

Teresa Gerard, CEO of Guardian Group, LLC (Neutral)
February 5, 2018

1. Chairman Hawkins and Members of the Committee

- a. Thank you for the opportunity to provide comments
- b. Independent healthcare consultant working on state-wide and national projects for HIE, behavioral health, and telehealth
- c. Board of Advocates for Kansas University Medical Center School of Health Professions (over 25 undergraduate, graduate, and certificate programs such as PT and OT—allied health—except School of Medicine and School of Nursing)
- d. Appreciate the process undertaken to draft HB 2512
- e. Listened to the comments last Thursday in favor of the proposed legislation to advance telemedicine in Kansas
- f. Partial parity is essential for the rapid expansion of telemedicine in Kansas

2. Brief History

- a. Kansas University Center for Telemedicine and Telehealth (KUCTT) Telekid's Care in Wyandotte County over 20 years ago; trying to revitalize it now in Greater Kansas City to include behavioral health in early learning centers and schools along with Children's Mercy Hospital Telehealth, which is focused on asthma, and KVC Telehealth
- b. KUCTT Telehealth ROCKS Schools (Rural Outreach for the Children of Kansas) extends telemedicine into the school setting in South Central and Southeast Kansas to assist children and families with developmental and behavioral concerns
- c. Blue KC e-Visits with RelayHealth over 10 years ago
- d. Blue KC American Well (AmWell) "limited to medical and children's medical services only. Members can still obtain telehealth treatment for psychology, adolescent psychology, and diet and nutrition services through Amwell, however, these services are not included in the Blue KC-Amwell telehealth offering."

- e. BCBSKS Amwell is “Also offering behavioral health and counseling services, known as teletherapy, Amwell’s licensed therapists will provide treatment for several conditions (from 7:00 a.m. to 11:00 p.m. local time, 7 days a week), including:
 - i. Anxiety
 - ii. Attention deficit hyperactivity disorder (ADHD)
 - iii. Stress
 - iv. Bereavement
 - v. Obsessive-compulsive disorder (OCD)
 - vi. Panic attacks
 - vii. Depression
 - viii. Trauma/Post-traumatic stress disorder (PTSD)
- f. American Well has arrangements with Cerner and Netsmart, two Kansas City based companies, for deep integration of their EHR’s and telehealth
- g. Cigna reimburses for telehealth/telebehavioral health services
- h. Aetna “reimburses in mandated states only” for Behavioral Health Televideo Services and has third party vendors designated by state and by self-insured plans (Arcadian Telepsychiatry in Kansas) and fully-insured plans (not in Kansas since not mandated)
- i. United Behavioral Health/Optum is recruiting for virtual visit telemental health providers for a late March 2018 launch for “routine behavioral health or Employee Assistance Program (EAP) benefits”
- j. OptumHealth Care Solutions staffs the 24/7/365 Global Nurse Advice Line contract for \$200M through mid-2022—global telehealth and customer support services—for Military Health System (MHS), serving 9 million military service members, retirees and their families beginning in March 2018
- k. Valley Hope Association, a non-profit, which provides 20% of substance use disorder treatment in Kansas, has provided a virtual intensive outpatient program (IOP) for continuing care for about 10 years with outcomes exceeding those of on-site programs, but with limited reimbursement

3. Proposed Language Refinements

- a. “Healthcare provider” means a licensed health professional, including a licensed physician extender, or licensed behavioral health professional. (Versus licensed mental healthcare professional or a physician.)
- b. “Licensed behavioral health professional” (Versus licensed mental healthcare professional)
- c. “Licensed health professional” means a person licensed by the BOHA... (Versus “Physician” and strike “to practice medicine and surgery”)
- d. “Licensed physician extender” means a person licensed by the BOHA or Board of Nursing who is not a physician but who performs medical activities typically performed by a physician, most commonly a physician assistant/PA or advance practice registered nurse/APRN (nurse practitioner, certified nurse midwife, certified registered nurse anesthetist, and clinical nurse specialist) performing duties under the supervision of a physician.
- e. Payment or reimbursement—although not full parity in this compromise bill, need to monitor negotiated or fee schedule rates and medical necessity criteria to insure fair compensation and fair case review for Kansas health and behavioral health professionals to encourage telemedicine participation

4. Interstate Licensure Compacts (Teledoc, Amwell, MDLive, Genoa)

- a. Interstate Medical Licensure Compact 2017 Kansas Statute applauded
- b. HB 2496 Interstate Nurse Licensure Compact encouraged
- c. HB 2471 Interstate Physical Therapy Licensure Compact encouraged
 - i. Patricia Kluding, PT PhD, Professor and Chair, Department of Physical Therapy and Rehabilitation Science, KUMC
 - ii. “The PTRS department is fully supportive of this bill, and we have been part of the national conversation on how to provide continuity of care and allow for the growth of telehealth across state lines in the physical therapy profession.”