



WEST VIRGINIA CHAPTER

Originally published March 19, 2020; Updated 3.20.19; Updated 3.23.20

Update on WV Tele Mental Health Therapy, WV Supports for At-Risk Populations, and Information for Licensed Social Workers

NASW WV is collaborating with several organizations advocating for federal and state enhancements to health and mental health services, and for supports for at risk individuals and families. The group's strategies were in a [letter](#) to the Charleston Gazette-Mail.

On 3/23 NASW WV participated in a discussion with WV DHHR about **strategies the Department** is taking. We are confident that every possibility is being explored to expand access to health, mental health and social supports, and to ease onerous requirements.

Telehealth: *(More below)* 3/17/20: WV Medicaid [Release Memo](#) allows practitioners "to use live video conferencing or telephonic service in the member's home." [NASW Telehealth Resource page](#)

Unemployment Benefits Gov. Jim Justice [Executive Order](#) directs WorkForce WV to waive/flexibly interpret regulations to allow immediate access.

[WV landing page dedicated to information](#) about coronavirus.

[CDC Situation Summary](#) or DHHR's COVID-19 hotline: 800-887-4304

Absentee Voting: Instructions on how to obtain a ballot:
<https://sos.wv.gov/news/Pages/03-19-2020-A.aspx>

Contact your County Clerk SOON to request that a ballot to be mailed to you!

Telehealth: WV DHHR Bureau for Medical Services (Medicaid/CHIP) issued the following notice on March 17th:

<https://dhhr.wv.gov/bms/News/Documents/Telehealth%20COVID%20Precautions.pdf>

*Due to the WHO declaring Coronavirus disease a pandemic, the WV Bureau for Medical Services is allowing all existing telehealth services listed in the BMS policy manual, and the telehealth services temporarily approved during the COVID-19 pandemic, referenced in BMS release memos, **to use live video conferencing or telephonic service in the member's home.** Place of service 02 for HCFA-1500 or DCPT plus -GT modifier combination for UB04s should be utilized on all telehealth billings.*

Refer to the complete memo link for additional information.

View all BMS memos at: <https://dhhr.wv.gov/bms/News/Pages/default.aspx>

The WV Insurance Commissioner has issued the following bulletin:

[Insurance Bulletin No. 20 – 03 - Telehealth Services and Coronavirus \(COVID-19\)](#)

House Bill 4003 (2020) was passed by the West Virginia Legislature on March 7, 2020 and mandates coverage for telehealth services. **Although House Bill 4003 has not yet been signed into law by the Governor and, therefore, has not yet gone into effect, the Commissioner requests that health insurers immediately review their telehealth or telemedicine services in light of the law's anticipated, impending implementation and the COVID-19 crisis.**

Telehealth services or telemedicine may be a useful tool to evaluate or reassure patients in alternative settings or to help patients and providers decide who needs to be seen in the hospital or provider office, considering social distancing and other precautionary measures in place during this crisis.

The contact person for this bulletin is Ellen Potter, Dir. of Health Policy (304) 414-8480

Contact individual commercial insurers for their policies for providers.

From NASW WV as you negotiate with commercial insurance plans:

Rationale for expanded tele mental health therapy in West Virginia -including audio-only therapy:

- Many areas of the state do not have adequate broadband service to utilize video modalities
- Low-income residents often cannot afford the cost of service plans or equipment
- In more urban communities many people are working from home and broadband systems can become overloaded
- Providing therapy through telehealth, as well as telephone therapy, should be available to all during this crisis
- Providers and insurance carriers should not impose specific requirements for additional certification or training on therapists regarding the use of telehealth technologies -or on the specific technologies utilized to deliver services- including limitations on audio-only or live video telehealth
- Rates of payment to providers for services delivered via telehealth should not be lower than the rates established for services delivered via traditional in-person modalities
- Insurers should notify providers with specific instructions necessary to facilitate billing for expanded telehealth services

Federally see the following updates from NASW National and from CMS:

Update from NASW National (3.18.20): [NASW Telehealth Resource page](#)

Further clarification on the new CMS guidance on telehealth, and the use of phones to provide telehealth and teletherapy.

Clinical Social Workers and their clients may use video apps such as Facetime and Skype and the like for teletherapy. They do not need to use the same HIPAA-compliant video set-up that is typically required. However, phone-based services must include both video and audio capability. Therefore, an audio-only therapy session may not be reimbursable.

NASW continues to advocate for the use of audio only. Please see the COVID page of the national website for updates: www.socialworkers.org

As regards interstate teletherapy and loosening state licensing rules around this due to the pandemic, NASW has been working with ASWB to provide information to members about emergency waivers, etc. This information will go on the NASW-national COVID website, as will updates on this topic.

Finally, there is the issue of telehealth parity. A section on this will also be updated on the NASW-national COVID website.

As for the social justice implications of COVID, we are discussing these topics with our Social Action Committee and will likely issue a public statement and take other actions to ensure economic relief and additional supports. Through our channels we will be providing updates and action opportunities. We will surely keep you all in the loop on this important dimension of the crisis and our nation's response to it.

Also Re: Rx: Medicare prescribing rules have been relaxed to allow a 90-supply.

From the WV Coalition Against Domestic Violence:

Yes! Victim services are still available! Find a program in your area: wvcadv.org/partners/ Visit our website at wvcadv.org for updates.

From NASW Assurance Services, Inc. (malpractice risk insurance):

(3.18.20): During this time, the NASW Risk Retention Group has been receiving many policyholder calls and questions about RRG coverage for practicing Tele-therapy to serve their clients.

In response, we have been working closely with our licensed representatives and call center staff to assist them in responding to policyholder questions, and we are developing online tools, resources and FAQs to provide more in-depth information that should be available soon. We will keep you apprised as these resources are published and disseminated.

In the meantime, we want to remind our policyholders that the RRG professional liability policy provides coverage for Tele-therapy as long as it is an accepted practice conducted according to the individual practitioner's state regulations, state licensing board requirements, and HIPAA privacy standards which vary by state and are continually evolving.

Additional information from CMS:

(3/18/20) The Centers for Medicare & Medicaid Services (CMS) is taking action to protect the health and safety of our nation's patients and providers in the wake of the 2019 Coronavirus (COVID-19) outbreak. CMS has released [a Virtual Toolkit](#) to help you stay up-to-date on CMS materials available on COVID-19.

For more information on COVID-19 visit:

Coronavirus.gov

USA.gov

This guidance, and earlier CMS actions in response to the COVID-19 virus, are part of the ongoing White House Task Force efforts. To keep up with the important work the Task Force is doing in response to COVID-19 click here [Coronavirus.gov](https://www.cdc.gov/coronavirus). For information specific to CMS, please visit the [Current Emergencies Website](#).

(3/17/20) CMS has also issued the following information about telehealth for Medicare beneficiaries:

<https://www.hhs.gov/hipaa/for-professionals/special-topics/emergency-preparedness/notification-enforcement-discretion-telehealth/index.html>

<https://www.cms.gov/newsroom/fact-sheets/medicare-telemedicine-health-care-provider-fact-sheet>

- CSWs can provide teletherapy to beneficiaries if the client is in their home.
- They can also see new or existing patients.
- Telephone/audio only does not appear to be reimbursable; CSWs must use a video conferencing platform.
- HIPAA requirements are also eased.

Read the link to get complete details.

From: Feierman, Debbie S. (CMS/OPOLE) [<mailto:Debbie.Feierman@cms.hhs.gov>]

Sent: Tuesday, March 17, 2020 4:13 PM

Subject: COVID-19 Medicaid Telehealth Guidance

SUBJECT: Medicaid Telehealth Guidance

As a companion piece to the earlier released Medicare Telehealth Guidance, the Centers for Medicare and Medicaid services today released Medicaid Telehealth Guidance to states. You can find a copy of the guidance

here: <https://www.medicaid.gov/medicaid/benefits/downloads/medicaid-telehealth-services.pdf>

Additionally, you can find the homepage for general Medicaid Telehealth Guidance here: <https://www.medicaid.gov/medicaid/benefits/telemedicine/index.html>

COVID-19 links from WV DHHR Bureau for Medical Services – Medicaid/CHIP (as of 3/18/20)

March 17, 2020

Coronavirus Disease (COVID-19) ACT Services Important Update!

The Bureau for Medical Services (BMS) memos regarding ACT Services is now available...[read more](#)

March 17, 2020

Coronavirus Disease (COVID-19) Federally Qualified Health Center and Rural Health Clinic (FQHC/RHC) Services Regarding Non-Emergent E&M Visits Important Update!

memo regarding Non-emergent E&M visits through Telehealth Modality at FQHC and RHC locations is now available...[read more](#)

March 17, 2020

Coronavirus Disease (COVID-19) Nursing Home and ICF/IID Services Important Update!

precautions memo regarding Intermediate Care Facilities for Individuals with Intellectual Disabilities (ICF/IID) is now available...[read more](#)

March 17, 2020

Coronavirus Disease (COVID-19) Intermediate Care for Individuals with Intellectual Disabilities (ICF/IID) Important Update!

precautions memo regarding Intermediate Care Facilities for Individuals with Intellectual Disabilities (ICF/IID) is now available. ...[read more](#)

March 17, 2020

Coronavirus Disease (COVID-19) Prescription (Rx) Important Update!

memo regarding prescriptions (Rx) max script days limits' change is now available...[read more](#)

March 17, 2020

Coronavirus Disease (COVID-19) Aged and Disabled Waiver (ADW) Program Important Update!

precautions memo regarding the Aged and Disabled Waiver (ADW) program is now available...[read more](#)

March 17, 2020

Coronavirus Disease (COVID-19) Traumatic Brain Injury Waiver (TBIW) Program Important Update!

precautions memo regarding the Traumatic Brain Injury Waiver (TBIW) program is now available. ...[read more](#)

March 17, 2020

Coronavirus Disease (COVID-19) Personal Care Services Important Update!

precautions memo regarding Personal Care Services (PCS) is now available...[read more](#)

March 17, 2020

Coronavirus Disease (COVID-19) Intellectual Developmental Disabilities Waiver (IDDW) Important Update!

precautions memo regarding the Intellectual Developmental Disabilities Waiver (IDDW) is now available...[read more](#)

March 17, 2020

Coronavirus Disease (COVID-19) Telehealth Services Important Update!

memo regarding Telehealth Services is now available...[read more](#)

March 13, 2020

Coronavirus Disease (COVID-19) Psychological Testing Services and Medical Assistance Treatment Services Important Update!

memos regarding Psychological Testing Services and Medication Assisted Treatment (MAT) Services are now available. ...[read more](#)

March 13, 2020

Coronavirus Disease (COVID-19) Non-Emergent E&M Visits through Telehealth Modality Important Update!

regarding Non-Emergent E&M Visits through Telehealth Modality is now available...[read more](#)

March 10, 2020

Coronavirus Healthcare Common Procedure Coding System (HCPCS) Update!

West Virginia Medicaid will follow Medicare's guidance and open HCPCS code U0001 and U0002 for healthcare providers who need to test members for Coronavirus.

Behavioral Health Provider Resources:

[Disaster Planning Handbook for Behavioral Health Treatment Programs](#) (SAMHSA)

[Guidance for Opioid Treatment Programs](#) (SAMHSA)

[Tips for Social Distancing, Isolation, and Quarantine](#) (SAMHSA)

[COVID-19 Public Health Emergency Response and 42 CFR Part 2 Guidance](#) (SAMHSA)

[FAQs for Opioid Use Disorder Prescribing and Dispensing in the COVID-19 Emergency](#) (SAMHSA)

[COVID-19 potential implications for individuals with SUDs](#) (NIDA)

[Coronavirus-related Protocols for Treatment Centers](#) (Caron Treatment Centers)

[Digital All Recovery Meetings by WEconnect, Unity Recovery and Alano Club](#)

From the WV Board of Social Work:

The Board intends to waive the ten hour face-to-face continuing education requirement and allow all 20 Category I hours to be earned from online trainings. Visit the [Board's website](#) on or after 3/24 to review this and other actions addressing the response to COVID 19. It is anticipated that CE providers will need to issue a certificate of attendance to each participant noting the length of the session.

Using Technology to Provide Services Remotely

Some clients (or you) may prefer to provide services via **telehealth / teletherapy** for a period of time. The following are some general considerations you as clinicians will want to consider now:

- Discuss a plan in advance of the need to limit in person contact, including arranging for phone or video sessions. Plan how to stay in touch with your clients and their families during an outbreak or quarantine and ensure your clients are aware of your policies.
 - If you do not currently provide services in this manner, check with your payers to verify that they will reimburse for services provided this way.
 - Use of HIPPA-compliant technology is a must and special care must be taken to ensure confidentiality is maintained.
 - Review your malpractice insurance policy regarding provisions around teletherapy and where it is provided (for example, from your home in the event that you cannot use your office due to any quarantine or containment requirements in your area).
 - If your client resides in another state, most states require you be licensed in that state and you should check with the licensing board of that state.
- Other resources that may be helpful include:
- **NASW Code of Ethics with 2017 highlighted revisions regarding the use of technology in the provision of professional services:**
<https://www.socialworkers.org/About/Ethics/Code-of-Ethics/Highlighted-Revisions-to-theCode-of-Ethics>
 - **NASW's Standards for Technology in Social Work Practice:**
<https://www.socialworkers.org/LinkClick.aspx?fileticket=lcTcdsHUcng%3d&portalid=0>
 - **Social Work Response to the Coronavirus Disease (COVID-19) Pandemic-Learn how social workers can promote disease prevention and help reduce people's anxiety.**
<https://www.socialworkers.org/Practice/Infectious-Diseases/Coronavirus>

From the American Association of Social Work Boards:

State-by-state licensing board updates table: <https://www.aswb.org/regulatory-provisions>