

BRUYNS Fred H * DCBS

From: Mercedes Hudgins <Mercedes.Hudgins@mitchell.com>
Sent: Wednesday, July 22, 2020 6:43 PM
To: BRUYNS Fred H * DCBS
Cc: Karen Ritchie; Miriam Encarnacion; Darla White; Sheryll Bonite
Subject: Testimony: Proposed amendments to OAR 436-009 amended rule 0012

Importance: High

Hello Mr. Bruyns,

Please consider the following inquiry from our Regulatory Compliance Management team in response to the proposed amendment to OAR 436-009, Oregon Medical Fee and Payment rule [0012 Telehealth Services](#):

Why is Oregon proposing to pay telehealth services at the non-facility rate when Medicare pays services with POS = "02" at the facility rate?

Referencing proposed document published June 18, 2020:
https://wcd.oregon.gov/laws/Documents/Proposed_rules_and_testimony/Div-009-2020-07-22/9-20XXp.pdf

Page 1:
Section 436-009-0012
(3) Distant site provider billing
(b) When billing for telehealth services other than telemedicine services , the distant site provider:
(A): Must use the POS code "02"

Page 2:
(5) Payment
(a) Insurers must pay distant site providers at the non-facility rate

Medicare links:
Medicare Claims Processing Manual Chapter 12 - Physicians/Nonphysician Practitioners:
<https://www.cms.gov/Regulations-and-Guidance/Guidance/Manuals/Downloads/clm104c12.pdf>
Medicare transmittal – Place of Service update - <https://www.cms.gov/Regulations-and-Guidance/Guidance/Transmittals/2017Downloads/R3873CP.pdf>

Thank you,



MERCEDES HUDGINS, MBA
Business Systems Analyst 3, Regulatory Compliance Management | Casualty Solutions Group
(o) 858.368.7042 | Mercedes.hudgins@mitchell.com
Connect with us [LinkedIn](#) | [Twitter](#) | mitchell.com

