



Magellan Compliance Notebook

Magellan Behavioral Health of Pennsylvania, Inc. (Magellan) strives to be proactive and use education as a preventative tool to help ensure our members receive the highest quality of care through you, the provider. The Compliance Department at Magellan is committed to sending monthly e-mails to targeted providers regarding a Compliance-related subject.

This e-mail communication is specific to your HealthChoices (Pennsylvania Medicaid) Contract with Magellan.

For this month's communication, we would like to remind all providers of the guidelines specific to audio-only telehealth services.

Technology used for telehealth, whether fixed or mobile, should be capable of presenting sound and image in real-time and without delay. Telehealth equipment should clearly display the practitioners' and participants' faces to facilitate clinical interactions. The telehealth equipment must meet all state and federal requirements for the transmission or security of health information and comply with the Health Insurance Portability and Accountability Act (HIPAA).

Magellan has recently observed a trend of providers consistently providing audio-only telehealth services for all members and all sessions. Audio-only refers to the delivery of behavioral health services at a distance using real-time, two-way interactive audio only transmission. In accordance with Medical Assistance Bulletin [OMHSAS-22-02](#), providers may utilize audio-only when the individual served does not have access to video capability or for an urgent medical situation, provided that the use of audio-only is consistent with Pennsylvania regulations and federal requirements, including guidance by the Centers for Medicare & Medicaid Services with respect to Medicaid payment and the US Department of Health and Human Services Office of Civil Rights enforcement of HIPAA compliance. **Member/Provider preference is not permissible rationale for providing ongoing audio-only telehealth.**

As a reminder, informational modifier FQ must be included on claims submissions when providing audio-only telehealth services. Providers must add informational modifier FQ in the last available position along with your current contracted code and modifier combination every time a service is provided over the telephone. Providers who offer services that currently require the use of four modifiers should continue to use those modifiers in accordance with

your contract (four modifiers are the maximum allowable, so in this case, providers would not be able to utilize informational modifier FQ).

Regardless of whether a provider adds modifier FQ to their claim for audio-only telehealth, the Place of Service (POS) code must be represented with either 02 or 10 (please note that this corresponds to the physical location of the member, not the provider):

- Telehealth provided in the identified member's home: POS = 10.
- Telehealth provided in a location other than the home of the member: POS = 02

At Magellan, we will continue to educate our providers with updated MA Bulletins, regulations, and other pertinent information to ensure Compliance. Although providers are ultimately responsible for knowing and complying with all applicable regulations, we proactively engage providers on an ongoing basis to make sure they are aware of compliance related requirements and expectations. Medicaid Program Integrity is truly a collaborative effort between our providers, county customers, Magellan, Bureau of Program Integrity (BPI) and other oversight agencies. The monthly e-mail blast topics are generated from audit results and trends; however, are also sent in response to recent Magellan policy updates; newly released or relevant MA Bulletins and Policy Clarifications; or Regulation changes. The intention is to afford our providers with as many resources as possible to combat FWA and reduce overpayments.

Thank you for your ongoing hard work and dedication to our members!

Magellan of Pennsylvania's Compliance Team

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