

Alabama: State Telehealth Laws and Medicaid Policies

Date: 07.02.18

State Grade Classifications

Overall Grade

Moderate

[Practice Standards and Licensures](#)

Moderate

[Medicaid Coverage and Reimbursement](#)

Progressive

[Medicaid Service Limitations](#)

Progressive

[Medicaid-Eligible Patient Settings](#)

Progressive

[Medicaid-Eligible Provider Type](#)

Moderate

[Medicaid-Eligible Technologies](#)

Moderate

[Corporate Practice of Medicine](#)

No Grade

How does the state define telemedicine?

None

Clarifying Information: Alabama is the only state that lacks a legal definition for both terms in its state Medicaid policy. In 2015, the Alabama Board of Medical Examiners voted to suspend enforcement of and repeal Board rules concerning the provision of telehealth services by physicians in Alabama. As a result, there are no unique laws regulating the practice of telemedicine, and standards are the same as in-person care.[\[1\]](#)

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 Reference Found [1]	No explicit mention within the Alabama Medicaid Provider Billing Manual.
Must a telepresenter or health care provider be present with a patient during a telemedicine encounter?	No [1]	Although a telepresenter or health care provider does not have to be present with a patient, the provider must maintain staff to be available in person for the patient if urgencies occur during the session.

Question	Answer	Clarifying Information
Must providers obtain informed consent from a patient prior to a telemedicine encounter?	Yes [1]	
If applicable, what type of consent is required?	Written [2]	The patient consents to receiving the health care service as a telemedicine service. There is a template consent form available online for patients to fill out.
Can telemedicine providers from bordering states legally conduct telemedicine visits with patients in this state?	No [1]	The distant site may be located outside of Alabama as long as the physician has an Alabama license and is enrolled as a provider with Alabama Medicaid. Providers must have a Alabama license.
Has this state enacted laws adopting the Federal State Medical Boards (FSMB) compact which enforces expedited licensing for out-of-state practices?	Yes [3]	

Medicaid Coverage and Reimbursement

Question	Answer	Clarifying Information
Is there state legislation regarding Medicaid reimbursement for telemedicine services?	No Reference Found	
Does the state Medicaid program reimburse for services rendered via telemedicine?	Yes [1]	Telemedicine services for consultations, office or other outpatient visits, individual psychotherapy, psychiatric diagnostic, and neurobehavioral status exam are reimbursable.
Does the state Medicaid program reimburse telemedicine services at the same rate as services delivered in-person?	No Reference Found	

Medicaid Service Limitations

Question	Answer	Clarifying Information
Does the state Medicaid program apply any geographic restrictions to telemedicine encounters?	No [1]	The originating site must be located in Alabama. The distant site may be located outside of Alabama as long as the physician has an Alabama license and is enrolled as a provider with Alabama Medicaid.
Does the state Medicaid program limit coverage and reimbursement for telemedicine to a prescribed set of health conditions or services?	Yes [1]	Procedure codes covered for telemedicine services include; consultations (99241-99245, 99251-99255), office or other outpatient visits (99201-99205, 99211-99215), individual psychotherapy (90832 - 90838), psychiatric diagnostic (90791 - 90792), and neurobehavioral status exam (96116).

Question	Answer	Clarifying Information
Does the state Medicaid program limit the frequency with which they will reimburse for telemedicine services for a given patient?	Yes [1]	Telemedicine services] will count as part of each recipient's benefit limit of 14 annual physician office visits currently allowed.
Does the state Medicaid plan restrict or provide exceptions for services provided via telemedicine for end-stage renal disease or dialysis? (e.g., in-person check-ups between treatments)	No Reference Found	

Medicaid-Eligible Patient Settings

Question	Answer	Clarifying Information
Does the state limit Medicaid reimbursement for telemedicine services based on patient setting (e.g., where the patient is located at the time of a telemedicine encounter)?	No [4]	<u>Exception:</u> For rehabilitative services the originating site must be: physician's office, hospital, critical access hospital, rural health clinic, FQHC, community mental health center, and public health department.

Medicaid-Eligible Provider Type

Question	Answer	Clarifying Information
Does the state limit Medicaid reimbursement for telemedicine services based on the type of provider facilitating the telemedicine encounter?	Yes [5]	Under the Alabama Medicaid program, only physicians with provider type 31 designation (under Chapter 28 of the AL Physician Billing Manual) are eligible to receive reimbursement for telemedicine services. Exceptions may exist for rehabilitation services administered by other state entities/programs (e.g., Dept. of Rehabilitation Services, Dept. of Youth Services, Dept. of Mental Health)

Medicaid-Eligible Technologies

Question	Answer	Clarifying Information
Does the state Medicaid program reimburse for telemedicine services provided via live video conference?	Yes [1]	
Does the state Medicaid program reimburse for telemedicine services provided via store and forward technologies?	No [1]	
Does the state Medicaid program reimburse for telemedicine services provided via remote patient monitoring?	Yes [6]	
Does the state Medicaid program reimburse for telemedicine services provided via email/phone/fax?	No [1]	
Does the state Medicaid program reimburse for synchronous telemedicine encounters?	Yes [1]	

Question

Does the state Medicaid program reimburse for asynchronous telemedicine encounters?

Answer

No^[1]

Clarifying Information

Corporate Practice of Medicine

Question

Do state laws or regulations prohibit the corporate practice of medicine?

Answer

No

Clarifying Information

In 1992, the Alabama Medical Licensure Commission ruled that there is no prohibition on the corporate practice of medicine.

Sources

1. [Alabama Medicaid Provider Manual Section 28-17.](#)
2. [Sample Alabama Medicaid Telemedicine Recipient Consent Form](#)
3. [Interstate Medical Licensure Compact.](#)
4. [Alabama Medicaid Provider Billing Manual](#)
5. [Phone call with Beverly Churchill \(Associate Director, Medical Support Program\) on 3/20/18](#)
6. [Alabama Medicaid Provider Manual Section 39-33.](#)

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