



TELEHEALTH AND BEHAVIORAL HEALTH IN GEORGIA: A QUICK GUIDE FOR GEORGIA PRACTITIONERS

July 2020*

The provision of behavioral health care services via telecommunications technology, often called telehealth or telemedicine, is regulated in a number of ways in Georgia. This brief will outline several of the laws, rules, and guidances to enhance understanding among behavioral health professionals to support the delivery of services by means of telehealth.

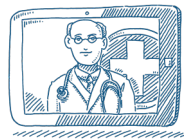
In 2005, The Telemedicine Act became Georgia law. This act set a framework for the provision of health care services provided by means of telemedicine. In 2019, the Act was updated and renamed The Georgia Telehealth Act, expanding the definition of telehealth and telemedicine, effectively broadening the scope of the law and services that would fall under these broader definitions. The Act became effective Jan. 1, 2020.

The Georgia Telehealth Act

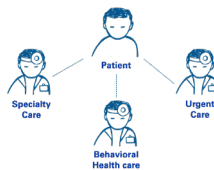
"It is the intent of the General Assembly to mitigate geographic discrimination in the delivery of health care



by recognizing the application of and payment for covered medical care provided by means of telehealth,



provided that such services are provided by a physician or by another health care practitioner or professional acting within the scope of practice of such health care practitioner or professional and in accordance with the provisions of Code Section 43-34-31."



In the Georgia Telehealth Act, **telehealth** is defined as, "the use of information and communication technologies, including, but not limited to, telephones, remote patient monitoring devices, or other electronic means that support clinical health care, provider consultation, patient and professional health-related education, public health, and health administration."

Telemedicine is "a form of telehealth, which is the delivery of clinical health care services by means of real-time two-way audio, visual, or other telecommunications or electronic communications, including the application of secure video conferencing or store and forward transfer technology to provide or support health care delivery, which facilitate the assessment, diagnosis, consultation, treatment, education, care management, and self-management of a patient's health care by a health care provider practicing within his or her scope of practice as would be practiced in-person with a patient, and legally allowed to practice in this state, while such patient is at an originating site and the health care provider is at a distant site."

[Georgia Telehealth Act](#)
(O.C.G.A. § 33-24-56.4)

* In light of the coronavirus pandemic, many temporary changes in telehealth policy are being enacted. This brief does not reflect policy and regulatory changes in response to COVID-19. This brief is intended for informational purposes only. No part of this should be construed as legal counsel. Please consult with an attorney if you are seeking a legal opinion.



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Who Can Practice via Telehealth?


Georgia law allows physicians and other health care practitioners acting within their scope of practice to provide services via telehealth. The Boards for each practitioner type may have additional rules or principles guiding telehealth practice. A sample of those rules and principles are listed next.

GA Composite Medical Board	GA State Board of Examiners of Psychologists
Licensing Body for Physicians and Physician Assistants	Licensing Body for Psychologists
<p>8 Requirements of Practice by Electronic Means</p> <ul style="list-style-type: none"> • Services provided by Georgia licensed practitioner • Availability of patient history • Completed patient exam • Maintains patient records • Follows chapter rule when delegating care to nurse practitioners and physician assistants • Provides practitioner's emergency contact details to the patient • Ensures patient has clear instructions on emergent care follow-up • Makes diligent effort to have patient seen in-person, at least annually <p>Adapted from Georgia Administrative Code, Chapter 360-3-.07 Practice Through Electronic or Other Such Means</p>	<p>5 Standards of Care in Telepsychology Services</p> <ul style="list-style-type: none"> • Apply the same ethical and professional standards of care and practice as in-person services • Conduct an initial assessment of the appropriateness of telepsychology services • Psychologist is aware of other factors relevant to appropriateness of telepsychology services (e.g., geographic location, technological competence, diagnosis, and therapeutic needs) • Communicate any risks and benefits of telepsychology services • Assess the remote environment and impact on efficacy, privacy, and safety of proposed intervention <p>Adapted from Georgia Administrative Code, Chapter 510-5-.07 Representation of Services</p>
<p>Other Licensing Boards and Relevant Board Rules on Telepractice:</p> <ul style="list-style-type: none"> • Georgia Composite Board of Professional Counselors, Social Workers, and Marriage and Family Therapists. (Georgia Administrative Code, Chapter 135-11 TeleMental Health) • American Nurses Association, Core Principles on Connected Health 	

Who Pays for Services Provided via Telemedicine?

Georgia law addresses coverage and payment parity for telemedicine services provided through private payers. This means for typically covered in-person services that can be provided appropriately through telemedicine, an insurer must cover the service for the telemedicine modality and pay for that service at the same rate as in-person care. For the state's public payer (i.e., Georgia Medicaid), the Department of Community Health (DCH) maintains a Telemedicine Guidance for providers, and the Department of Behavioral Health and Development Disabilities (DBHDD) maintains a crosswalk of covered codes and practitioners within their Provider Manual.

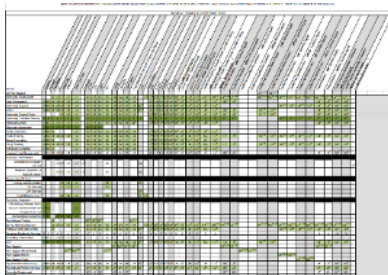
A Note Regarding Out-of-State Practitioners: This brief is intended for practitioners currently licensed to practice in Georgia. Georgia has joined several interstate licensing compacts creating a path to licensure and practice in the state via telehealth for out-of-state practitioners. Out-of-state practitioners wishing to practice in Georgia should review the relevant interstate compact for their profession: [IMLC](#) (physicians), [PSYPACT](#) (psychologists), [NLC](#) (nurses).



Telehealth Guidance

GEORGIA DEPARTMENT OF COMMUNITY HEALTH
DIVISION OF MEDICAID

The Telemedicine Guidance outlines relevant information on DCH policy regarding the provision of services via Telemedicine. Click on the image to access the guidance.



The DBHDD Provider Manual outlines reimbursable codes and allowed practitioners by service type (Part I, Section IV). Click on the image to access the manual.

