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| þÿ | ***Commonwealth of Massachusetts*** |
| ***Executive Office of Health and Human Services*** |
| **Department of Youth Services** |
| **EMERGENCY GUIDANCE RE: IMPLEMENTATION OF TELEHEALTH TO DELIVER MEDICALLY NECESSARY HEALTH SERVICES TO YOUTH IN DYS CARE AND CUSTIDY**  |

# On March 15, 2020, Governor Baker issued an "Order Expanding Access to Telehealth Services and to Protect Health Care Providers" ("Emergency Order") that is effective as of March 16, 2020. The intent of this Guidance is to support the implementation of telehealth in the Department of Youth Services (DYS) state and provider operated programs during the duration of Governor Baker's Emergency Order.

For the duration of Governor Baker's Emergency Order, DYS will permit the DYS-contracted healthcare providers to deliver clinically appropriate, medically necessary services to youth in DYS care and custody via telehealth (including telephone and live video).

## Providers must be willing to certify that they comply with all applicable state and federal statutes and regulations governing medication management and prescribing services when delivering these services via telehealth. If they are prescribing services via telehealth, providers must (I) maintain policies for providing patients with timely and accurate prescriptions by use of mail, phone, e­ prescribing, and/or fax and (2) document prescriptions in the patient's medical record consistent with in-person care.

In accordance with the information within MassHealth All-Provider Bulletin 289, the DYS-contracted health care providers should follow the following standards in order to deliver medically necessary care via telehealth:

* For an initial appointment with a new patient, the provider must review the patient's relevant medical history and any relevant medical records with the patient before initiating the delivery of any service;
* For existing provider-patient relationships, the provider must review the patient's medical history and any available medical records with the patient during the service;
* Prior to each patient appointment, the provider must ensure that the provider is able to deliver the services to the same standard as in-person care and in compliance with the provider's licensure regulations and requirements, programmatic regulations, and performance specifications related to the service (e.g., accessibility and communication access);
* If the provider cannot meet appropriate standard of care or other requirements for providing requested care via telehealth, then the provider must make this determination prior to the delivery of treatment, notify the DYS Regional Nurse-Manager of this, and advise the patient to instead seek appropriate in-person care;
* To the extent feasible, providers must ensure the same rights to confidentiality and security to a patient as provided in face-to-face services and must inform members of any relevant privacy considerations prior to providing services via telehealth;
* Providers must follow consent and patient information protocols consistent with those followed during in-person visits;
* Providers must inform patients of the location of the provider rendering services via telehealth (i.e., distant site) and obtain the location of the patient (i.e., originating site);
* Providers must inform the patient of how the patient can see a healthcare provider in-person in the event of an emergency or otherwise.

March 23, 2020