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

There are no substantive changes; however, the second link is outdated. The corrected link is as follows: Idaho Department of Health and Welfare, [Idaho Medicaid Policy: Telehealth Services](#) (effective 1/1/2017).

## PSYCHIATRISTS

What are the restrictions on the scope of practice for psychiatrists practicing via telemedicine/telehealth?

“A provider offering telehealth services must at all times act within the scope of the provider’s license and according to all applicable laws and rules, including, but not limited to, this [rule] and the community standard of care.”

[IDAHO CODE ANN. § 54-5704.](#)

Are there any licensing requirements specific to telemedicine/telehealth (e.g., requirements to be licensed in the state where the patient is located)?

“Performing providers at the distant site, who regularly provide telehealth services to Idaho Medicaid participants are required to maintain current Idaho licensure. . . .”

Idaho Department of Health and Welfare, [Idaho Medicaid Policy: Telehealth Services](#) (effective 1/1/2017).

What are the criteria for establishing a practitioner-patient relationship via telemedicine/telehealth?

“If a provider offering telehealth services in his or her practice does not have an established provider-patient relationship with a person seeking such services, the provider shall take appropriate steps to establish a provider-patient relationship by use of two-way audio and visual interaction; provided however, that the applicable Idaho community standard of care must be satisfied.”

[IDAHO CODE ANN. § 54-5705.](#)

Regarding telehealth services provided to Idaho Medicaid recipients, “before an initial visit using telehealth, the practitioner who delivers the service to a participant shall ensure that any written information is provided to the participant in a form and manner



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which the participant can understand using reasonable accommodations when necessary. . . .”

Idaho Department of Health and Welfare, [Idaho Medicaid Policy: Telehealth Services](#) (effective 1/1/2017).

What are the acceptable modalities (e.g., telephone, video) for the practice of psychiatry via telemedicine/telehealth that meet the standard of care for the state?

Idaho statutes define “telehealth services” as “health care services provided by a provider to a person through the use of electronic communications, information technology, asynchronous store and forward transfer, or synchronous interaction between a provider at a distant site and a patient at an originating site.”

[IDAHO CODE ANN. § 54-5703\(6\).](#)

Regarding telehealth services provided to Idaho Medicaid recipients, “[r]eimbursement is not available for a telephone conversation, electronic mail message (e-mail), or facsimile transmission (fax) between a physician and a participant.”

Idaho Department of Health and Welfare, [Idaho Medicaid Policy: Telehealth Services](#) (effective 1/1/2017).

## PSYCHOLOGISTS

What are the restrictions on the scope of practice for psychologists practicing via telemedicine/telehealth?

According to guidelines published by the Idaho Board of Psychologist Examiners Task Force and the Idaho Psychological Association, psychologists licensed in Idaho who are providing telepsychology services to patients in the state of Idaho should recognize that “telepsychology is not appropriate in all situations. . . . In each situation where telepsychology services are contemplated, the psychologist must balance potential benefits with the potential risks to the individual, individuals, or group receiving telepsychology services.”

Joint Idaho Psychological Association-Idaho Board of Psychologist Examiners Task Force, [Guidelines for Electronic Transmission and Telepsychology in the State of Idaho](#) (approved 7/12/12).



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### What are the criteria for establishing a practitioner-patient relationship via telemedicine/telehealth?

“If a provider offering telehealth services in his or her practice does not have an established provider-patient relationship with a person seeking such services, the provider shall take appropriate steps to establish a provider-patient relationship by use of two-way audio and visual interaction; provided however, that the applicable Idaho community standard of care must be satisfied.”

[IDAHO CODE ANN. § 54-5705.](#)

Additionally, the guidelines state the following:

Psychologists using telepsychology provide oral, but preferably written or published, information regarding the use of electronic technology and obtain the affirmative informed consent from the patient. Informed consent should be in language that is likely to be understood and consistent with accepted professional and legal requirements. In the event that a psychologist is providing services to someone who is unable to provide consent (including minors), additional measures are taken to ensure that appropriate consent (or assent, where applicable) are obtained. The psychologist’s level of competence, experience and training in the practice of telepsychology should be disclosed to the patient. The patient should be given the opportunity to ask questions regarding the use of telepsychology.

As a part of an informed consent process, the patient is provided sufficient information about the limitations of using electronic technology, including potential risks to confidentiality of information, as well as any legally-required reporting, such as reporting a patient who may be suicidal, homicidal, or otherwise display a violence risk toward others. This disclosure includes information that identifies telepsychology as innovative treatment (2002 APA Ethical Principles 10.01b). The patient is expected to provide written acknowledgement of their awareness of these limitations.

Psychologists verify the identity of the telepsychology patient, and assure that the patient is capable of providing informed consent (supplements 2002 APA Ethics Code Sec. 3.10). When providing clinical services, psychologists make reasonable attempts to obtain information about alternative means of contacting a patient and provide their patient with an



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alternative means of contacting them in emergency situations, or when telepsychology services are not available.

Psychologists inform the patient about potential risks associated with technical disruptions in the availability of telepsychology services. Psychologists clearly state their policies as to when they will respond to routine electronic messages, and in what circumstances they will use alternative communications for emergency situations. Given the continuous availability of the electronic environment, as well as the inclination toward increased disclosure in this type of environment, a patient may be more likely to disclose suicidal intentions and may assume that the psychologist will respond quickly (supplements 2002 APA Ethics Code Sec. 4.05).

Joint Idaho Psychological Association-Idaho Board of Psychologist Examiners Task Force, [Guidelines for Electronic Transmission and Telepsychology in the State of Idaho](#) (approved 7/12/12).

What are the acceptable modalities (e.g., telephone, video) for the practice of psychology via telemedicine/telehealth that meet the standard of care for the state?

According to guidelines published by the Idaho Board of Psychologist Examiners Task Force and the Idaho Psychological Association, “telepsychology” includes “any written, video or audio transmission of patient information for clinical or supervisory purposes using any form or format of electronic technology. Such transmissions include but are not limited to:

- telephone answering machines;
- faxes;
- telephonic generated transmissions either via voice;
- smartphone applications;
- electronic images or text;
- [I]nternet generated transmissions via e-mail;
- electronic physiological, behavioral, emotional, or cognitive monitoring where the data is electronically sent to the psychologist;
- web based applications that are not educational in nature where the psychologist receives the content of the patient responses;
- professional web sites;
- video-conferencing; and,



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- social networking web sites with blogs of other methods of electronic communications.”

Joint Idaho Psychological Association-Idaho Board of Psychologist Examiners Task Force, [Guidelines for Electronic Transmission and Telepsychology in the State of Idaho](#) (approved 7/12/12).

### SOCIAL WORKERS

What are the restrictions on the scope of practice for social workers practicing via telemedicine/telehealth?

Idaho is a member of the Association of Social Work Boards (ASWB). While the Idaho Board of Social Work Examiners considers promulgating rules related to the practice of electronic social work, the Model Regulatory Standards for Technology and Social Work Practice, published by the ASWB, serve as guidelines for licensed social workers in the state. The ASWB guidelines state, in part, “Social workers who choose to provide **electronic social work services** shall:

- Do so only after engaging in appropriate education, study, training, consultation, and supervision from people who are competent in the use of this technology to provide social work services. . . .
- Assess whether **clients’** needs can be met using **electronic social work services** and, when necessary, refer **clients** to another professional. . . .
- Comply with the regulations governing the use of this technology both in the **jurisdiction** in which they are **regulated** and in the **jurisdiction** in which the **client** is located. . . .”

Association of Social Work Boards, [Model Regulatory Standards for Technology and Social Work Practice](#) (Mar. 2015).

What are the criteria for establishing a practitioner-patient relationship via telemedicine/telehealth?

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[IDAHO CODE ANN. § 54-5705.](#)



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In addition, Idaho is a member of the Association of Social Work Boards (ASWB). While the Idaho Board of Social Work Examiners considers promulgating rules related to the practice of electronic social work, the Model Regulatory Standards for Technology and Social Work Practice, published by the ASWB, serve as guidelines for licensed social workers in the state. The ASWB guidelines state, in part, “Social workers who choose to provide **electronic social work services** shall:

- Obtain the informed consent of the individuals using their services during the initial screening or interview and prior to initiating the services. Social workers shall assess **clients’** capacity to provide informed consent.
- Develop policies and inform **clients** about the nature of available services, potential benefits and risks, alternative ways of receiving assistance, fees, involvement of and sharing information with third parties, and limits of confidentiality. . . .
- Take reasonable steps to verify the identity and location of **clients**. . . . When verification of a **client’s** identity is not required or feasible . . . social workers shall inform **clients** of the limitations of the services that can be provided.
- Conduct an initial screening at the point of the **client’s** first contact and assess the **client’s** suitability and capacity for online and **remote** services. Social workers shall consider the **client’s** intellectual, emotional, and physical ability to use digital and other electronic technology to receive services and the **client’s** ability to understand the potential risks and limitations of such services.
- Use professional judgment to determine whether an initial **in-person**, videoconference, or telephone consultation is warranted before undertaking **electronic social work services**. . . .
- Inform **clients** about risks associated with disclosure of confidential information on the Internet, social media sites, text-messaging sites, and videoconferencing sites, and the potential consequences. . . .”

Association of Social Work Boards, [Model Regulatory Standards for Technology and Social Work Practice](#) (Mar. 2015).

What are the acceptable modalities (e.g., telephone, video) for the practice of social work via telemedicine/telehealth that meet the standard of care for the state?

The Idaho Telehealth Access Act defines “telehealth services” as “health care services provided by a provider to a person through the use of electronic communications, information technology, asynchronous store and forward transfer or synchronous interaction between a provider at a distant site and a patient at an originating site.”



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### [IDAHO CODE ANN. § 54-5703\(6\).](#)

Idaho is a member of the Association of Social Work Boards (ASWB). While the Idaho Board of Social Work Examiners considers promulgating rules related to the practice of electronic social work, the Model Regulatory Standards for Technology and Social Work Practice, published by the ASWB, serve as guidelines for licensed social workers in the state. The ASWB guidelines state, in part, “Electronic social work services mean the use of computers and other electronic means to: (a) provide information to the public, (b) deliver social work services to clients, (c) communicate with clients, (d) manage confidential information and case records, (e) store and access information about clients, and (f) arrange payment for professional services.”

Association of Social Work Boards, [Model Regulatory Standards for Technology and Social Work Practice](#) (Mar. 2015).

## COUNSELORS

What are the restrictions on the scope of practice for counselors practicing via telemedicine/telehealth?

“A provider offering telehealth services must at all times act within the scope of the provider’s license and according to all applicable laws and rules, including, but not limited to, this chapter and the community standard of care.”

### [IDAHO CODE ANN. § 54-5704.](#)

The Idaho Telehealth Guidelines for Professional Counselors and Marriage and Family Therapists state the following:

- “Counselors and therapists provide telehealth services only after they take reasonable steps to ensure their competence with the issues pertaining to this method of service delivery.”
- “Counselors and therapists recognize that telehealth services are not appropriate for every client.”

Idaho Board of Professional Counselors and Marriage and Family Therapists, [Telehealth Guidelines for Professional Counselors and Marriage and Family Therapists](#) (approved 5/6/2016).



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[IDAHO CODE ANN. § 54-5705.](#)

In addition, the Idaho Telehealth Guidelines for Professional Counselors and Marriage and Family Therapists state the following:

Prior to commencing telehealth treatment, counselors and therapists provide clients with a professional disclosure statement and obtain verbal and written informed consent from the individuals seeking their services. In addition to following informed consent laws and rules currently in place, telehealth providers inform clients of their level of competency, experience and training in telehealth, and the specific benefits and risks associated with technology-assisted services. . . . They verify the identity of the client/s and attempt to obtain information about alternative means to contact them in case of emergency situations. They clearly state their policies regarding response time to routine electronic messages and to emergencies.

Idaho Board of Professional Counselors and Marriage and Family Therapists, [Telehealth Guidelines for Professional Counselors and Marriage and Family Therapists](#) (approved 5/6/2016).

### What are the acceptable modalities (e.g., telephone, video) for the practice of counseling via telemedicine/telehealth that meet the standard of care for the state?

The Idaho Telehealth Guidelines for Professional Counselors and Marriage and Family Therapists state the following: “Telehealth services include any written, video or audio transmission of client information for clinical or supervisory purposes using any form or format of electronic technology. These include, but are not limited to, telephones, smartphones and applications, telephone answering machines, faxes, email, social media and internet-based applications, and data storage devices or media.”





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Idaho Board of Professional Counselors and Marriage and Family Therapists, [Telehealth Guidelines for Professional Counselors and Marriage and Family Therapists](#) (approved 5/6/2016).

### PRIVACY/CONFIDENTIALITY

Are there privacy/confidentiality requirements specifically related to telemental/telebehavioral/telepsychiatric health services?

“Any provider offering telehealth services as part of his or her practice shall generate and maintain medical records for each patient using such telehealth services in compliance with applicable state and federal laws, rules, and regulations, including the Health Insurance Portability and Accountability Act (HIPAA) and the Health Information Technology for Economic and Clinical Health (HITECH) Act. Such records will be accessible to other providers and to the patient in accordance with applicable laws, rules, and regulations.”

[IDAHO CODE ANN. § 54-5711.](#)

### MINORS

What are the requirements/restrictions regarding the provision of telemental/telebehavioral/telepsychiatric health services to minors?

“Telehealth may be used to provide Therapeutic Consultation and Crisis Intervention for children with developmental disabilities. The provider can be a Developmental Disabilities Agency, an independent Medicaid provider under agreement with the Department, or under the Infant Toddler Program. The performing provider must have a Doctoral or Master’s degree in psychology, education, applied behavioral analysis, or in a related discipline with one thousand five hundred (1500) hours of relevant coursework or training, or both, in principles of child development, learning theory, positive behavior support techniques, dual diagnosis, or behavior analysis (may be included as part of degree program), and two years relevant experience in designing and implementing comprehensive behavioral therapies for children with [developmental disabilities] and challenging behavior.”

Idaho Department of Health and Welfare, [Idaho Medicaid Policy: Telehealth Services](#) (effective 1/1/2017).



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### FOLLOW-UP CARE

What are the requirements regarding follow-up care for telemental/telebehavioral/telepsychiatric health services?

“A provider of telehealth services shall be available for follow-up care or to provide information to patients who make use of such services.”

[IDAHO CODE ANN. § 54-5709.](#)

The guidelines published by the Idaho Board of Psychologist Examiners Task Force and the Idaho Psychological Association state the following:

A strategic, documented plan should be included in the medical or professional record for each telepsychology patient that specifies the operating procedure for dealing with emergencies. This emergency plan should inform the patient of the limits of confidentiality when utilizing telepsychology in emergency situations. An emergency or crisis situation would be defined as a patient who is at risk for harming themselves, others, or property or a significant risk of hospitalization. The psychologist should address emergency situations in a most expedient fashion, in a manner judged as having the best opportunity for assisting the patient and resolving the crisis.

Joint Idaho Psychological Association-Idaho Board of Psychologist Examiners Task Force, [Guidelines for Electronic Transmission and Telepsychology in the State of Idaho](#) (approved 7/12/12).

Idaho is a member of the Association of Social Work Boards (ASWB). While the Idaho Board of Social Work Examiners considers promulgating rules related to the practice of electronic social work, the Model Regulatory Standards for Technology and Social Work Practice, published by the ASWB, serve as guidelines for licensed social workers in the state. The ASWB guidelines state, in part, that social workers who choose to provide electronic social work services shall “[d]iscuss with clients the social workers’ policies concerning digital and other electronic communication between scheduled appointments, during emergencies and social workers’ vacations, and after normal working hours.”

Association of Social Work Boards, [Model Regulatory Standards for Technology and Social Work Practice](#) (Mar. 2015).



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According to the Idaho Telehealth Guidelines for Professional Counselors and Marriage and Family Therapists, “[c]ounselors and therapists providing telehealth services shall be familiar with and have appropriate contact information for available medical resources, including emergency resources near the client's location, in order to make appropriate client referrals when medically indicated.”

Idaho Board of Professional Counselors and Marriage and Family Therapists, [Telehealth Guidelines for Professional Counselors and Marriage and Family Therapists](#) (approved 5/6/2016).

### COVERAGE & REIMBURSEMENT

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

Idaho Medicaid will reimburse for the following telemental health services: (i) psychotherapy with evaluation and management, (ii) psychiatric diagnostic interview, and (iii) therapeutic consultation and crisis intervention.

The Idaho Medicaid policy regarding provision of telehealth services states the following:

“Advanced Practice Registered Nurses . . . who are enrolled as Healthy Connections primary care providers will be reimbursed for telehealth services in accordance with the General Provider and Participant handbook.”

“No reimbursement will be made for the use of equipment at either the originating or distant sites.”

“Reimbursement is not available for a telephone conversation, electronic mail message (e-mail), text messages or facsimile transmission (fax) between a physician and a participant.”

[Idaho Department of Health and Welfare](#), (effective 1/1/2017).