

POLICY CO 1.3 USE OF TELEMEDICINE

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- A. PURPOSE: To establish guidelines for the use of telemedicine using interactive video conferencing.
- B. SCOPE: This policy applies to the Arizona Department of Health Services, Division of Behavioral Health Services (ADHS/DBHS), T/RBHAS and their subcontracted providers.
- C. POLICY: The T/RBHAs and subcontracted providers shall use teleconferencing to extend the availability of clinical, educational and administrative services. All clinical services provided through the interactive video teleconferencing will conform to established policies for confidentiality and maintenance of records.
- D. REFERENCES: [A.R.S. § 36-3601](#)  
[A.R.S. § 36-3602](#)  
[A.R.S. § 36-3603](#)  
[R9-21-206.01](#)  
[ADHS/RBHA Contracts](#)  
[ADHS/TRBHA IGAs](#)  
[Section 4.1, Disclosure of Behavioral Health Information](#)  
[Section 3.11, General and Informed Consent to Treatment](#)  
[Section 3.15, Psychotropic Medication; Prescribing and Monitoring](#)  
[Section 4.2, Behavioral Health Medical Record Standards](#)
- E. DEFINITIONS:
1. Telemedicine  

The practice of healthcare delivery, diagnosis, consultation, treatment and transfer of medical data through interactive, audio, video or data communications that occur in the physical presence of the patient, including audio or video communications sent to a health care provider for diagnostic or treatment consultation.
  2. Informed Consent  

A voluntary agreement, oral or written, except when explicitly required to be written, following presentation of all facts necessary to form the basis of an intelligent consent by the person or guardian prior to the provision of specified behavioral health services.

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F. PROCEDURES

1. Interactive video functions are approved for the following purposes:
  - a. Direct clinical services;
  - b. Case consultations;
  - c. Collateral services;
  - d. Training and education;
  - e. Administrative activities of participating agencies;
  - f. Management activities including Quality Management, Grievance and Appeal, Finance, Advocacy, Utilization and Risk Management, Clinical Consultation, and MIS; and
  - g. Other uses as approved by the T/RBHA.

2. Informed Consent

Before a health care provider delivers health care via Telemedicine, verbal or written informed consent from the behavioral health recipient or their health care decision maker must be obtained.

Exceptions to this consent requirement include:

- (1) If the telemedicine interaction does not take place in the physical presence of the patient;
- (2) In an emergency situation in which the patient or the patient's health care decision maker is unable to give informed consent; or
- (3) To the transmission of diagnostic images to a health care provider serving as a consultant or the reporting of diagnostic test results by that consultant.

If a recording of the interactive video service is to be made, a separate consent to record shall be obtained. Items to be included in the consent are:

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- (1) Identifying information;
- (2) A statement of understanding that a recording of information and images from the interactive video service will be made;
- (3) A description of the uses for the recording;
- (4) A statement of the person's right to rescind the use of the recording;
- (5) A date upon which permission to use of the recording will be void unless otherwise renewed by signature of the person receiving the recorded service; and
- (6) For persons receiving services related to alcohol and other drugs or HIV status, written, time-limited informed consent must be obtained that specifies that no material, including video-tape, may be re-disclosed.

3. Confidentiality

- a. At the time services are being delivered through interactive video equipment, no person, other than those agreed to by the person receiving services will observe or monitor the service either electronically or from "off camera."
- b. To ensure confidentiality of telemedicine sessions providers must do the following when providing services via telemedicine:
  - (1) The videoconferencing room door must remain closed at all times;
  - (2) If the room is used for other purposes, a sign must be posted on the door, stating that a clinical session is in progress; and

**[T/RBHA insert additional information here]**

4. Documentation

- a. Medical records of telemedicine interventions must be maintained according to usual practice.

