



## Telemedicine & Telehealth Frequently Asked Questions

### **Q: Are telehealth/telemedicine services billable and payable?**

A: Yes. For services provided on or after September 1, 2018, [Rule at 28 TAC Sec. 134.203](#) sets the reimbursement rates for telehealth/telemedicine services, while [Rule at 28 TAC Sec. 133.30](#) sets the billing requirements and allows injured employees to receive telehealth or telemedicine services from a distant site provider.

### **Q: Can any medical service be delivered via telehealth/telemedicine?**

A: No. The Division adopts, by reference, the list of telehealth services published annually by Medicare.

### **Q: Can MMI/IR services be delivered via telehealth/telemedicine?**

A: No. Codes 99455 and 99456 are not among the list of codes permitted to be delivered via telehealth/telemedicine.

### **Q: Can physical therapy services be delivered via telehealth/telemedicine?**

A: No. PT codes are not among the list of codes permitted to be delivered via telemedicine. Always therapy codes 97161, 97162, 97163, 97110, 97112, 97750 etc. are not currently payable.

### **Q: Can an employer require an injured worker to receive care via telehealth/telemedicine?**

A: No. The preamble to [Rule at 28 TAC Sec. 133.30](#) explains that injured employee participation in teleservices is voluntary.

### **Q: Does new Rule 133.30 affect the employee's entitlement to their choice of a treating doctor?**

A: No. The injured employee maintains entitlement to initial choice of doctor. [Texas Labor Code §408.022](#) or [Texas Insurance Code §1305.104](#).

### **Q: When would a change of treating doctor be required?**

A: For non-network see [Texas Labor Code §408.022](#) & DWC Form-053; for certified networks see [Texas Insurance Code §1305.104](#).

### **Q: What is the standard of care for telehealth/telemedicine services?**

A: A health professional providing a health care service or procedure as a telemedicine medical service or a telehealth service is subject to the standard of care that would apply to the provision of the same health care service or procedure in an in-person setting. Any questions regarding standard of care should be directed to the appropriate licensing board. [Occupations Code §111.007](#).



## TEXAS DEPARTMENT OF INSURANCE

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### Division of Workers' Compensation

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### **Q: What is the difference between the terms Telehealth and Telemedicine?**

A: 28 TAC Sec. 133.30 adopts the definitions established by [Occupations Code §111.001](#) as follows:

- Occupations Code §111.001(3) defines a “telehealth service” as a health service, other than a telemedicine medical service, delivered by a health professional licensed, certified, or otherwise entitled to practice in this state and acting within the scope of their license, certification, or entitlement to a patient at a different physical location than the health professional using telecommunications or information technology.
- Occupations Code §111.001(4) defines “telemedicine” as a health care service delivered by a physician licensed in this state, or a health professional acting under the delegation and supervision of a physician licensed in this state, and acting within the scope of their license to a patient at a different physical location than the physician (or health professional) using telecommunications or information technology