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PSYCHIATRISTS

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

Senate Bill 77 directed the Montana Board of Medical Examiners to enact guidelines by administrative rule for the practice of telemedicine by physicians. Accordingly, effective April 28, 2017, and via the *Montana Administrative Register*, the Montana Board of Medical Examiners repealed telemedicine license rules (MONT. ADMIN. R. 24.156.803, 24.156.804, 24.156.805, 24.156.806, 24.156.807, 24.156.808, 24.156.809, 24.156.811, and 24.156.812), as Senate Bill 77 eliminated the telemedicine license.

[Montana Administrative Register no. 8 \(Apr. 28, 2017\), at 487-91.](#)

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?

None identified.

However, the definition of “telemedicine” states that such services can be provided through “interactive audio, video, or other telecommunications technology.”

[MONT. CODE. ANN. § 33-22-138\(6\)\(d\)\(i\).](#)

SOCIAL WORKERS

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

None identified.

However, “a license to practice as a social worker in Montana may be issued to the holder of an out-of-state social worker license at the discretion of the board, provided the applicant completes and files with the board an application for licensure and the required application fee.” The applicant must meet the following requirements:

- (a) The applicant holds a valid and unrestricted license to practice as a social worker in another state or jurisdiction, which was issued under standards equivalent to or greater than current standards in this state.



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Official written verification of such licensure status must be received by the board directly from the other state(s) or jurisdiction(s).

(b) The applicant holds a Masters Degree in Social Work (MSW) or an equivalent Council on Social Work Education (CSWE)-approved degree, and shall supply a copy of the certified transcript sent directly from a college, university, or institution accredited by the CSWE.

(c) The applicant shall supply proof of successful completion of the Association of Social Work Boards' (ASWB) clinical examination or another board-approved licensing examination. The ASWB generalist examination is not an approved examination for purposes of obtaining licensure as a clinical social worker. Applicant scores on the examination must be forwarded directly to the board.

(d) The applicant shall submit proof of completion of 3000 hours of supervised social work experience as defined in 37-22-301, MCA. The applicant may verify the experience hours by affidavit, and need not supply a supervisor's signature upon reasonable explanation of why the supervisor's signature is unavailable to the applicant.

(e) The applicant shall submit proof of continuous practice as a social worker in another jurisdiction for the two years immediately preceding the date of application in Montana.

(f) The applicant shall submit three reference letters as provided in 37-22-301, MCA.

(g) The applicant shall answer questions about the applicant's character and fitness to practice on a form prescribed by the board, and the applicant shall provide all information required by the board in response to these questions.

[MONT. ADMIN. R. 24.219.512\(1\).](#)

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?

“‘Direct observation’ of service delivery means participation in the service delivery, observation through a two-way mirror, observation of a video or audiotape of the service delivery, or observation through an interactive video link of the service delivery.”

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[MONT. ADMIN. R. 24.219.301\(2\).](#)

COUNSELORS

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

None identified.

However, “a license to practice as a licensed professional counselor in Montana may be issued to the holder of an out-of-state licensed professional counselor or equivalent license at the discretion of the board, provided the applicant completes and files with the board an application for licensure and the required application fee.” The applicant must meet the following requirements:

- (a) The applicant holds a valid and unrestricted license to practice as a licensed professional counselor or equivalent in another state or jurisdiction, which was issued under standards substantially equivalent to or greater than current standards in this state. Official written verification of such licensure status must be received by the board directly from the other state(s) or jurisdiction(s).
- (b) The applicant holds a graduate degree, which meets the requirements of 37-23-202, MCA, and shall supply a copy of the certified transcript sent directly from an accredited college, university, or institution, and shall complete the degree summary sheet provided by the board.
- (c) The applicant shall supply proof of successful completion of the National Counselor Examination (NCE) or another board-approved licensing examination. Applicant scores on the examination must be forwarded directly to the board.
- (d) The applicant shall submit proof of completion of 3000 hours of supervised counseling practice as defined in 37-23-202, MCA. The applicant may verify the experience hours by affidavit, and need not supply a supervisor's signature upon reasonable explanation of why the supervisor's signature is unavailable to the applicant.
- (e) The applicant shall submit proof of continuous practice as a licensed professional counselor or equivalent in another jurisdiction for the two years immediately preceding the date of application in Montana.



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(f) The applicant shall answer questions about the applicant's character and fitness to practice on a form prescribed by the board, and the applicant shall provide all information required by the board in response to these questions.

[MONT. ADMIN. R. 24.219.612\(f\).](#)

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?

“Direct observation’ of service delivery means participation in the service delivery, observation through a two-way mirror, observation of a video or audiotape of the service delivery, or observation through an interactive video link of the service delivery.”

[MONT. ADMIN. R. 24.219.301\(2\).](#)

MARRIAGE/FAMILY THERAPISTS

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

None identified.

However, “a license to practice as a licensed marriage and family therapist in the state of Montana may be issued to the holder of an out-of-state marriage and family therapist license, provided the applicant completes, and files with the board, an application for licensure and the required application fee. The candidate must have held a valid and unrestricted license as a licensed marriage and family therapist in another state or jurisdiction, which was issued under standards equivalent to or greater than current standards in this state.”

[MONT. ADMIN. R. 24.219.712\(1\).](#)

ADVANCED PRACTICE REGISTERED NURSES (APRNs)

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

None identified.



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However, the [Montana Nursing Board FAQs](#) contain the following exchange:

“[Q:] I work as a telephonic nurse. Am I required to have a Montana nursing license?
[Y:] Yes. Anytime you are providing nursing services to persons residing in Montana, either in person or via telehealth, you are required to hold an active Montana Nursing license or a multistate privilege to practice in Montana.”

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

None identified.

However, the Montana Nursing Board may grant an APRN licensure by endorsement if an APRN is licensed in another state and meets certain requirements.

[MONT. ADMIN. R. 24.159.1418\(2\)-\(3\).](#)

COVERAGE & REIMBURSEMENT

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

None identified.

However, “all Medicaid providers using telemedicine to deliver Medicaid services must employ existing quality-of-care protocols and member confidentiality guidelines when providing telemedicine services.”

Additionally, “transmissions must be performed on dedicated secure lines or must utilize an acceptable method of encryption adequate to protect the confidentiality and integrity of the transmission. Transmissions must employ acceptable authentication and identification procedures by both the sender and receiver.”

[Montana Department of Public Health & Human Services, Montana Healthcare Programs \(Medicaid and Other Medical Programs\), General Information for Providers \(Jan. 2017\), at 5-2.](#)

**MONTANA****COVERAGE & REIMBURSEMENT**

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

Psychiatrists, psychologists, licensed clinical social workers, and licensed professional counselors are considered originating site providers who can “bill using procedure code Q3014 (telemedicine originating site fee) for the use of a room and telecommunication equipment.”

“Any out of state distance providers must be licensed in the State of Montana and enrolled in Montana Medicaid in order to provide telemedicine services to Montana Medicaid members.”

“Telemedicine reimbursement does not include:

- Consultations provided by telephone (interactive audio); or
- Facsimile machine transmissions.
- Crisis hotlines.”

“The originating and distant providers may not be within the same facility or community. The same provider may not be the pay to for both the originating and distance provider.”

“If a rendering provider’s number is required on the claim for a face-to-face visit, it is required on a telemedicine claim.”

[Montana Department of Public Health & Human Services, Montana Healthcare Programs \(Medicaid and Other Medical Programs\), General Information for Providers \(Jan. 2017\), at 5-2 to 5-4.](#)