



COMPLIANCE CONSULTING
GROUP, LLC

Memorandum

March 18, 2020

Today, in response to the COVID-19 national health emergency, the U.S. Department of Health and Human Services Office for Civil Rights ("OCR") has temporarily relaxed certain HIPAA requirements related to telephone and video communications. Effective immediately and for the duration of the COVID-19 public health emergency, the good faith provision of telehealth communications through non-public facing products will not be subject to penalties or enforcement related to HIPAA requirements.

Health care providers may provide telehealth to patients during the COVID-19 emergency using any non-public facing remote communication product. This applies to any telehealth service, regardless of whether the communication is related to the diagnosis or treatment of health conditions related to COVID-19.

The OCR specifically referred to the following products that may be used as platforms for telecommunications during this public health emergency:

- Apple FaceTime,
- Facebook Messenger video chat,
- Google Hangouts video, and
- Skype

Please note, however, that Facebook Live, Twitch, TikTok and similar video communication applications are public facing, and should NOT be used in the provision of telehealth by your facility.

We are always available to discuss your concerns:
(718) 408-8989 | www.ComplianceCG.com