



MASSACHUSETTS
MEDICAL SOCIETY

*Every physician matters,
each patient counts.*

A Message from the President

Dear Massachusetts Medical Society members,

I hope that you, your loved ones and your patients are all doing well during this difficult time in medicine and public health as we face COVID-19. On behalf of your medical society, I want to thank you for your unwavering dedication to your patients and our community. We will face struggles in the weeks and months ahead, but I know that the outstanding physicians and students who comprise our medical society will rise as one to meet each challenge.

Please be assured that your medical society is hard at work and frequently meeting with all critical stakeholders, including the Board of Registration in Medicine, the Massachusetts Department of Public Health, Governor Charlie Baker's office and payers.

We are fortunate to have collaborative relationships with leaders in the regulatory and legislative realms that will prove critical and beneficial as this public health emergency evolves.

Tuesday Afternoon Member Call With Massachusetts DPH

The medical society requested and was granted an opportunity for our member physicians to engage the Department of Public Health (DPH) on an informational call regarding COVID-19.

This call will take place Tuesday, March 17, at 4 p.m. and will include Dr. Monica Bharel, DPH Commissioner; Dr. Lawrence Madoff, Medical Director of the DPH Bureau of Infectious Disease and Laboratory Sciences; and Dr. Catherine Brown, State Epidemiologist.

I would encourage all members to join, ask questions and raise concerns you may have. The dial-in information is below:

Dial-in: 888-603-9216

Access code: 5184923

Telemedicine, Licensure Updates, Public Health Executive Orders

In response to the COVID-19 crisis, state and federal government has issued over the past 24 hours several executive orders and guidance regarding clinical matters, such as telemedicine and physician licensure.

Board of Registration in Medicine

MMS Urges Clarification for Telemedicine

The Medical Society recently wrote a memorandum to the Board of Registration in Medicine in order to urge greater flexibility and clarity regarding several regulations and policies related to telemedicine. Specifically, the MMS asked BORIM for temporary guidance to clarify that a patient-physician relationship can be formed through the use of telehealth. Additionally, in light of the expanded use of telehealth during this state of emergency, the MMS asked for clarification of the Board's FAQ regarding the requirement of written informed consent. At minimum, the MMS hopes for a temporary suspension of this regulatory requirement. The Medical Society proposed to BORIM language that will remove administrative barriers to expanded use of telehealth and that will help physicians attend to patients more adequately during this time of increased medical need.

BORIM Issues New Process for Expedited Licenses

The Board of Registration in Medicine has outlined a new pathway for expedited physician licensure for any out-of-state licensed physician seeking to obtain Massachusetts physician licensure for purposes of providing medical care during this state of emergency. BORIM will consider expedited review of full license applications, with authority to grant a full, temporary license upon initial Board review of the application, optimally within 24-48 hours of submission. Once the Board has received all remaining necessary elements of the full license application, such as verification of all primary sources, the temporary full license will be transitioned to a full medical license. All such licensure decisions will still remain fully at the discretion of the Board.

Any hospital or physician office seeking to request expedited physician licensure should email the Executive Director of the Board of Registration in Medicine, George Zachos at george.zachos@state.ma.us .

Telemedicine Updates

Gov. Baker Executive Order – Telemedicine & Private Insurers

Summary:

- Private insurers regulated by the Division of Insurance will cover all medical necessary telehealth without patient cost-sharing, regardless of whether the medical services are related to COVID-19
- Insurers will be required to pay equal to face to face care
- The Commissioner of Insurance and individual insurers are authorized to issue further policies and guidances, subject to limitations
- The MMS will communicate as further guidance is issued, such as billing details, documentation requirements, and technology details

Gov. Baker [issued an Executive Order](#) requiring health insurance plans regulated by the Massachusetts Division of Insurance and plans offered by the Group Insurance Commission to cover all in-network providers to deliver clinically appropriate, medically necessary care via telehealth. The order urges flexibility in the specific technology that should be used, and it limits requirements such as documentation and recordkeeping that health plans can impose.

The order directs carriers to provide this telehealth coverage without any cost sharing, such as copays, deductibles, or co-insurance. The Commissioner of Insurance is directed to issue further guidance; this order is effective March 16, 2020, until rescinded or until the end of the State of Emergency.

Note this executive order does not apply to self-insured health insurance plans, as they fall outside the jurisdiction of state regulation. Self-insured plans can opt in to this requirement.

Federal Bill Loosens Medicare Telemedicine Policy

On March 6, President Trump signed an \$8.3 billion aid package aimed at combatting the spread of COVID-19. This package authorizes significant spending to lift constraints on Medicare payments for telehealth services. Specifically, Medicare reimbursement will no longer be tied to the services taking place at “telehealth originating sites” which previously limited the rendering of telehealth services to specific locations. The waiving of this requirement allows beneficiaries to more freely consult their doctors remotely, avoiding hospitals and physician offices where they might be at increased risk of exposure to the virus.

The MMS is seeking further guidance from HHS and will provide detailed updates.

MassHealth Bulletin – Coverage of Telehealth and Telephonic Care

MassHealth [has announced in a bulletin](#) that it will permit qualified providers to deliver clinically appropriate, medically necessary MassHealth-covered services to MassHealth members via telehealth and payment is at parity within person visits. **This policy applies covered services regardless of whether they’re related to the treatment of COVID-19.**

- Providers must include Place of Service Code 02 when submitting a claim for services delivered via telehealth
- MassHealth has also indicated it will reimburse providers for clinically appropriate, medically necessary telephone evaluations
- MassHealth also outlined in the bulletin policies to expedite MassHealth enrollment and detailed coverage of COVID-19 diagnostic lab tests

Other Public Health Executive Orders Issued by Gov. Baker

Hospital Visitor Restriction:

- [This order](#) allows hospitals, consistent with guidance from the DPH, to develop criteria to screen visitors and accordingly restrict visitation as necessary to protect the health of patients and staff.

Assisted Living Visitor Restrictions:

- [This order](#) requires assisted living facilities to implement, in accordance with guidance from the Executive Office on Elder Affairs, procedures restricting visitation as necessary to protect the health of residents and staff.

Elective Procedures:

- [This order](#) requires all hospitals and DPH-licensed ambulatory surgical centers to implement procedures, consistent with DPH guidance, canceling all non-essential elective invasive procedures. The MMS is currently seeking additional guidance as to the scope and applicability of this order and will share updates with members as soon as practicable.

Nursing Home Visitors:

- [This order](#) allows nursing homes to develop criteria, consistent with [DPH guidance](#), to screen visitors and accordingly restrict visitation as necessary to protect the health of patients and staff.

Nursing Licensure Changes:

- The Board of Registration in Nursing [updated its policies](#) to expedite the processing of reciprocal license applications for nurses that are licensed in another jurisdiction to allow those applications to be processed in one business day. The MMS is seeking further guidance from HHS and CMS and will provide detailed updates.

COVID-19 PUI Testing Criteria (3/13/20)

- The DPH issued [guidance](#) to all health care providers regarding the prioritization of testing of Persons with Suspect COVID-19 through the Massachusetts State Public Health Laboratory. Priorities for testing are to identify areas where public health action can slow the transmission of disease and both individuals at risk for increased severity of illness, as well as the health care and critical infrastructure workforces.
- The guidance lays out 6 criteria, categorizing by epidemiologic or occupational risk and clinical features. If a patient meets the criteria in categories 1-6, DPH approval is not necessary prior to the submission of the sample for testing; provided that testing should occur through the Massachusetts State Public Health Laboratory.

- The guidance lays out 2 additional criteria (7 + 8); patients who meet the criteria in categories 7 or 8 should be tested through commercial laboratories and specimens should not be sent to the Massachusetts State Public Health Laboratory.

Keeping You Informed

We will use all available channels – our [Facebook](#), [Twitter](#) and [LinkedIn](#) pages, our dedicated COVID-19 resource page and frequent email communications – to deliver real-time updates and guidelines and curate trusted, evidence-based information.

If you have questions, we will bring them to the appropriate stakeholder for an answer. Please send questions to president@mms.org.

All my best,

Maryanne C. Bombaugh, MD, MSc, MBA, FACOG
President, Massachusetts Medical Society

[Visit the MMS COVID-19 Page](#)



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