Network Access and Telemedicine

Presentation to NAIC Health Innovations (B) Working Group
Network access regulatory framework

Provider contracts

- Must be filed for prior approval
- Direct contracting and intermediary contracting relationships are both required to be filed

Provider networks

- HMO, EPO, PPO, POS networks must be filed before use
- Maintenance & assessment requirements
- Monthly data reporting requirement
  - Provider Network Form A report (Form A)
Telemedicine before COVID-19

Networks designed around “brick and mortar” access

Telemedicine available

- Commonly an added option available through a third party vendor
- Health plans reported low utilization
- Discussions about how telemedicine could serve rural communities

In 2017 carriers began reporting telemedicine providers

- Field was added to Form A to identify providers contracted to provide telemedicine
Telemedicine and Covid-19

Questions about clinical limitations on which services can be delivered by telemedicine -- questions for our DOH:

• What services can be provided by telemedicine?
• Are there licensure restrictions? Can the enrollee access telemedicine?

Technology and access considerations:

• Broadband?
• Smart phone? Laptop? Equipment?
• Privacy?
• Cost-sharing?
• Reimbursement?
Case Study

Carrier came to OIC with questions about a virtually-based tiered network product:

• How could a “first-tier telemedicine-only” product comply with network access?

• Concerns about tiering access to telemedicine vs. in-person
  • First tier telemedicine, second tier in-person? 
    Yes, because of how cost-sharing was addressed
  • First tier with different cost-sharing for telemedicine? 
    No. Same cost-sharing on both tiers. Tiers defined by modality, not cost-sharing
  • Used approved “brick and mortar” contracts to meet prior approval requirements
  • Updated Form A for reporting:
    • Added ability to report same provider twice -- Tier 1, 2, or both
    • Added modality of delivery in each tier (telemedicine, in-person, or both)
  • In-person access for enrollees without tech resources
    • Same cost-sharing
Questions?

Jennifer Kreitler
Provider Network Oversight Program Manager
JenniferK@oic.wa.gov

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Citations

Provider contracting

- **RCW 48.43.730**
- **WAC 284-170 Subchapter C**

Provider network

- **WAC 284-170 Subchapter B**

Provider Network Form A report

- **Data File Specification & Filing Instructions**

Telemedicine Payment Parity

- **RCW 48.43.735**