

An Important Message from The Texas Health and Human Services Commission (HHSC)

Fee-for-Services (FFS) Telephone (Audio-Only) Telemedicine Services for Non-Behavioral Health Conditions to be Updated November 1, 2023

Background:

The Texas Health and Human Services Commission (HHSC) allowed the use of telemedicine and telehealth, to include the use of synchronous telephone (audio-only) technology, to deliver many Medicaid services during the COVID-19 public health emergency (PHE). House Bill (HB) 4, 87th Legislature, Regular Session, 2021, required HHSC to allow more services to be delivered using telemedicine or telehealth on a permanent basis after the PHE ends if clinically appropriate and cost-effective.

HB 4 builds on Senate Bill 670 from the 86th Legislature, Regular Session, 2019 which prohibited Medicaid and CHIP health plans from 1) denying reimbursement to health care providers for a Medicaid service or procedure solely because it was delivered by telemedicine or telehealth, and 2) denying or reducing reimbursement to health care providers for a Medicaid service or procedure based on the health care provider's choice of platform.

This notice provides information about the implementation of a new telemedicine services delivery method for certain non-behavioral health conditions.

Key Details:

This guidance informs MCOs of Medicaid fee-for-service (FFS) policy implementation effective for dates of service on or after November 1, 2023. Certain telemedicine services for non-behavioral health conditions may be provided by synchronous telephone (audio-only) technology.

The following office and other outpatient telemedicine services may be provided by synchronous telephone (audio-only) technology for the diagnosis, evaluation, and treatment of non-behavioral health conditions if clinically appropriate and safe, as determined by the provider and agreed to by the client receiving services:

- Established patient services (procedure codes 99212, 99213, 99214, and 99215)
- Established patient service (procedure code 99211) – only during certain public health emergencies

Established patient services for non-behavioral health conditions provided by synchronous telephone (audio-only) technology must be billed using modifier 93.

Note: As a reminder, guidance regarding synchronous telephone (audio-only) delivery of physician E/M services for the diagnosis, evaluation and treatment of a mental health or substance use condition implemented on September 1, 2022. See section 9.2.58.2 *Office or Other Outpatient Services by Telemedicine* of the Texas Medicaid Provider Procedures Manual and the related provider notification, *HB4: Behavioral Health Services Delivered by Telemedicine or Telehealth Effective September 1, 2022*, published on September 15, 2023 for additional information.

Resources:

TMHP provider notice, [Telephone \(Audio-Only\) Telemedicine Services for Non-Behavioral Health Conditions](#), published on September 15, 2023.

MCO Notices previously posted to TexConnect related to teleservices broadly:

- January 18, 2022 - Guidance to Medicaid MCOs about Current Telehealth and Telemedicine Requirements
- January 18, 2022 - CHIP MCOs: Guidance about Telehealth and Telemedicine Requirements

- January 19, 2022 - All MCOs: Requirements of Reimbursement of Behavioral Health Telephone (Audio-Only) Services

For questions, please contact the Medicaid and Dental Benefits general mailbox at: MedicaidBenefitRequest@hhsc.state.tx.us