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What is the definition of “telemedicine” or “telehealth”?

Florida Medicaid program regulations define “telemedicine” as the “practice of health care delivery by a practitioner who is located at a site other than the site where a recipient is located for the purposes of evaluation, diagnosis, or treatment.”

[FLA. ADMIN. CODE r. 56G-1.057\(2\).](#)

PSYCHIATRISTS

Does a psychiatrist have prescribing authority? If so, under what conditions/limits may a psychiatrist prescribe via telemedicine/telehealth?

Yes. However, Florida telemedicine regulations do not allow controlled substances to be prescribed via telemedicine: “Controlled substances shall not be prescribed through the use of telemedicine. This provision does not preclude physicians from ordering controlled substances through the use of telemedicine for patients hospitalized in a facility licensed pursuant to Chapter 395, F.S.”

[FLA. ADMIN. CODE r. 64B8-9.0141\(4\).](#)

“Prescribing medications based solely on an electronic medical questionnaire constitutes the failure to practice medicine with that level of care, skill, and treatment which is recognized by reasonably prudent physicians as being acceptable under similar conditions and circumstances, as well as prescribing legend drugs other than in the course of a physician’s professional practice.”

[FLA. ADMIN. CODE r. 64B8-9.0141\(5\).](#)

ADVANCED PRACTICE REGISTERED NURSES (APRNs)

Does an APRN have prescribing authority? If so, under what conditions/limits may an APRN prescribe via telemedicine/telehealth?

Yes, Advanced Registered Nurse Practitioners (ARNPs, Florida’s equivalent of APRNs) have prescribing authority.

“A prescription for a drug that is not listed as a controlled substance in chapter 893 which is written by an advanced registered nurse practitioner certified under s. 464.012 is presumed, subject to rebuttal, to be valid. . . .”



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[FLA. STAT. § 456.0392\(2\).](#)

Legislation passed in 2016 has enabled ARNPs to prescribe controlled substances.

[FLA. STAT. § 456.44\(1\)\(g\).](#)

However, “only a physician . . . may dispense medication or prescribe a controlled substance . . . on the premises of a registered pain management clinic.”

[FLA. STAT. § 458.3265\(2\)\(b\).](#)

COVERAGE & REIMBURSEMENT

Does Medicaid provide coverage for telemental/telebehavioral/telepsychiatric health services? If so, what are the coverage criteria?

“Florida Medicaid reimburses for telemedicine services using interactive telecommunications equipment that includes, at a minimum audio and video equipment permitting two-way, real time, interactive communication between a recipient and a practitioner.”

[FLA. ADMIN. CODE r. 56G-1.057\(4\).](#)

“Florida Medicaid does not reimburse for:

- (a) Telephone conversations, chart review(s), electronic mail messages, or facsimile transmissions.
- (b) Equipment required to provide telemedicine services.”

[FLA. ADMIN. CODE r. 56G-1.057\(5\).](#)

“The following applies to practitioners rendering services in the fee-for-service delivery system:

- (a) Florida Medicaid reimburses the practitioner who is providing the evaluation, diagnosis, or treatment recommendation located at a site other than where the recipient is located.
- (b) Providers must include modifier GT on the CMS-1500 claim form, incorporated by reference in Rule 59G-4.001, F.A.C.”

[FLA. ADMIN. CODE r. 56G-1.057\(6\).](#)



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The *Florida Medicaid Community Behavioral Health Services Coverage and Limitations Handbook* states:

“Providers utilizing telemedicine must implement technical written policies and procedures for telemedicine systems that comply with the Health Insurance Portability and Accountability Act privacy regulations as well as applicable state and federal laws that pertain to patient privacy. Policies and procedures must also address the technical safeguards required by Title 45, Code of Federal Regulations, section 164.312, where applicable.”

The handbook also provides that “[s]ervices must be delivered from a facility that is enrolled in Medicaid as a community behavioral health services provider for Medicaid to reimburse for services delivered through telemedicine.”

[FLA. ADMIN. CODE r. 59G-4.050](#) (incorporating [Florida Agency for Health Care Administration, Community Behavioral Health Services, Coverage and Limitations Handbook](#) (rev. Mar. 2014)).