

PUBLICATION

CMS Interim Final Rule Expands Telemedicine Services and Bends Coverage and Payment Rules for Range of Patient Care Services During Pandemic

April 8, 2020

In a rapid and remarkable response to COVID-19, The Centers for Medicare & Medicaid Services (CMS) has altered a wide range of coverage and payment rules applicable to hospitals, practitioners and suppliers. In an interim final rule published in the Federal Register on April 6, 2020, at [85 Fed. Reg. 19230](#), CMS has recognized that the elderly Medicare population is particularly vulnerable due to age and co-morbidities and that providers need to be able to furnish services in ways that help to reduce exposure risks for patients and practitioners alike. Working under the waiver authority granted for the COVID-19 pandemic declaration, the agency has revised certain Medicare and Medicaid regulations to offer providers flexibility in combating the COVID-19 pandemic. In addition to adding 80 additional codes to the list of approved telehealth services, there are complex changes that provide allowances to furnish many services using other remote communications technologies, to permit specimen collection from homebound beneficiaries, and to expand the list of destinations Medicare covers for ambulance transport. CMS also announced changes to the Quality Payment Program and the calculation of Star Ratings. The rule amends the home health regulations to permit additional practitioners to order home health care and expands the under arrangements policy to permit hospitals to furnish routine services outside of the hospital. The regulations are applicable for dates of service beginning March 1, 2020, but many of the rules are in effect only during the Public Health Emergency (PHE). The rule does not purport to be the agency's interpretation of the CARES Act. Comments are due by June 1, 2020. To enable providers and suppliers to navigate this complex set of changes, we have developed the attached [Quick Reference Guide](#) for the interim final rule. Please note this is a summary and readers interested in particular provisions should consult the rules directly for the details.

For any questions regarding the interim final rule or with the Quick Reference Guide, please contact any member of [Baker Donelson's Health Law group](#). You may also visit the [Coronavirus \(COVID-19\): What you Need to Know](#) resource page on our website.