

Medicare Announces New POS Code for Telehealth

Changes are coming in 2022 to submitting Medicare claims for telehealth services, based on information from the New York State Psychological Association and the Telebehavioral Health Institute.

On January 1, 2022, the Point of Service (POS) will become 10 for telehealth services. The implementation of this code by Medicare Administrative Contractors will actually be on April 4, 2022. Until April 4th, clinical social workers should continue using POS 11 for telehealth services with modifier 95. After April 4th, POS 10 will be used if the patient is at home (including being in the back yard or in their car for privacy). The 95 modifier is unchanged and will continue to be used.

Regarding reimbursement, both POS codes will be covered if the service is furnished using telehealth technology. Audio-only services, in the New Year, will be limited to mental health and substance use treatments. The therapist must be able to offer audio-visual technology but the patient must indicate that they either cannot or will not use audio-visual technology. The POS Workgroup is revising the description of POS code 02 and creating a new POS code 10 to meet the overall industry needs, as follows:

1. POS 02: Telehealth Provided Other than in Patient's Home Descriptor: The location where health services and health-related services are provided or received through telecommunication technology. The patient is not located in their home when receiving health services or health-related services through telecommunication technology.
2. POS 10: Telehealth Provided in Patient's Home Descriptor: The location where health services and health-related services are provided or received through telecommunication technology. The patient is located in their home (which is a location other than a hospital or other facility where the patient receives care MLN Matters: MM12427 Related CR 12427 Page 2 of 2 in a private residence) when receiving health services or health-related services through telecommunication technology.

Links for more information can be found in the CMS publication entitled, <https://www.cms.gov/files/document/mm12427-newmodifications-place-service-pos-codes-telehealth.pdf>.

At present we are unclear how this is going to affect private (commercial) carriers as to when they are going to adopt these changes. For now, until more information is obtained, continue to code POS as you have been doing for telehealth with all carriers.

This email does not constitute legal advice. For any and all legal matters contact your private attorney or your malpractice insurance carrier's risk management team.

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