



New Jersey Psychological Association (NJPA) Executive Summary:

Due to the impact of the COVID-19 Pandemic on mental health services provision, NJPA asks for the following Executive/Legislative directives at the State/Federal levels to ensure:

1. The continuation of reimbursement for Telemedicine/ Telehealth services until a Coronavirus vaccine is made available to the public:

- a. Across private and public insurance companies
- b. With the same reimbursement rates as for in-person services
- c. For out-of-network professionals
- d. Using ANY HIPAA compliant telehealth platform including audio-only platforms (especially for out-of-network providers)
- e. Having consistency of Codes (Modifiers and Place of Service) - We propose directives to ALL private insurance plans for telemedicine/ telehealth services to cover and reimburse using the same codes as in-person services, or for a single modifier code that streamlines the various CPT codes for telemedicine and telehealth services.

2. ALL insurers, including self-insured plans, be required to continue to follow the relaxed rules for telemedicine by:

- a. removing a registration requirement for telemedicine from ALL companies,

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- b. removing requirements for professionals to use the Insurance's own platform and to accept ANY HIPAA compliant platform, including audio-only platforms,
 - c. reimbursing treatments in the same manner for in and for out of network psychologists providing telemedicine;
3. **Removal of Inconsistencies on Coding and Modifiers needed for Telemedicine:** NJPA recommends consistency of Codes (Modifiers and Place of Service) with all insurance companies. NJPA suggests directives to ALL private insurance plans for telemedicine/ telehealth services to cover and reimburse using the same codes as in-person services, or for a single modifier code that streamlines the various CPT codes for telemedicine and telehealth services.
4. **Equity for Marginalized Groups:** We propose directives ensuring continuing internet access to families in need during the continuation of this crisis. Public policies to manage the current public health crisis are appreciated, but their impacts on historically marginalized or vulnerable groups are not well known. There is a need for comprehensive measurement of the impact of policies during the current public health crisis on these citizens, including persons of color and youth. **We suggest that the impact of stressors caused by COVID19 crisis, as well as the resulting related policies and laws, be measured on marginalized and powerless groups.**



NEW JERSEY

PSYCHOLOGICAL ASSOCIATION

August 21, 2020.

New Jersey Psychological Association (NJPA) Explanation of Executive Summary

To the Members of US Congress & NJ Governor & Legislators:

First, NJPA hopes you and your dear ones are and continue to remain healthy. As the President of NJPA and with the approval of the NJPA Executive Board, I would like to bring to your attention some VERY SERIOUS issues impacting the mental health and service provisions for citizens in NJ. I have written to you on 3/19/20, on 3/26/20 and on 4/05/20.

On June 18, partnering with the American Psychological Association on a letter endorsed by 53 other State Psychological Associations, we asked for the extension of **“the temporary emergency waivers pertaining to telehealth and audio-only services for at least 12 months after the President and HHS Secretary discontinue the Public Health Emergency.”**

NJPA is grateful for your initiatives protecting the provision of continued mental health services to all US citizens during this pandemic. There are, however, still significant problems, especially as States begin the stages to lift the lockdown orders. As many states move out of the emergency COVID-19 mode, insurance companies – particularly self-insured plans - continue to place barriers. The items below are NJPA’s current proposals to address these barriers.

1. Continuation of Telehealth/ Telemedicine Mental Health Coverage Extended until a COVID-19 Vaccine is made available:

As States are beginning to lift the Shelter in Place requirements, NJPA urges you to advocate for the continuation of Telehealth/Telemedicine mental health coverage until a vaccine for the coronavirus is made available. This is especially important as despite the careful orders for the reopening stages, NJ is still dealing with a 200-300 increase of COVID cases daily, according to NJTVNews website (<https://www.njtvonline.org/news/uncategorized/tracking-the-coronavirus-in-new-jersey/>).

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Many patients prefer to continue their telehealth treatment and not to risk contracting the virus by coming in person to a provider's office. Although, we as providers follow the CDC Safety Standards, we are limited in sanitizing the buildings or access areas to our offices. Additionally, telehealth has provided an alternative to patients who experience symptoms or who contracted COVID, to continue to receive psychological treatment while safely at home.

We strongly urge you to advocate for the continuation of coverage for telehealth/ telemedicine services until a vaccine is made available to the public. We thank you in advance for your attention to this important public health matter.

2. **Inconsistencies between Private and Public Insurance Coverage & Cooperation with COVID19 Regulatory Changes:**

We are very appreciative of the CMS (Center for Medicare/ Medicaid Services) approval of coverage for audio-only sessions through telemedicine and telehealth. Although audio-only telephone sessions are now being covered by a number of plans temporarily, they are still not covered by all plans.

Additionally, reimbursement rates for Self-Insured plans (where the employer assumes the responsibility to provide health care to employees) may or may not be the same as in-person session rates. Different self-insured plans also have different deadlines for telehealth coverage and professionals who are out of network are frequently confronted with confusing and inconsistent information when they contact their patients' plans.

Some Self-Insured Company plans resist approving telemedicine mental health treatment for out of network providers. Self-Insured plans can exempt themselves from many of the regulations adopted by the State plans.

Additionally, even though NJ State insurance companies have approved telemedicine and telehealth services to be covered and even though they have waived cost-sharing for treatment with in-network providers, out of network providers continue to be told that no cost-sharing waivers apply to them. State plans explicitly indicate that the waiver of cost-sharing only applies to in-network providers.

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It is NJPA's hope, on behalf of the New Jersey psychologists and the residents we treat, that you can advocate for uniformity among Self-Insured Health Care Plans. We believe this problem requires a federal response, as self-insured plans are governed at the federal level. We ask and hope for your advocacy on this very important issue, so we can continue to provide psychological services for those who need it.

3. Inconsistencies on Coding and Modifiers needed for Telemedicine:

Telemedicine requires additional Modifier Codes. However, insurance companies are unclear, inconsistent, and unreliable in their requirement of Modifiers GT, GQ or 95 for telemedicine and telehealth sessions and on their requirement for the Place of Service (POS) to be 02 (telemedicine) instead of 11 (in-person office visits).

Many psychologists remain confused about which modifier needs to be used by each insurance company plan. Clients and providers get inconsistent information when they contact the plan. Each insurance company/plan seems to have different requirements. Policies appear to change quickly, resulting in denial of claims. This leads to unnecessary delays and added stress.

As the COVID medical crisis diminishes, the COVID psychological crisis increases. Psychologists are trying to continue to provide needed treatment and support to their clients while being mired in pages and pages of fine print with each and every insurer or in multiple, often unsuccessful, telephone calls. This dysfunctional process is ineffective, unhealthy and unproductive for psychologists and their patients.

Please remove these barriers to psychological treatment still being imposed by insurance companies! Please issue a directive that will either (1) remove all the Modifiers and POS codes required for telemedicine and telehealth (having telemedicine during this pandemic be covered by the same codes as in-person sessions) or (2) establish ONE Modifier code for ALL the different telemedicine CPT session codes, that ALL companies will need to accept.

4. Equity for Marginalized Groups:

As many citizens are unemployed and underemployed as a result of the COVID crisis, we are grateful for the governmental provisions to financially support citizens and businesses during this unprecedented health emergency.

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We also hear about patients' problems filing for and receiving unemployment benefits, internet companies discontinuing internet services for families that are struggling financially, and patients struggling to pay rent while unemployed. We are grateful for the NJ Emergency Rental Assistance Program (CVERAP) and other State assistances offered to patients in need. We also understand that many of our patients are part of groups historically marginalized.

NJPA urges you to insure that Internet service providers (ISPs) NOT interrupt services, at a time when children are dependent on internet to complete their school assignments while their parents are unemployed or underemployed and at a time when they are particularly stressed and at risk.

Additionally, **we suggest that the impact of stressors caused by COVID19 crisis, as well as the resulting related policies and laws, be measured on marginalized and powerless groups.** We continue to stress the importance of the following recommendations:

- a. A continued governmental mindset that acknowledges and addresses the differential impact of legislative and governmental measures on groups with different levels of power and resources (e.g. racial differences).
- b. A commitment to measure the impact by comparing groups with different levels of access to resources during the coronavirus health crisis, in order to both assess the effectiveness of the policies and laws, as well as to develop equitable action plans to mitigate possible negative impact.
- c. The implementation of a Health Justice Approach (Benfer, 2015; Benfer & Wiley, 2020) to every new policy, where interventions are accompanied by immediate legal, social and financial protections to marginalized groups, who are likely to endure more hardship in complying with the interventions.
- d. **Mental health treatment accessibility, as members of marginalized communities may be isolated and limited in accessing mental health with culturally informed providers.**
- e. For clients with in-network coverage, their access to telemedicine and telehealth services may be limited to in-network providers, who may not be utilizing telemedicine and telehealth or be available to citizens in need. NJPA continues to urge you to address these limitations in the current crisis.

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With the goal of ensuring and eliciting community compassion, NJPA asks you to measure the consequential impact of the recent policies on communities of color, especially on children and teens. Further, NJPA urges you to address the requests listed above regarding the lack of uniformity in private insurance waivers, the consequential disparities likely to negatively impact non-dominant groups, and to provide equitable mental health services to all citizens.

NJPA stands at your disposal, as a source for any psychological information or expertise you may need.

"The mission of the New Jersey Psychological Association is the advancement of psychology as a science, as a profession, and as a means of promoting health and human welfare in an atmosphere that supports the diversity of its members and the society at large."

It is with the goal of promoting health and human welfare while supporting the diversity of NJPA's members and of society at large, that we would like to support you in addressing the above needs.

With much gratitude for your attention and consideration,

Lucy Sant'Anna Takagi, Psy.D., LLC

NJPA President

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