

FAQs—OIG Policy Statement Regarding Physicians and Other Practitioners That Reduce or Waive Amounts Owed by Federal Health Care Program Beneficiaries for Telehealth Services During the 2019 Novel Coronavirus (COVID-19) Outbreak

As of March 24, 2020

On March 17, 2020, OIG issued “OIG Policy Statement Regarding Physicians and Other Practitioners That Reduce or Waive Amounts Owed by Federal Health Care Program Beneficiaries for Telehealth Services During the 2019 Novel Coronavirus (COVID-19) Outbreak” (the Policy Statement).¹ Since the issuance of the Policy Statement, OIG has received questions regarding the scope of the Policy Statement. OIG’s responses to frequently asked questions related to the Policy Statement are below. As OIG states in the Policy Statement, OIG is committed to protecting patients by ensuring that healthcare providers have the regulatory flexibility necessary to adequately respond to COVID-19 concerns. We will update this document if we receive additional frequently asked questions related to the Policy Statement.

1. Does the Policy Statement apply to services provided remotely through information or communication technology, or is the Policy Statement limited to the specific services the Centers for Medicare & Medicaid Services (CMS) refers to as “telehealth visits”?

OIG’s Policy Statement is not limited to the services governed by 42 C.F.R. § 410.78 and referred to by CMS as “telehealth visits.” OIG intends for the Policy Statement to apply to a broad category of non-face-to-face services furnished through various modalities, including telehealth visits, virtual check-in services, e-visits, monthly remote care management, and monthly remote patient monitoring.

2. Many physicians and other practitioners are organized within larger healthcare provider entities and systems. Does the Policy Statement apply to a hospital, for example, when a physician or other practitioner who has reassigned his or her right to receive payments to the hospital provides services remotely through information or communication technology?

The Policy Statement applies to a physician or other practitioner billing for services provided remotely through information or communication technology or a hospital or other eligible individual or entity billing on behalf of the physician or practitioner for such services when the physician or other practitioner has reassigned his or her right to receive payments to such individual or entity.

¹ OIG, OIG Policy Statement Regarding Physicians and Other Practitioners That Reduce or Waive Amounts Owed by Federal Health Care Program Beneficiaries for Telehealth Services During the 2019 Novel Coronavirus (COVID-19) Outbreak (Mar. 17, 2020), *available at* <https://oig.hhs.gov/fraud/docs/alertsandbulletins/2020/policy-telehealth-2020.pdf>.