

New York State Office of Mental Health

COVID-19 Disaster Emergency FAQ

Issued: March 20, 2020

OMH Guidance on COVID-19 can be found here: <https://omh.ny.gov/omhweb/guidance/>

Due to the volume of questions received, OMH will be frequently updating this document as answers become available. Please check daily for updates.

FAQ Topics

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Telemental Health

Q#	Topic	Question	Answer
1.	Self-Attestation	Can I begin providing services via telemental health as soon as I submit my attestation?	Yes. All Self-Attestations of Compliance to Offer Telemental Health Services are approved once submitted. This includes all attestations submitted since March 11, 2020. This applies to OMH licensed programs and designated services that meet the requirements outlined in the OMH supplemental guidance. Keep a copy of what you submitted for your records.



Q#	Topic	Question	Answer
2.	Self-Attestation	Who is responsible to submit the Self-Attestation of Compliance to Offer Telemental Health Services?	One Self-Attestation needs to be submitted per agency for all applicable programs. Individual practitioners do not need to submit Self-Attestations.
3.	Telemental Health	Does the supplemental guidance allow for audio only/phone encounters while we build up video capacity?	Yes. The Supplemental Guidance allows for telephonic service provision.
4.	Telemental Health	Is the use of telephone allowed or is it reserved only for video?	Yes. See supplemental guidance for more information.
5.	Telemental Health	Are we able to do group sessions via a phone teleconference number?	Yes. See supplemental guidance for more information.
6.	Applicability	Who does this telemental health waiver apply to?	This waiver only applies to programs licensed or services designated by the NYS Office of Mental Health. OMH does not have authority over private practitioners, and therefore the OMH telemental health waiver does not apply to private practitioners. Private practitioners should refer to DOH telehealth guidance.
7.	Practitioner Location	Can practitioners other than prescribers be physically located outside NYS while delivering services via telemental health.	Yes. Telemental health practitioner includes any professional, paraprofessional, or unlicensed behavioral health staff who deliver a qualified service via telemental health. Any limitations and restrictions pertaining to the location of the telemental health practitioner while providing service via telemental health are waived. To the extent a license is required to deliver a service, the practitioner must still be licensed in NYS.
8.	Practitioner Location	Do telemental health services need to be provided onsite by the clinician?	No. Any limitations and restrictions pertaining to the location of the telemental health practitioner while providing service via telemental health are waived. To the extent a license is required to deliver a service, the practitioner must still be licensed in NYS.
9.	Practitioner Type	Are interns (APA)/social work/mental health counseling included in the definition of unlicensed staff?	Telemental health is a service delivery mechanism. Anyone who can deliver a service in-person, can deliver the service through telemental health.



Q#	Topic	Question	Answer
10.	Consent	Is verbal consent allowable to begin telemental health services or do we need written consent?	Yes. Verbal consent is allowable during the disaster emergency period. Please document this consent in the client record.
11.	Consent	Can consent be obtained in the same interaction that the service itself is being delivered?	Yes.
12.	Intakes	Are providers able to conduct intake for new clients using telehealth?	Yes.
13.	Initial Evaluations	Are initial evaluations permitted via emergency telehealth procedures?	Yes.
14.	Treatment Plans	Can clinics manage treatment plans remotely when a client cannot sign?	Yes. The provider must document the verbal approval in the client's record.
15.	Service Length	Can a telemental health session be shortened, and still be billable?	No. The waiver only applies to service delivery modality and does not change any other service requirements.
16.	ACT/PROS	For ACT and PROS, does this allow providers other than doctors and psychiatric nurse practitioners to use telemental health?	Yes. See supplemental telemental health guidance issued by OMH.
17.	ACT/PROS/ Adult BH HCBS	Does the telehealth guidance issued during the disaster emergency period include Adult BH HCBS, ACT and PROS providers?	Yes. All practitioners (professional or licensed staff as well as paraprofessional or non-licensed staff) providing Adult BH HCBS, ACT and PROS services are included according to the Supplemental Guidance. Services delivered via the expanded telemental health allowances must comply with existing program regulations and guidance.
18.	AOT	Are face to face requirements waived for individuals receiving AOT care management including ACT and Health Home Plus?	Yes, as clinically indicated.
19.	CFTSS	Can providers delivering CFTSS designated services, provide and bill for telephonic services?	Yes.
20.	Children's HCBS	How do we bill for telephonic Children's HCBS services?	Refer to DOH for information on telehealth for Children's HCBS.
21.	Billing	Should providers use the GT or 95 modifiers for services delivered telephonically and/or via video?	Yes.

Acronym Definitions

#	Acronym	Definition
1.	ACT	Assertive Community Treatment
2.	Adult BH HCBS	Adult Behavioral Health Home and Community Based Services
3.	AOT	Assisted Outpatient Treatment
4.	CFTSS	Children and Family Treatment and Support Services
5.	Children's HCBS	NYS Children's Medicaid Home and Community-based Services
6.	COVID-19	Coronavirus Disease 2019
7.	DOH	New York State Department of Health
8.	NYS	New York State
9.	OCFS	New York State Office of Children and Family Services
10.	OMH	New York State Office of Mental Health
11.	PPE	Personal Protective Equipment
12.	PROS	Personalized Recovery Oriented Services
13.	SRO	Single Room Occupancy Housing