

TELEPSYCHIATRY CHECKLIST – MODIFIED PER CORONAVIRUS UPDATES (8/30/21)

- I have reviewed my state’s law on telemedicine, including, but not limited to:
 - In-person examination requirements
 - Prescribing requirements
- If I’m located in a state where I’m not licensed, and I’m not seeing any patients located in that state:
 - I have confirmed with that state’s licensing board that no license is necessary to treat out-of-state patients.
- If a patient will be treated in a different state:
 - Licensure
 - I am licensed in the patient’s state, all state requirements are met (CME requirements, PMP requirements, etc...)
 - Law
 - I have reviewed the law on telemedicine in the patient’s state, including, but not limited to:
 - In-person examination requirements
 - Prescribing requirements
 - Informed Consent
- I am using HIPAA-compliant equipment
 - If the equipment vendor stores any patient information, I have a Business Associate Agreement from the vendor

3/19/20: The federal government has exercised “its enforcement discretion and will waive potential penalties against health care providers that serve patients through everyday communication technologies during the COVID-19 nationwide public health emergency. This exercise of discretion applies to widely available communication apps, such as FaceTime or Skype, when used in good faith for any telehealth treatment or diagnostic purpose, regardless of whether the telehealth service is directly related to COVID-19.”

<https://www.hhs.gov/about/news/2020/03/17/ocr-announces-notification-of-enforcement-discretion-for-telehealth-remote-communications-during-the-covid-19.html>

The federal COVID Public Health Emergency is expected to continue to be renewed every 90 days through 2021, and we expect to get 60 days notice of its expiration. (9/1/21)

- I understand that services are considered rendered at the patient's location, not my location

- I understand that the standard of care for telepsychiatry services is the same as for in-person visits
3/19/20: This is still true. So, for example, just as you need to get a patient in crisis to the hospital from your office, you would need to be able to call emergency services if a remotely treated patient is in crisis. Be sure to know the patient's exact location at the beginning of each session.

- I understand that this treatment modality is not appropriate for all patients and I engage in careful patient selection
 - I re-evaluate periodically the appropriateness of treatment

- I require patient identification at the first session

- I confirm patient location at the start of every session

- I obtain informed consent to the use of telepsychiatry, in addition to informed consent to treatment
3/19/20: if written informed consent is not possible, at least document consent obtained verbally.

- If I am prescribing, I am complying with:
 - State law in my state and, if different, state law in the patient's state
 - Check the Prescription Monitory Program, as applicable
 - Federal law, if prescribing controlled substances, by:
 - Having a DEA registration in my state as well as each patient's state (if different from my state)
3/31/20: The DEA has temporarily waived the requirement to have a DEA registration in the patient's state for the duration of the federal COVID Public Health Emergency.
 - Seeing patient one time in person prior to prescribing controlled substances
OR
 - Qualifying for one of the DEA's very limited exceptions to the one in-person visit rule
3/19/20: The DEA has reminded providers of the public health emergency exception to the one in-person visit prior to prescribing controlled substances.
www.deadiversion.usdoj.gov/coronavirus/html

- I provide appropriate patient monitoring, including follow-up on testing ordered

- I provide appropriate follow-up care

- I maintain appropriate documentation of all sessions

- I have contingency plans for:
 - Clinical emergencies – including contact information for local authorities in the event of a crisis
 - Technical failures: such as continuing the interrupted video sessions by phone

Compliments of:



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