

Virginia: State Telehealth Laws and Medicaid Policies

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State Grade Classifications

Overall Grade

Progressive

Practice Standards and Licensures

Moderate

Medicaid Coverage and Reimbursement

Progressive

Medicaid Service Limitations

Progressive

Medicaid-Eligible Patient Settings

Moderate

Medicaid-Eligible Provider Type

Progressive

Medicaid-Eligible Technologies

Moderate

Corporate Practice of Medicine

No Grade

How does the state define telemedicine?

State law: "As used in this section, ""telemedicine services,"" as it pertains to the delivery of health care services, means the use of electronic technology or media, including interactive audio or video, for the purpose of diagnosing or treating a patient or consulting with other health care providers regarding a patient's diagnosis or treatment. ""Telemedicine services"" does not include an audio-only telephone, electronic mail message, facsimile transmission, or online questionnaire." VA Code Annotated Sec. 38.2-3418.16 [8]

Medicaid: "Telemedicine is the real-time or near real time two-way transfer of medical data and information using an interactive audio/video connection for the purposes of medical diagnosis and treatment. The Medicaid member is located with a provider at the origin of the telemedicine service. The remote provider renders services via the audio/video connection." VA Code Annotated Sec. 38.2-3418.16 [8]

Practice Standards and Licensure

Question

Answer

Clarifying Information

Must a provider establish a relationship with a patient prior to engaging with them via telemedicine?

No[1]

Established relationship is not required but highly encouraged

Must a telepresenter or health care provider be present with a patient during a telemedicine encounter?

Yes[2]

Exception: Not required if staff member feels uncomfortable or member prefers no attendant

Must providers obtain informed consent from a patient prior to a telemedicine encounter?

Yes[1]

If applicable, what type of consent is required?

Not Sure[1]

Type of consent unspecified

Can telemedicine providers from bordering states legally conduct telemedicine visits with patients in this state?

Yes[3]

This is limited to physicians; does not include other out of state providers (e.g., NPs) Exception: Reciprocity is not available when providing psychiatric services.

Has this state enacted laws adopting the Federal State Medical Boards (FSMB) compact which