



Provider Notice

Bulletin OMHSAS-21-09: Guidelines for the Delivery of Behavioral Health Services Through Telehealth

Note: Magellan is planning to forward an additional FAQ communication regarding this bulletin, in coordination with our County partners, within the next 1-2 weeks. Please reference Magellan's [August 20 communication](#) for additional information regarding the regulatory suspensions that will expire on September 30, 2021.

From OMHSAS on August 26, 2021:

The Department of Human Services, Office of Mental Health and Substance Abuse Services (OMHSAS) issued [Bulletin OMHSAS-21-09](#), titled “Guidelines for the Delivery of Behavioral Health Services Through Telehealth” and [posted it to the Department’s website](#). *Please read the Bulletin in its entirety.*

The purpose of the bulletin is to update the guidelines for payment of behavioral health services delivered using telehealth technology previously issued in *OMHSAS-20-02 Guidelines for the Use of Telehealth Technology in the Delivery of Behavioral Health Services*. The updated guidelines include the following key changes from OMHSAS-20-02:

1. Permits the delivery of services through audio-only without video, in limited circumstances, if consistent with Pennsylvania regulations and federal requirements, including guidance by the Centers for Medicare & Medicaid Services with respect to Medicaid payment and the US Department of Health and Human Services Office of Civil Rights with respect to the Health Insurance Portability and Accountability Act (HIPAA) compliance.
2. Expands the use of telehealth service delivery to include drug and alcohol providers licensed by the Pennsylvania Department of Drug and Alcohol Programs for services paid for by the Medicaid (MA) program.
3. Expands the use of telehealth to include services provided by unlicensed mental health staff working through a licensed provider agency including unlicensed master’s level therapists, mental health targeted case managers, mental health certified peer support specialists,

certified recovery specialists, and drug and alcohol counselors (as defined in 28 Pa. Code §704.7(b)) as allowable for in-person services delivery in the MA Program.

4. Permits the delivery of services through telehealth in community settings.
5. Removes the requirement for providers to submit attestations prior to initiating the delivery of services through telehealth.

Generally the bulletin provides for the continuation of certain telehealth flexibilities that were permitted during the Governor's Proclamation of Disaster Emergency due to the novel corona virus COVID-19 as recommended by the Behavioral Health Telehealth Steering Committee, except where the flexibilities conflict with regulation. The regulatory citations for these exceptions are listed below and included in the bulletin. Providers that are impacted by these regulatory limitations may submit individual requests for Department consideration in allowing a temporary waiver of the applicable regulations.

- Telehealth (audio-video) is permitted, but the flexibility to use audio only (without video) will end: Outpatient Psychiatric Services ([55 Pa. Code 1153.14](#))
- Telehealth (audio-video) is permitted, but the flexibility to use audio only (without video) will end: Outpatient Drug and Alcohol Clinic Services ([55 PA. Code 1223.14 \(2\)](#))
- Verbal Consent/verification will end: Mental Health Intensive Case Management ([55 Pa. Code 5221.33](#))

The issuance of this bulletin renders the OMHSAS-20-02, *OMHSAS Memorandum Telehealth Guidelines Related to COVID-19*, and OMHSAS Memorandum Telehealth Guidelines Related to COVID-19 (Updated) obsolete. The issuance of this bulletin supersedes OMHSAS-20-03.

Please direct any questions or comments related to this e-mail or bulletin to RA-PWTBHS@pa.gov.