Extensions

Medicaid Flexibilities

Date	June 29, 2020
Summary	<p>HHSC extended multiple Medicaid COVID-19 flexibilities through July 31, 2020. Affected policies are included in the following provider notifications:</p> <ul style="list-style-type: none"> • Correction to 'COVID-19 Guidance: Targeted Case Management Through Remote Delivery' • Waiver Extension for Durable Medical Equipment (DME) Certification and Receipt Form • Claims for Telephone (Audio-Only) Behavioral Health Services • Claims for Telephone (Audio-Only) Medical Services • Federally Qualified Health Center (FQHC) Reimbursement for Telemedicine (Physician-Delivered) and Telehealth (Non-Physician-Delivered) Services • Rural Health Clinic (RHC) Reimbursement for Telemedicine and Telehealth Services • School Health and Related Services (SHARS) Services Provided Through Telemedicine or Telehealth • Claims for Telehealth Service for Occupational, Physical, and Speech Therapy • Claims for Telephone (Audio-Only) Early Childhood Intervention Specialized Skills Training • Claims for Telephone (Audio-Only) Nutritional Counseling Services • Update to 'Prior Authorization Requests Extended Due to COVID-19 Public Health Emergency'
Links	<p>http://www.tmhp.com/News_Items/2020/06-June/06-29-20%20Multiple%20Medicaid%20COVID-19%20Flexibilities%20Extended%20Through%20July%2031,%202020.pdf</p> <p>http://www.tmhp.com/News_Items/2020/06-June/Update%20Multiple%20Medicaid%20COVID-19%20Flexibilities%20Extended%20July%2031-06302.pdf</p>

Medicaid Long-Term Care Flexibilities

Date	June 30, 2020
Summary	<p>HHSC has extended multiple Medicaid long-term care COVID-19 flexibilities through July 31, 2020. Impacted policies are included in the following provider notifications:</p> <ul style="list-style-type: none"> • COVID-19 Update to Telehealth Guidance on Community Living Assistance and Support Services (CLASS) Professional and Specialized Therapies • Update to COVID-19 Guidance for Fee-for-service (FFS) Service Coordinators and Case Managers <p>HHSC is also extending nursing facility minimum data set (MDS) assessment authorizations, expiring through July 31, 2020, for 90 days. Providers can refer to Update: Nursing Facility MDS Authorization Extensions for additional information.</p>
Link	http://www.tmhp.com/News_Items/2020/06-June/Multiple%20Medicaid%20Long-Term%20Care%20COVID-19%20Flexibilities%20Extended%20Through%20July%2031,%202020.pdf

CSHCN: Services Program Reimbursement

Date	June 30, 2020
Summary	<p>HHSC has extended the Children with Special Health Care Needs (CSHCN) Services Program reimbursement for previously identified telemedicine and telehealth services through July 31, 2020 dates of service. Additionally, HHSC has extended the CSHCN Services Program signature requirement waiver for the documentation of receipt form through July 31, 2020.</p> <p>Providers can refer to the following articles for additional information:</p> <ul style="list-style-type: none"> • Update to 'Date-of-Service Extension for Telemedicine (Physician-Delivered) and Telehealth (Non-Physician-Delivered) Services' • Update to 'Waiver Extension for the CSHCN Services Program Documentation of Receipt Form'
Links	<p>http://www.tmhp.com/News_Items/2020/06-June/Update%20Date-of-Service%20Extension%20for%20Telemedicine%20Services-063020.pdf</p> <p>http://www.tmhp.com/News_Items/2020/06-June/Signature%20Requirement%20Waiver%20Extended%20through%20July%20for%20the%20CSHCN%20063020.pdf</p>

CHIP: Co-Payments

Date	June 29, 2020
Summary	HHSC will waive Children’s Health Insurance Plan (CHIP) co-payments through July 31, 2020. The waiver applies to medical office visit co-payments only. Providers can refer to the following article for additional information: Update to 'CHIP Co-Payments Waived through April 30, 2020'
Link	http://www.tmhp.com/News_Items/2020/05-May/06-29-20%20CHIP%20Co-Payments%20Waived%20Through%20July%2031,%202020.pdf

Texas Health Steps: Checkup Guidance

Date	June 29, 2020
Summary	HHSC has extended guidance concerning Texas Health Steps Checkups delivered as telemedicine services through July 31, 2020. The guidance is available in TMHP’s article titled “Texas Health Steps Checkups Guidance Effective May 7, 2020 through May 31, 2020,” which was originally posted on May 12, 2020.
Link	http://www.tmhp.com/News_Items/2020/06-June/06-29-20%20Texas%20Health%20Steps%20Checkup%20Guidance%20Extended%20Through%20July%2031,%202020.pdf

1915(c) Waivers: Face-to-face Service Coordination Visits

Date	June 30, 2020
Summary	<p>Fee-for-service Medicaid 1915(c) waiver case managers and service coordinators may suspend face-to-face service coordination visits. HHSC has extended this temporary policy change through July 31, 2020, which applies to:</p> <ul style="list-style-type: none"> • Community Living Assistance and Support Services (CLASS) • Texas Home Living (TxHML) • Deaf-Blind with Multiple Disabilities (DBMD) • Home and Community-based Services (HCS) • General revenue service coordinators • Community First Choice (CFC) service coordinators • Pre-admission screening and resident review habilitation coordinators <p>HHSC encourages case managers, service coordinators, and habilitation coordinators to complete visits due through July 31, 2020 by phone, telehealth, or telemedicine, due to COVID-19.</p>

Link | <https://hhs.texas.gov/about-hhs/communications-events/news/2020/06/update-covid-19-guidance-ffs-service-coordinators-case-managers>

CLASS: Professional and Specialized Therapies

Date	June 30, 2020
Summary	<p>The following CLASS professional and specialized therapy services may be provided by telehealth due to COVID-19:</p> <ul style="list-style-type: none"> • Physical therapy • Occupational therapy • Speech and language pathology • Recreational therapy • Music therapy • Behavior support • Dietary services • Cognitive rehabilitation therapy <p>This authorization is effective March 15 through July 31, 2020. Acceptable telehealth formats are synchronous audiovisual interaction or asynchronous store and forward technology. Therapies must have a treatment plan, and goals and outcomes must support being provided through telehealth. Revision of therapy hours may be added to an individual plan of care (IPC) and authorized by HHSC per the process outlined in IL 20-12.</p>
Link	https://hhs.texas.gov/about-hhs/communications-events/news/2020/06/covid-19-update-telehealth-guidance-class-professional-specialized-therapies

CLASS and DBMD: Assessments and Individual Plans of Care

Date	June 30, 2020
Summary	<p>HHSC extended intellectual disability/related condition assessments and individual plans of care for people enrolled in CLASS or DBMD through the end of July 2020. HHS issued a revised IL20-12 Extensions of Eligibility and Individual Plan of Care Revisions for Individuals in CLASS and DBMD Due to COVID-19 with the updated guidelines. It was previously issued on May 27, 2020.</p>
Link	https://hhs.texas.gov/about-hhs/communications-events/news/2020/06/update-extensions-eligibility-ipc-revisions-people-class-dbmd

HCS and TxHmL Extensions

Date	June 30, 2020
Summary	<p>HHSC extended the following through July 31, 2020 for people enrolled in HCS or TxHmL:</p> <ul style="list-style-type: none"> • Intellectual disability/related condition assessments and individual plans of care expiring at the end of June 2020. HHSC revised IL20-11, Extensions of Eligibility and Individual Plan of Care Revisions for Individuals in HCS and TxHmL Due to COVID-19. • Lifting the prohibition on service providers of respite and CFC personal assistance services and habilitation (PAS/HAB) from living in the same home as the person receiving HCS and TxHmL. This is to provide access to needed services for people living in their own home or a family home. A person's spouse or a minor child's parent is prohibited from being a paid service provider of these services.
Links	<p>https://hhs.texas.gov/about-hhs/communications-events/news/2020/06/update-extensions-eligibility-ipc-revisions-people-hcs-txhml</p> <p>https://hhs.texas.gov/about-hhs/communications-events/news/2020/06/covid-19-update-temporary-change-hcs-txhml-policy-service-providers-respite-cfc-pashab</p>

HCS and TxHmL: In-Home Day Habilitation

Date	June 30, 2020
Summary	<p>On April 30, 2020, HHSC temporarily waived requirements in Sections 4320 and 3710 of the HCS billing guidelines and the TxHmL billing guidelines. HHSC has extended the temporary guidance through July 31, 2020. The guidance applies to the following program providers:</p> <ul style="list-style-type: none"> • HCS • TxHmL • Local Intellectual and Developmental Disability Authorities • Financial Management Services Agencies
Link	<p>https://hhs.texas.gov/about-hhs/communications-events/news/2020/06/update-il20-19-covid-19-home-day-habilitation-information-program-providers</p>

Existing EVV Users

Date	June 29, 2020
Summary	<p>HHSC extended the temporary Electronic Visit Verification (EVV) policies in response to COVID-19 through July 31, 2020. The suspension of the claims matching requirement is extended through July 31, 2020, unless federal approval of these flexibilities ends sooner. HHSC will provide additional information.</p> <p>The temporary EVV claims matching policy has been revised to include information about the June 29, 2020 EVV portal updates.</p>
Link	http://www.tmhp.com/News_Items/2020/06-June/06-29-20%20Existing%20EVV%20Users%20Temporary%20Policies%20for%20COVID-19%20Extended%20Through%20July%2031,%202020.pdf

Provider Enrollment Revalidation Due Dates

Date	June 30, 2020										
Summary	<p>TMHP posted an update to their article titled, "Provider Enrollment Revalidation Due Dates Extended in Response to COVID-19 Emergency," which was originally posted on April 1, 2020. The article specified revalidation due dates would be extended 30 calendar days to prevent provider disenrollment. The following revalidation due dates have been extended an additional 30 calendar days:</p> <table border="1"> <thead> <tr> <th>Original due date</th> <th>Extended due date</th> </tr> </thead> <tbody> <tr> <td>March 2020</td> <td>July 2020</td> </tr> <tr> <td>April 2020</td> <td>July 2020</td> </tr> <tr> <td>May 2020</td> <td>July 2020</td> </tr> <tr> <td>June 2020</td> <td>July 2020</td> </tr> </tbody> </table>	Original due date	Extended due date	March 2020	July 2020	April 2020	July 2020	May 2020	July 2020	June 2020	July 2020
Original due date	Extended due date										
March 2020	July 2020										
April 2020	July 2020										
May 2020	July 2020										
June 2020	July 2020										
Link	http://www.tmhp.com/News_Items/2020/06-June/Update%20Provider%20Enrollment%20Revalidation%20Due%20Dates%20Extended%20in%20Response%20to%20COVID%2019.pdf										

Guidance for New and Initial Prior Authorizations

Date	June 30, 2020
Summary	<p>HHSC directed TMHP to move forward with processing new and initial prior authorization requests, including recertification requests, by relaxing document submission timeframes for providers if they are unable to provide certain required documentation during the COVID-19 emergency. This guidance applies to all state plan services, including</p> <ul style="list-style-type: none"> • Acute care services • Long-term services and supports: <ul style="list-style-type: none"> – Personal assistance services – Personal care services – CFC – Private duty nursing – Day activity and health services – Durable medical equipment and supplies
Link	http://www.tmhp.com/News_Items/2020/06-June/06-30-20%20COVID-19%20Guidance%20for%20New%20and%20Initial%20Prior%20Authorizations.pdf

HHSC Clarification on SSLC Transition Visits

Date	June 26, 2020
Summary	<p>State Supported Living Center (SSLC) transitional activities are allowed under PL 2020-22. HHSC is issuing guidance to service providers of people receiving home and community-based services. Transitional activities include:</p> <ul style="list-style-type: none"> • Home tours • Staff interviews • Staff training • Pre-move site reviews • Post move monitoring visits <p>Transitional activities have not been suspended and should continue. Program providers should take precautions and screen all people entering the residence.</p>
Link	http://www.tmhp.com/News_Items/2020/06-June/HHSC%20Clarification%20on%20SSLC%20Transition%20Visits.pdf

Leveraging Long-Term Care Hospitals

Date	June 27, 2020
Summary	<p>In response to COVID-19, long-term care hospitals (LTCHs) are an additional resource available to assist communities in meeting increased need for hospitalization. There are currently approximately 50 LTCHs enrolled in Texas Medicaid. Typically, these facilities specialize in treating patients who are hospitalized for more than 25 days. Until further notice, LTCHs may accept and receive Medicaid reimbursement for covered hospital services.</p> <p>LTCHs not already enrolled with Medicaid should contact Yolanda Brown at Yolanda.Brown@TMHP.com or Miranda.Mcbride@TMHP.com.</p>
Link	<p>http://www.tmhp.com/News_Items/2020/06-June/06-27-20%20Leveraging%20Long-Term%20Care%20Hospitals%20%20During%20the%20COVID-19%20Public%20Health%20Emergency.pdf</p>

Community-based ICF/IDD: Logging Extended Leave

Date	June 30, 2020
Summary	<p>HHSC requests that all community-based intermediate care facilities (ICF) for individuals with an intellectual disability (IDD) or related conditions input a resident's leave due to COVID-19 concerns regardless of whether the person has returned to the facility. This information was published in a June 5, 2020 alert.</p> <p>To ensure maximum payment for extended leave, ICF/IID providers must enter two types of leave and indicate a return date for the first type of leave even if the person does not return to the facility.</p>
Link	<p>https://hhs.texas.gov/about-hhs/communications-events/news/2020/06/community-based-icfiid-logging-extended-leave</p>

Federal Updates

Leveraging Existing Health and Disease Management Programs to Provide Mental Health and Substance Use Disorder Resources

Date	June 29, 2020
Summary	<p>The Centers for Medicare and Medicaid Services (CMS) and the Substance Abuse and Mental Health Services Administration (SAMHSA) posted a resource document for leveraging existing health and disease management programs to provide mental health and substance use disorder resources, reminding issuers in the individual and group markets of the importance of ensuring access to mental health and substance use disorder resources. Because substance use disorders can cause or exacerbate a variety of physical ailments and conditions, health providers should routinely screen, treat, and support the recovery of persons with substance use disorders. Issuers may wish to consider implementing some or all of these practices in response to COVID-19:</p> <ul style="list-style-type: none"> • Expanding coverage for mental health and substance use disorder services delivered via telehealth platforms, telephone, and similar mechanisms to mitigate the impact of the COVID-19 public health emergency (PHE) • Providing mental health and substance use disorder resources during the COVID-19 PHE using online health and disease management programs • Connecting enrollees to community resources that provide mental health and substance use disorder support during the COVID-19 PHE • Using mobile apps to provide resources during the COVID-19 PHE • Providing enrollees and providers with access to other COVID-19 resources
Link	<p>https://www.cms.gov/CCIIO/Programs-and-Initiatives/Health-Insurance-Marketplaces/Downloads/Mental-Health-Substance-Use-Disorder-Resources-COVID-19.pdf</p>

CDC Infection Control Guidance for Health Care Professionals

Date	June 19, 2020
Summary	<p>The Centers for Disease Control and Prevention (CDC) updated its COVID-19 infection control guidance for health care professionals. The recommendations are broken into two sections: 1) infection control practices for routine activities during the pandemic; and 2) infection control practices while interacting with patients with confirmed or suspected COVID-19. CDC also added recommendations that were included in FAQs earlier this month on universal use of PPE for certain health care workers, considerations for pre-admission/procedure COVID-19 testing, and a process for responding to exposure among health care personnel.</p>

Link | <https://www.cdc.gov/coronavirus/2019-ncov/hcp/infection-control-recommendations.html>

Phase II Visitation Guidance for Patients Who Are COVID-19 Negative

Date	June 26, 2020
Summary	<p>CMS issued hospital visitation guidance for patients who test negative for COVID-19 during phase two of reopening. Hospitals should continue limiting visitation during this phase and follow applicable guidance from state and local health authorities. CMS does not recommend completely reopening facilities to visitors but suggests creating discretionary exceptions to allow limited visitation as needed (e.g., one visitor at a time), while accounting for screening and infection control policies. These special circumstances may include care related to end of life, labor and delivery, pediatric, and others listed in the guidance.</p> <p>Please note: HHSC's emergency rule on hospital visitation remains in effect until at least July 31, 2020.</p>
Link	https://www.cms.gov/files/document/covid-hospital-visitation-phase-ii-visitation-covid-negative-patients.pdf

CDC Report on Texas Spring Break Trip to Mexico

Date	June 24, 2020
Summary	<p>CDC issued a new study about a Texas spring break trip to Mexico that led to 64 cases among 183 vacation travelers. The transmission occurred during and after a college spring break trip in mid-March. The report underscores the fact that the disease can cause asymptomatic and mild illness, particularly among young, healthy populations. The report also highlights the importance of contact tracing and testing of all contacts, including those who are asymptomatic, as an important part of controlling future COVID-19 outbreaks that might occur as schools and universities consider reopening.</p>
Link	https://www.cdc.gov/mmwr/volumes/69/wr/mm6926e1.htm?s_cid=mm6926e1_w