

WYOMING

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

“Telehealth is the use of an electronic media to link beneficiaries with health professionals in different locations. The examination of the client is performed via a real time interactive audio and video telecommunications system. This means that the client must be able to see and interact with the off-site practitioner at the time services are provided via telehealth technology.”

[Wyoming Department of Health, Division of Healthcare Financing, CMS 1500 ICD-10, § 6.24 \(Apr. 1, 2017\), at 108.](#)

“‘Telehealth’ means the delivery of healthcare services using electronic communications, information technology or other means between a healthcare provider in one location, and a patient in another location with or without an intervening healthcare provider. Generally, telehealth is not an audio-only, telephone conversation, e-mail/instant messaging conversation, or fax. It typically involves the application of secure videoconferencing or store-and-forward technology to provide or support healthcare delivery by replicating the interaction of a traditional, encounter in person between a provider and a patient.”

[Wyoming Healthcare Licensing Boards, Uniform Policy for the Appropriate Use of Telehealth Technologies in the Delivery of Healthcare, § 3 \(2016\), at 3.](#)

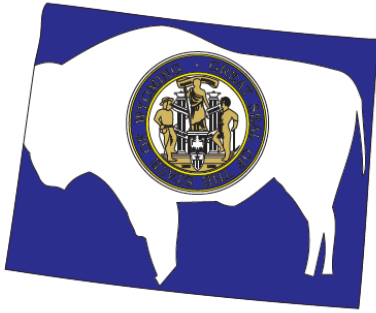
PSYCHIATRISTS

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

Updated link: [Wyoming Board of Medicine Rules & Regulations, ch. 1, sec. 7.](#)

Any physician rendering medical diagnosis and/or treatment to a person physically present in this state must have a license issued by the board when such diagnosis/treatment is rendered, regardless of the physician’s location and regardless of the means by which such diagnosis / treatment is rendered. This requirement shall not apply to an out-of-state physician who consults by telephone, electronic or any other means with an attending physician licensed by this board or to an out-of-state physician who is specifically exempt from licensure pursuant to W.S. 33-26-103.

[052-0001-1 WYO. CODE R. § 4\(e\).](#)

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“Providers who treat or prescribe through online services sites are practicing healthcare and must possess appropriate licensure in all jurisdictions where patients are located and receive care.”

[Wyoming Healthcare Licensing Boards, *Uniform Policy for the Appropriate Use of Telehealth Technologies in the Delivery of Healthcare*, § 4 \(2016\), at 3.](#)

Wyoming has adopted the Interstate Medical Licensure Compact.

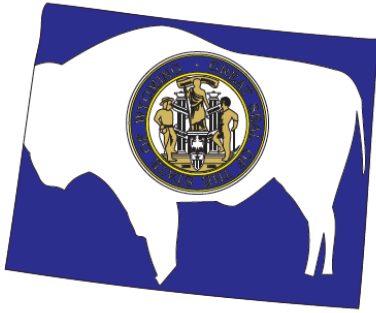
[WYO. STAT. ANN. § 33-26-701 et seq.](#)

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

Although the Boards recognize that it may be difficult in some circumstances to precisely define the beginning of the provider-patient relationship, particularly when the provider and patient are in separate locations, it tends to begin when an individual with a health-related matter seeks assistance from a provider who may provide assistance. However, the relationship is clearly established when the provider agrees to undertake diagnosis and treatment of the patient, and the patient agrees to be treated, whether or not there has been an encounter in person between the provider (or other appropriately supervised healthcare practitioner) and patient. . . .

A provider should not render healthcare advice and/or care using telehealth technologies without (1) fully verifying and authenticating the location and identity of the requesting patient; (2) disclosing and validating the provider's identity and applicable credential(s); and (3) obtaining appropriate consents from requesting patients after disclosures regarding the delivery models and treatment methods or limitations, including any special informed consents regarding the use of telehealth technologies. An appropriate provider-patient relationship has not been established when the identity and credentials, including license status, of the provider may be unknown to the patient. Except in exigent circumstances, a patient must be able to select an identified provider for telehealth services and not be assigned to a provider at random.

[Wyoming Healthcare Licensing Boards, *Uniform Policy for the Appropriate Use of Telehealth Technologies in the Delivery of Healthcare*, § 2 \(2016\), at 2.](#)



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

“Treatment, including issuing a prescription, based solely on an online questionnaire does not meet the standard of care.”

[Wyoming Healthcare Licensing Boards, *Uniform Policy for the Appropriate Use of Telehealth Technologies in the Delivery of Healthcare*, § 4 \(2016\), at 4.](#)

Telehealth technologies, where prescribing may be contemplated, must implement measures to uphold patient safety in the absence of traditional physical examination. Such measures should guarantee that the identity of the patient and provider is clearly established and that detailed documentation for the clinical evaluation and resulting prescription is both enforced and independently kept. Measures to assure informed, accurate, and error prevention prescribing practices (e.g. integration with e-Prescription systems) are encouraged.

[Wyoming Healthcare Licensing Boards, *Uniform Policy for the Appropriate Use of Telehealth Technologies in the Delivery of Healthcare*, § 4 \(2016\), at 6.](#)

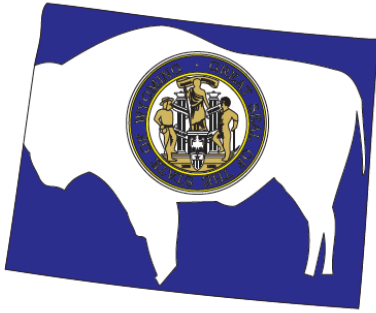
The indication, appropriateness, and safety considerations for each telehealth visit prescription must be evaluated by the provider in accordance with current standards of practice and consequently carry the same professional accountability as prescriptions delivered during an encounter in person. However, where such measures are upheld, and the appropriate clinical consideration is carried out and documented, providers may exercise their judgment and prescribe medications as part of telehealth encounters.

[Wyoming Healthcare Licensing Boards, *Uniform Policy for the Appropriate Use of Telehealth Technologies in the Delivery of Healthcare*, § 4 \(2016\), at 6-7.](#)

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?

“Telehealth does not include a telephone conversation, electronic mail message (email), or facsimile transmission (fax) between a healthcare practitioner and a patient.”

[Wyoming Department of Health, Division of Healthcare Financing, *CMS 1500 ICD-10*, § 6.24.2 \(Apr. 1, 2017\), at 110.](#)



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“The examination of the client is performed via a real time interactive audio and video telecommunications system. This means that the client must be able to see and interact with the off-site practitioner at the time services are provided via telehealth technology.”

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PSYCHOLOGISTS

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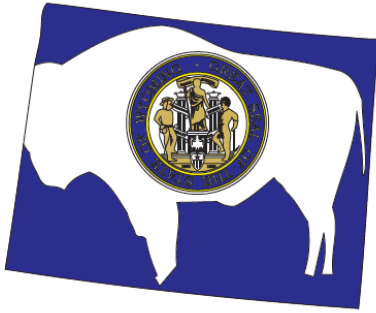
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What are the acceptable modalities (e.g., telephone, video) for the practice of psychology via telemedicine/telehealth that meet the standard of care for the state?

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[Wyoming Healthcare Licensing Boards, *Uniform Policy for the Appropriate Use of Telehealth Technologies in the Delivery of Healthcare*, § 4 \(2016\), at 3.](#)

SOCIAL WORKERS

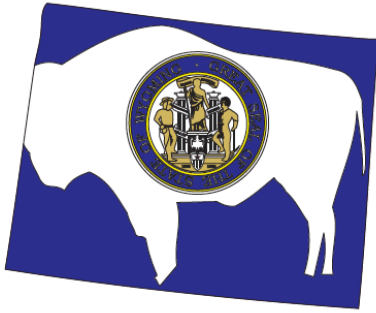
What are the restrictions on the scope of practice for social workers practicing via telemedicine/telehealth?

- (a) The practice of a Certified Social Worker may be either face-to-face that involves the synchronous interaction between an individual or groups of individuals using what is seen and heard in person to communicate, or
- (b) Via methods of electronic delivery that involves the use of electronic or other means (e.g. telephone, computers, etc.) to provide the service.
 - (i) When using electronic delivery means, all use must be in compliance with all professional ethical standards and all other requirements in these rules;
 - (ii) Special care should be taken to ensure the confidentiality and security of the provision of services; and
 - (iii) The Certified Social Worker shall provide only those services that are legal within the state that the recipient of services lives.

[078-0001-6 WYO. CODE R. § 1.](#)

These same criteria are applicable to Licensed Clinical Social Workers.

[078-0001-9 WYO. CODE R. § 1.](#)



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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 practice of social work may be done “[v]ia methods of electronic delivery that involves the use of electronic or other means (e.g. telephone, computers, etc.) to provide the service.

- (i) When using electronic delivery means, all use must be in compliance with all professional ethical standards and all other requirements in these rules;
- (ii) Special care should be taken to ensure the confidentiality and security of the provision of services; and
- (iii) The Certified Social Worker shall provide only those services that are legal within the state that the recipient of services lives.”

[078-0001-6 WYO. CODE R. § 1\(b\).](#)

COUNSELORS

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

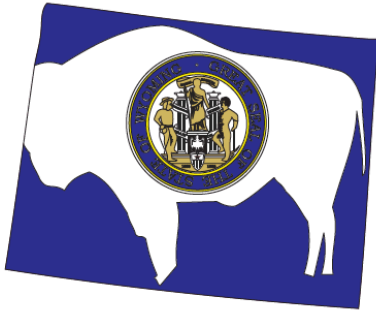
The same criteria applicable to social workers apply to Licensed Professional Counselors.

[078-0001-11 WYO. CODE R. § 1.](#)

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 practice of counseling may be done “[v]ia methods of electronic delivery that involves the use of electronic or other means (e.g. telephone, computers, etc.) to provide the service.

- (i) When using electronic delivery means, all use must be in compliance with all professional ethical standards and all other requirements in these rules;
- (ii) Special care should be taken to ensure the confidentiality and security of the provision of services; and
- (iii) The Certified Social Worker shall provide only those services that are legal within the state that the recipient of services lives.”



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[078-0001-11 WYO. CODE R. § 1\(b\).](#)

MARRIAGE/FAMILY THERAPISTS

What are the restrictions on the scope of practice for marriage/family therapists practicing via telemedicine/telehealth?

The same criteria applicable to social workers apply to Licensed Marriage and Family Therapists.

[078-0001-10 WYO. CODE R. § 1.](#)

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

The practice of marriage/family therapy may be done “[v]ia methods of electronic delivery that involves the use of electronic or other means (e.g. telephone, computers, etc.) to provide the service.

- (i) When using electronic delivery means, all use must be in compliance with all professional ethical standards and all other requirements in these rules;
- (ii) Special care should be taken to ensure the confidentiality and security of the provision of services; and
- (iii) The Certified Social Worker shall provide only those services that are legal within the state that the recipient of services lives.”

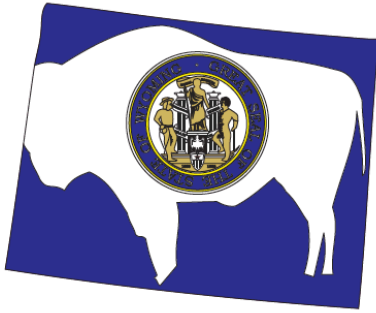
[078-0001-10 WYO. CODE R. § 1\(b\).](#)

ADVANCED PRACTICE REGISTERED NURSES (APRNs)

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

Wyoming has adopted the Advanced Practice Registered Nurse Compact.

[WYO. STAT. ANN. § 33-21-134.](#)



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

The same criteria applicable to physicians apply to APRNs:

Although the Boards recognize that it may be difficult in some circumstances to precisely define the beginning of the provider-patient relationship, particularly when the provider and patient are in separate locations, it tends to begin when an individual with a health-related matter seeks assistance from a provider who may provide assistance. However, the relationship is clearly established when the provider agrees to undertake diagnosis and treatment of the patient, and the patient agrees to be treated, whether or not there has been an encounter in person between the provider (or other appropriately supervised healthcare practitioner) and patient. . . .

A provider should not render healthcare advice and/or care using telehealth technologies without (1) fully verifying and authenticating the location and identity of the requesting patient; (2) disclosing and validating the provider's identity and applicable credential(s); and (3) obtaining appropriate consents from requesting patients after disclosures regarding the delivery models and treatment methods or limitations, including any special informed consents regarding the use of telehealth technologies. An appropriate provider-patient relationship has not been established when the identity and credentials, including license status, of the provider may be unknown to the patient. Except in exigent circumstances, a patient must be able to select an identified provider for telehealth services and not be assigned to a provider at random.

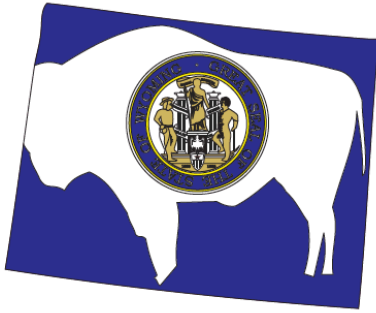
[Wyoming Healthcare Licensing Boards, *Uniform Policy for the Appropriate Use of Telehealth Technologies in the Delivery of Healthcare*, § 2 \(2016\), at 2.](#)

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

The same criteria applicable to physicians apply to APRNs:

"Telehealth does not include a telephone conversation, electronic mail message (email), or facsimile transmission (fax) between a healthcare practitioner and a patient."

[Wyoming Department of Health, Division of Healthcare Financing, *CMS 1500 ICD-10*, § 6.24.2 \(Apr. 1, 2017\), at 110.](#)



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[Wyoming Healthcare Licensing Boards, Uniform Policy for the Appropriate Use of Telehealth Technologies in the Delivery of Healthcare, § 3 \(2016\), at 3.](#)

FOLLOW-UP CARE

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

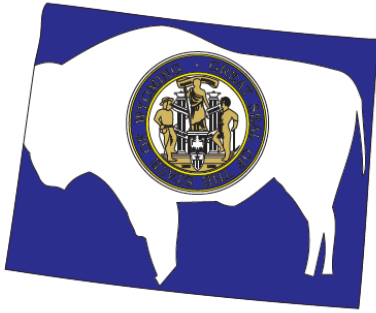
Patients should be able to seek, with relative ease, follow-up care or information from the provider [or provider's designee] who conducts an encounter using telehealth technologies. Providers solely providing services using telehealth technologies with no existing provider-patient relationship prior to the encounter must make documentation of the encounter using telehealth technologies easily available to the patient, and subject to the patient's consent, any identified care provider of the patient immediately after the encounter.

[Wyoming Healthcare Licensing Boards, Uniform Policy for the Appropriate Use of Telehealth Technologies in the Delivery of Healthcare, § 4 \(2016\), at 4.](#)

COVERAGE & REIMBURSEMENT

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

A medical professional is not required to be present with the client at the originating site unless medically indicated. However, in order to be reimbursed, services provided must be appropriate and medically necessary. Physicians/practitioners eligible to bill for professional services are:



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- Physician
- Advanced Practice Nurse with specialty of Psychiatry/Mental Health
- Physician's Assistant (billed under the supervising physician)
- Psychologist or Neuropsychologist
- Licensed Mental Health Professional (LCSW, LPC, LMFT, LAT)
- Speech Therapist . . .

"For Medicaid payment to occur, interactive audio and video telecommunications must be permitting real-time communication between the distant site physician or practitioner and the patient with sufficient quality to assure the accuracy of the assessment, diagnosis, and visible evaluation of symptoms and potential medication side effects. All interactive video telecommunication must comply with HIPAA patient privacy regulations at the site where the patient is located, the site where the consultant is located, and in the transmission process."

[Wyoming Department of Health, Division of Healthcare Financing, CMS 1500 ICD-10, § 6.24.1 \(Apr. 1, 2017\), at 109.](#)

In order to obtain Medicaid reimbursement for services delivered through telehealth technology, the following standards must be observed:

- The services must be medically necessary and follow generally accepted standards of care.
- The service must be a service covered by Medicaid.
- Claims must be made according to Medicaid billing instructions.
- The same procedure codes and rates apply as for services delivered in person.
- Quality assurance/improvement activities relative to telehealth delivered services need to be identified, documented and monitored.
- Providers need to develop and document evaluation processes and patient outcomes related to the telehealth program, visits, provider access, and patient satisfaction.
- All service providers are required to develop and maintain written documentation in the form of progress notes the same as is originated during an in-person visit or consultation with the exception that the mode of communication (i.e. teleconference) should be noted. . . .

[Wyoming Department of Health, Division of Healthcare Financing, CMS 1500 ICD-10, § 6.24.3 \(Apr. 1, 2017\), at 110.](#)