

## Provider Alert #4

April 11, 2023

### OMHSAS Interim Telehealth Guidance (Signatures), effective 3/31/2023

**Scope:** This Provider Alert applies to all HealthChoices contracted providers including agencies, independent practitioners, and group practices.

**Purpose:** Community Care's Compliance Department and Fraud, Waste & Abuse (FWA) Special Investigations Unit (SIU) is issuing this alert to inform providers of the recent Memorandum from the Office of Mental Health & Substance Abuse Services (OMHSAS) entitled *Interim Telehealth Guidance*.

#### Bulletin Suspension Extension

In the March 30, 2023 Memo, OMHSAS stated the expectation for providers to meet federal and state guidance with regard to telehealth. However, in recognition of the challenges providers are experiencing, OMHSAS will extend the suspension of bulletins identified in the February 18, 2021, OMHSAS Memo, until December 31, 2023. This current suspension extension is specific only to signatures on consent to treatment, encounter forms (service verifications), and treatment/service/other required plans.

Therefore, until future guidance from OMHSAS is made available, telehealth providers may use the following HIPAA-compliant ways (which must include an audit trail) to meet signature requirements:

- electronic signatures
- messages typed into the chat box of an audiovisual platform
- email
- text messaging
- United States Postal Service mail
- documentation of verbal consent (may be heard by only one-person)

Please note, OMHSAS did not extend this allowance to services rendered in-person. Signatures must be obtained on consent to treatment, encounter forms and required treatment/service/other required plans for in-person services rather than verbal consent.

#### HealthChoices Contracts:

All HealthChoices contracts and UPMC lines of business.

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Effective January 1, 2024, providers are expected to obtain signatures on the consent to treatment, encounter form, and treatment/service/other required plans in a manner that creates an auditable file and is in accordance with the timelines expected within regulation.

#### Audio-only service

Audio-only services can only be provided when clinically appropriate and the individual served does not have access to video capability or for an urgent medical situation. The use of audio-only service delivery must be consistent with Pennsylvania regulations and federal requirements. OMHSAS shall issue a bulletin providing additional detail about the use of audio-only services. [Telemedicine FAQs \(pa.gov\)](#)

Providers are required to review and apply the full contents of the OMHSAS Memo which will be posted on the OMHSAS Telehealth page at <https://www.dhs.pa.gov/Services/Mental-Health-In-PA/Pages/OMHSAS-Behavioral-Health-Telehealth.aspx>

**Community Care Telehealth Documentation Requirements Guide** (<https://providers.ccbh.com/uploads/files/FWA/202301-fwa-telehealth-documentation-requirements.pdf>) This guide contains information for providers regarding telehealth documentation requirements based on OMHSAS guidance, including those related to documentation of consent to treatment, encounter forms and treatment/service/other required plans.

#### HealthChoices Contracts:

All HealthChoices contracts and UPMC lines of business.