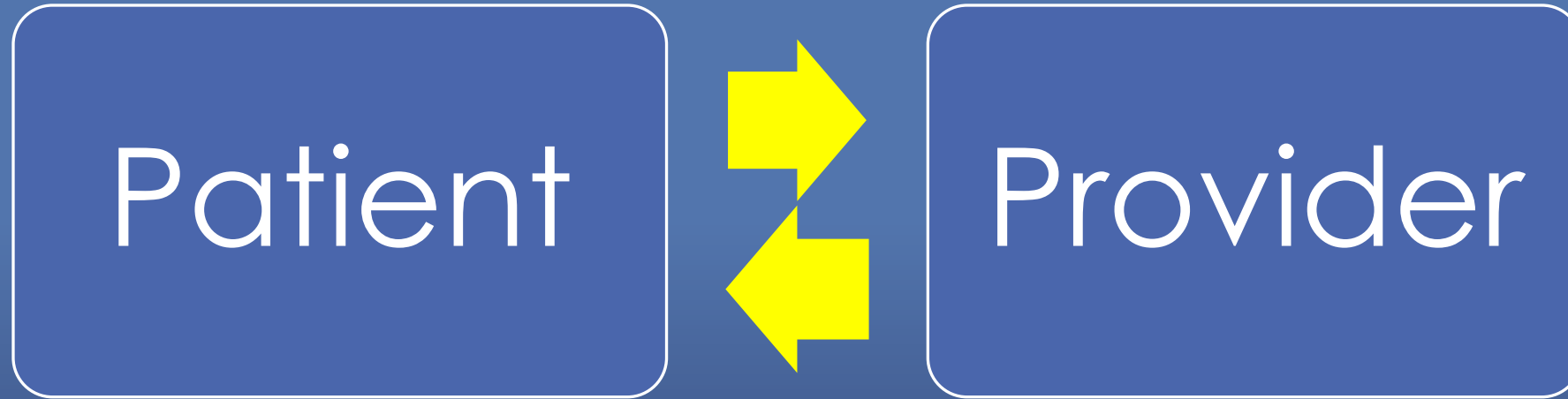


AGENDA

- ▶ April 8th, 2020 at 2:00 ET
- ▶ Tele-dentistry
- ▶ Advanced Payments for Medicaid Dental Providers
- ▶ 1135 Waivers

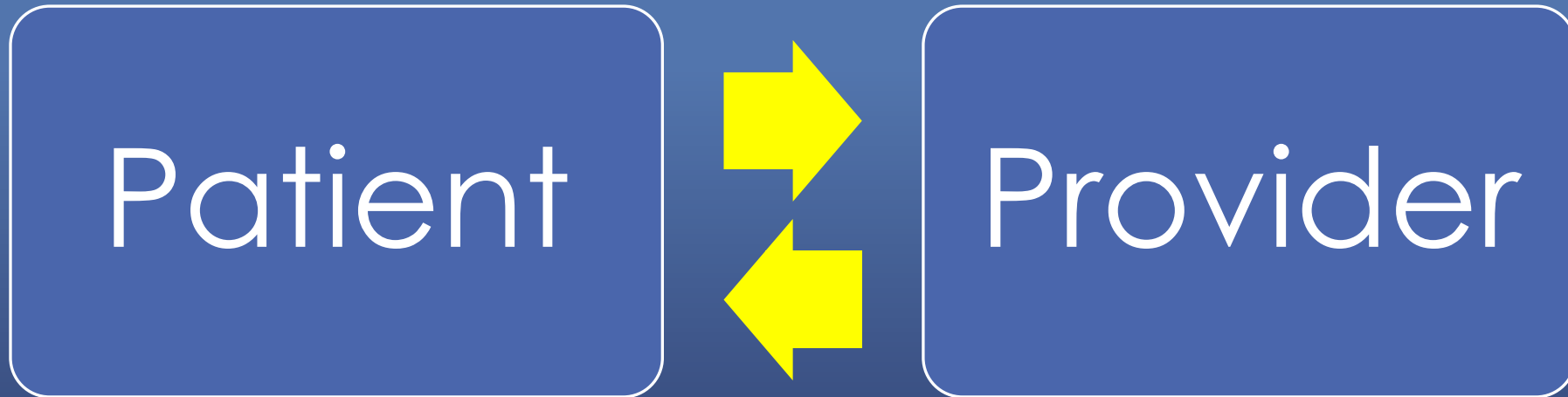
MSDA “COFFEE HOUR”

TRADITIONAL IN-OFFICE



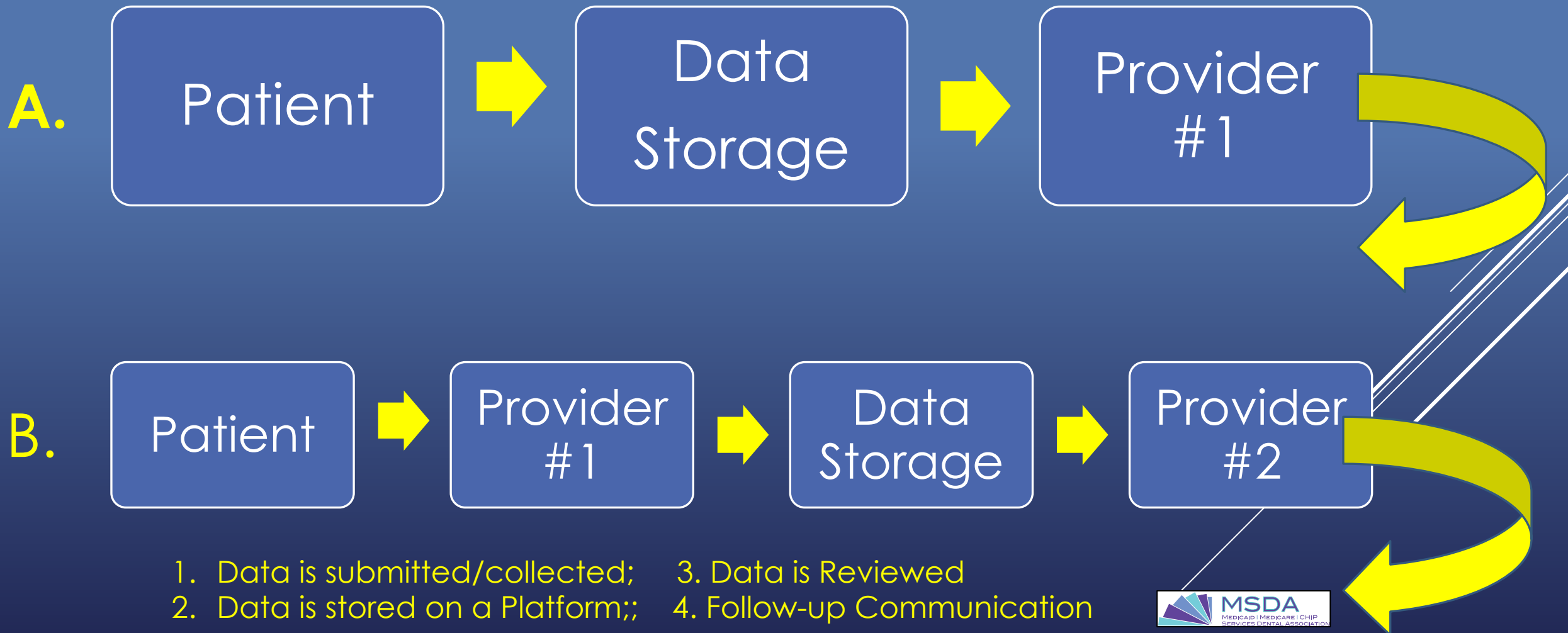
- Face-to-Face Visit
- Real Time
- Direct
- Bill for Services

TELE-DENTISTRY
SYNCHRONOUS—CDT CODE D9995



TELE-DENTISTRY

A-SYNCHRONOUS—CDT CODE D9996



Covid 19—PUBLIC HEALTH STATE OF EMERGENCY

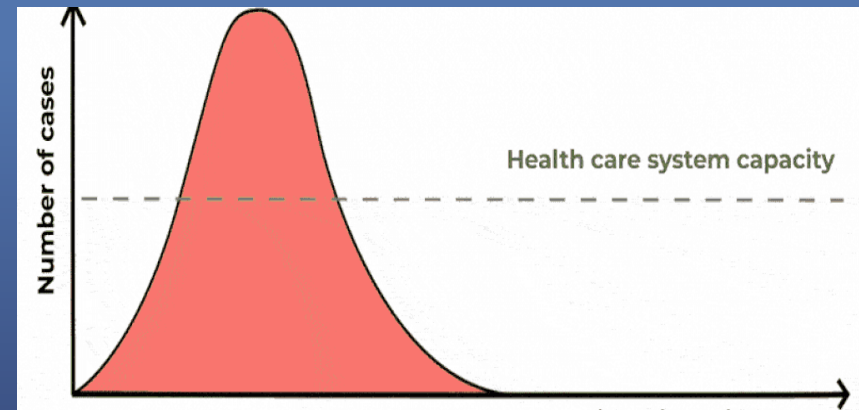
Models for Medicaid Dental Programs Policy

In-Office and Tele-dentistry

- ▶ **PHASE 1 “TODAY”** — ESSENTIAL SERVICES
- ▶ **PHASE 2 “TOMORROW”** — ESSENTIAL AND NON-ESSENTIAL
- ▶ **PHASE 3 “DOWN THE ROAD”** — FUTURE OF DENTISTRY ???

Phase I – Essential | Emergency Services

1. In-Office
2. Tele-dentistry
 - a. Synchronous Only



PHASE 1: SUMMARY

Essential Emergency Services Only

In-Office

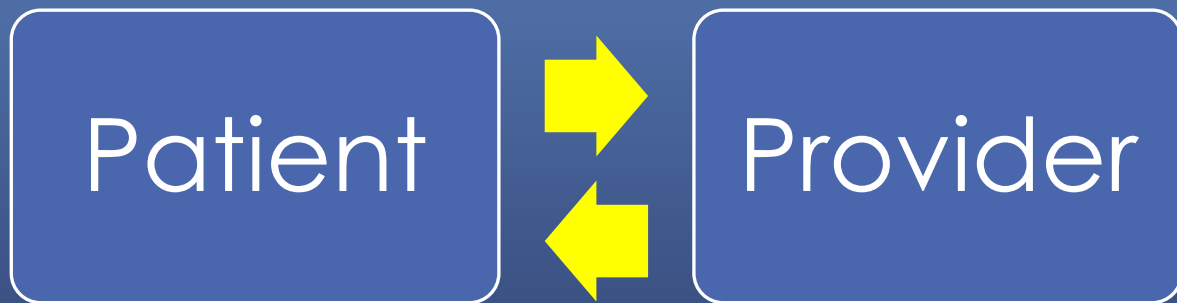
- ▶ Face-to-Face
- ▶ D0140 Oral Eval Problem Focused +
 - ▶ D0170; D0171
- ▶ CDT Emergency Codes: **State Specific**
 - ▶ Highly Likely
 - ▶ Probably
 - ▶ Possibly

Tele-dentistry—Synchronous Only

- ▶ Remote Communication
- ▶ D0140 Oral Eval Problem Focused +
 - ▶ D0170; D0171
- ▶ D9995 [Location Marker]
 - ▶ Real-time
 - ▶ Audio or Video [State Specific]
 - ▶ Non-Public Facing Application
 - ▶ Controlled Substances: Audio and Video
- ▶ Unique State Codes
 - ▶ D0999 + D9999 Synchronous (CA)
 - ▶ “02” Telehealth

PHASE 1: IN-OFFICE

ESSENTIAL –EMERGENCY SERVICES



- Face-to-Face Visit
- D0140; D0170; or D0171 +
- CDT Emergency Codes:
 - Highly Likely
 - Probably
 - Possibly

Definitely Highly Likely

D0140 problem focused eval

D0171 re-eval post-op (osteitis, dry socket)

D0460 pulp vitality tests

D7270 tooth re-implantation of accidentally avulsed or displaced tooth

D9110 Palliative emergency treatment

D9910, D9911 Desensitizing medicament/resin

D7911, D7912 complicated sutures

Probably

D0220, D0230, D027 Single X-rays

D1354-Silver Diamine Fluoride

D2799 provisional crown

D2910, D2915, D2920 Re-cement onlay, veneer, post/core, or crown

D2929-D2934 Prefab crowns

D2941 Interim therapeutic restoration-primary teeth

D2951 Pins

D2980-D2983 Repairs-crown, inlay, onlay, veneer trauma)

D4320, D4321 Provisional splinting

D6930 re-cement fixed bridge

D6980 repair fixed bridge

D7111, D7140, D7210, D7250 Emergency extractions- not for asymptomatic teeth

D7220, D7230, D7240, D7241, D7251-pericoronitis or third molar pain;

D7510; D7511; D7520; D7521 I&D

D8701, D8702 Ortho retainer repairs (for acute issues-pain, infection, trauma)

Possibly

D3220 pulpotomy

D3221 pulpal debridement

D3230, D3240 Pulpal Therapy

D3310, D3320, D3330 RCT

D3346, D3347 D3348 RCT Retreatment

D3355-D3357 Pulpal Regeneration

D34* Apicoectomy/Periradicular surgery, except **D3460** Endo implant

D5511, D5512, D5520 Full Denture Repairs

D5611-D5671 Partial Denture Repairs

D6090 Repair Implant prosthesis

D6091 Replacement Implant attachment

D6092 Re-cement Implant crown

D6093 Re-cement Implant bridge

D6095 Repair Implant abutment

D6253 provisional pontic

D6793 provisional retainer crown

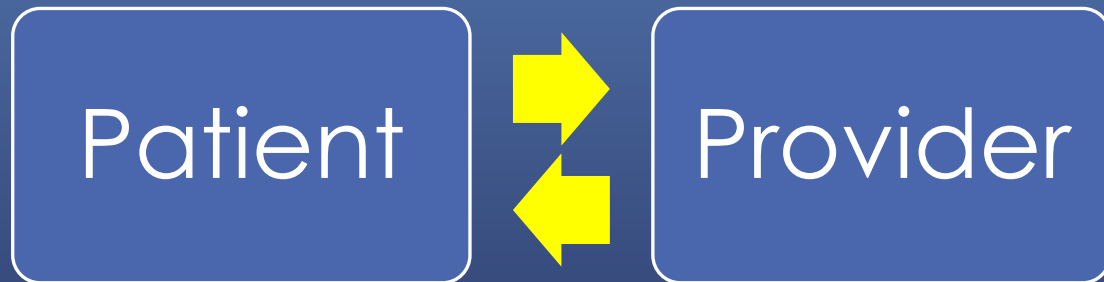
Unlikely

D21*,D23* Direct fillings-unless symptomatic carious lesions

**IN-OFFICE CDT Codes that Align
with Emergency Dental Care**

PHASE 1: TELE-DENTISTRY **SYNCHRONOUS ONLY**—CDT CODE D9995

ESSENTIAL –EMERGENCY SERVICES



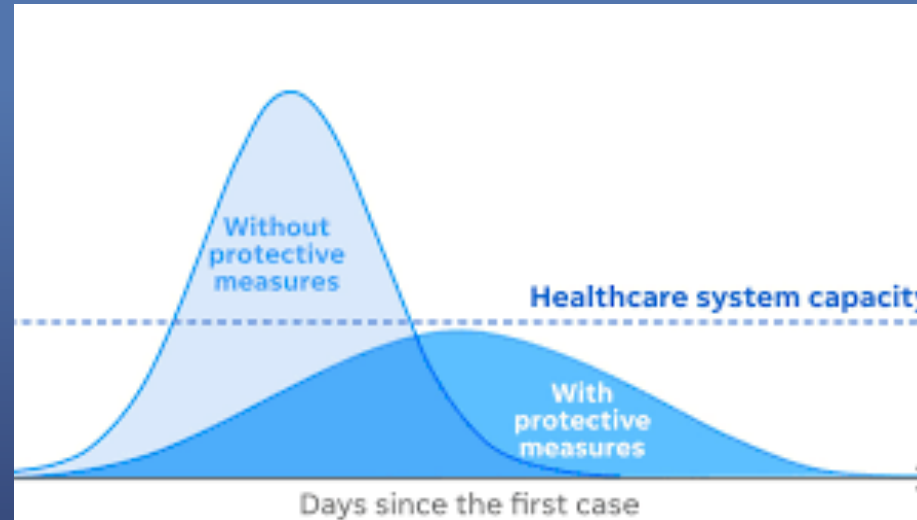
Direct Real Time

- ▶ Remote Communication
- ▶ Oral Evaluation Codes +
- ▶ D9995
 - ▶ Real-time
 - ▶ Audio or Video [State Specific]
 - ▶ Non-Public Facing Application
 - ▶ Controlled Substances: Must be Audio and Video
- ▶ Unique State Codes
 - ▶ D0999 + D9999 Synchronous (CA)
 - ▶ “02” Telehealth

Phase 2

Essential | Emergency Services + Non-Essential | Aerosol-Free

1. **In-Office**
2. **Tele-dentistry**
 - a. Synchronous
and
 - a. Asynchronous



Covid-19 PUBLIC HEALTH STATE OF EMERGENCY

PHASE 2: IN-OFFICE

Essential: Emergency

- ▶ D0140 + CDT Emergency Codes:
 - ▶ Highly Likely
 - ▶ Probably
 - ▶ Possibly

Non-Essential: Aerosol Free

Bundled Care: [See Slides]

- ▶ **Category 1**—Oral Evaluation +
 - ▶ **Category 2**—Preventive
 - ▶ **Category 3**—Caries Management
 - ▶ **Category 4**—Periodontal Management
 - ▶ **Category 5**—Denture Repair

Step 1: Develop Bundled Benefit Package

DENTAL EXAMINATION +

Dental Services	CDT Codes
Comprehensive Oral Evaluation- New Patient	D0150
Limited Oral Evaluation	D0140
Re-evaluation	D0170
Periodic Oral Evaluation-Established Patient	D0120
Comprehensive Periodontal Evaluation	D0180
Oral Evaluation Child < age 3	D0145

DENTAL EXAMINATION + 2 → CARIES PREVENTION

Bundled Dental Services	CDT Codes
Silver Diamine Fluoride (SDF)	D1206; D1208; D1354
Silver Nitrate (SN) Site Specific/ Per Tooth	
Chlorhexidine Thymol/Varnish (CDT 2021)	NA
Glass Ionomer Dental Sealants	D1351; D1354
Prescription Strength Fluoride Toothpaste + 5000 ppm [Dispensed in Office]	D9630
2% Sodium Fluoride Rinse [Dispensed in Office]	D9630
Fluoride Varnish	D1206; D1208
Caries Risk Assessment	D0601; D0602; D0603
Nutritional Counseling and Motivational Interviewing	D1310; D9993

DENTAL EXAMINATION + 3 → ATRAUMATIC DENTAL CARIES TREATMENT

Bundled Dental Services	CDT Codes
Silver Diamine Fluoride (SDF)	D1354
Glass Ionomer <ul style="list-style-type: none">• ART: Atraumatic Restorative Treatment• ITR: Interim Therapeutic Restoration	D2330; D2331; D2332; D2335; D2391; D2392; D2393; D2394; D2951
Hall Crowns for Primary Molars [No Drill]	

DENTAL EXAMINATION + 4 PERIODONTAL DISEASE MANAGEMENT

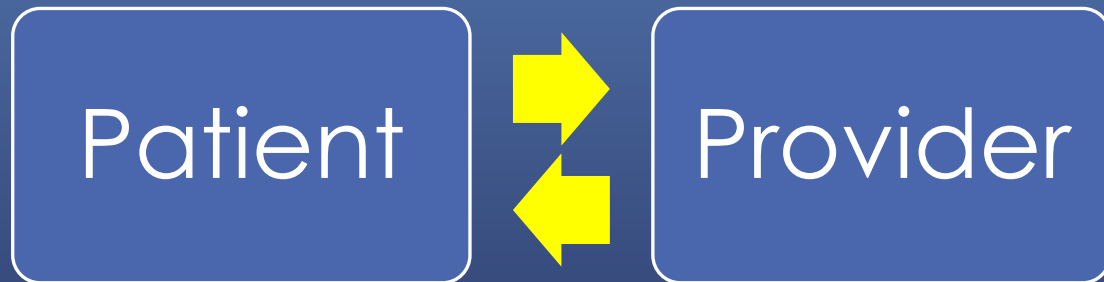
Bundled Dental Services	CDT Codes
Scaling and Root Planing – [No Ultrasonic - Cavitron]	D4341; D4342; D4346; D6081; D4355;
1 Week Metranidazole + Amoxicillin	D9630
Localized Delivery of Anti-microbials	D4381
Chlorhexidine Rinse [Dispensed in Office]	D9630

DENTAL EXAMINATION + 5 DENTURE REPAIR OR RELINE

Bundled Dental Services	CDT Codes
Full Denture Repairs	D5511; D5512; D5520
Partial Denture Repairs	D5611-D5671
Recementing Crowns or Bridges [No drill]	

PHASE 2: TELE-DENTISTRY SYNCHRONOUS—CDT CODE D9995

ESSENTIAL AND NON-ESSENTIAL SERVICES

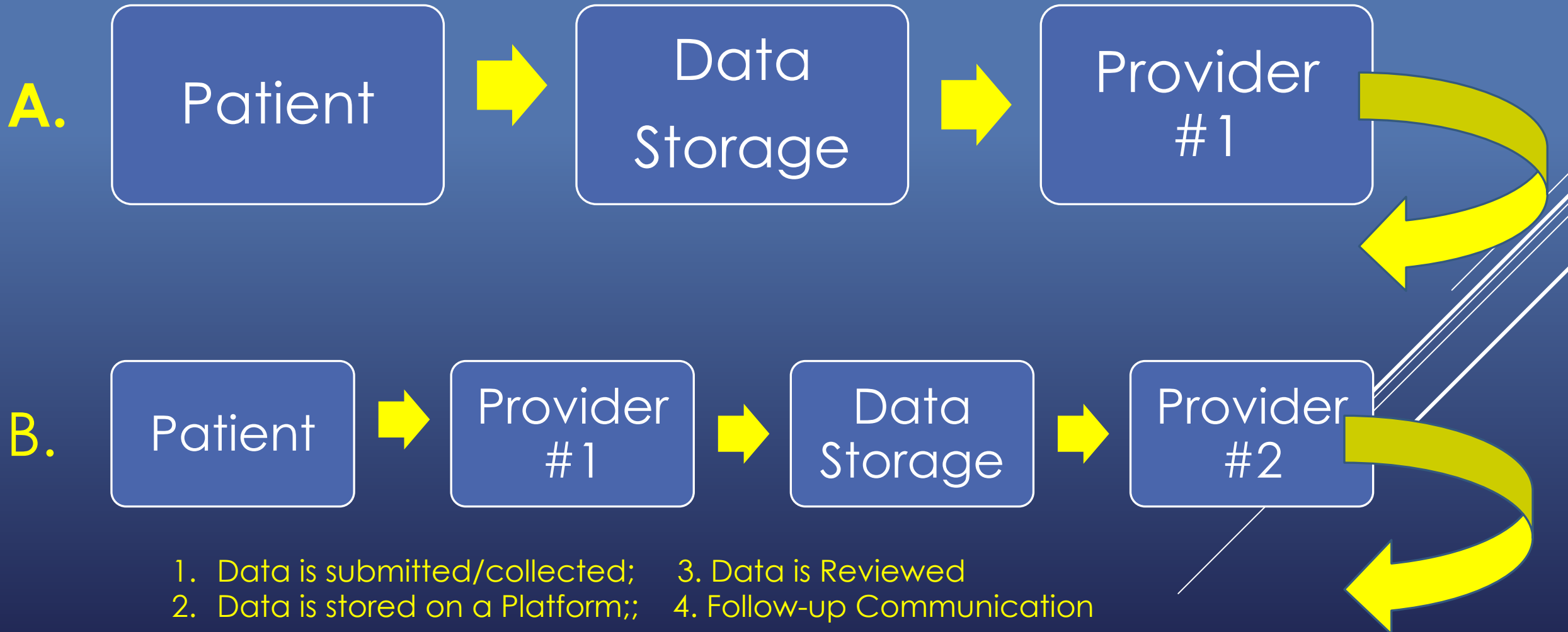


Direct Real Time

- ▶ Remote Communication
- ▶ D9995 + Real-time
 - ▶ Audio or Video [State Specific]
 - ▶ Non-Public Facing Application
 - ▶ Controlled Substances: Must be Audio and Video
- ▶ Unique State Codes
 - ▶ D0999 + D9999 Synchronous (CA)
 - ▶ “02” Telehealth

PHASE 2: TELE-DENTISTRY

A-SYNCHRONOUS—CDT CODE D9996



PHASE 2: TELE-DENTISTRY SUMMARY

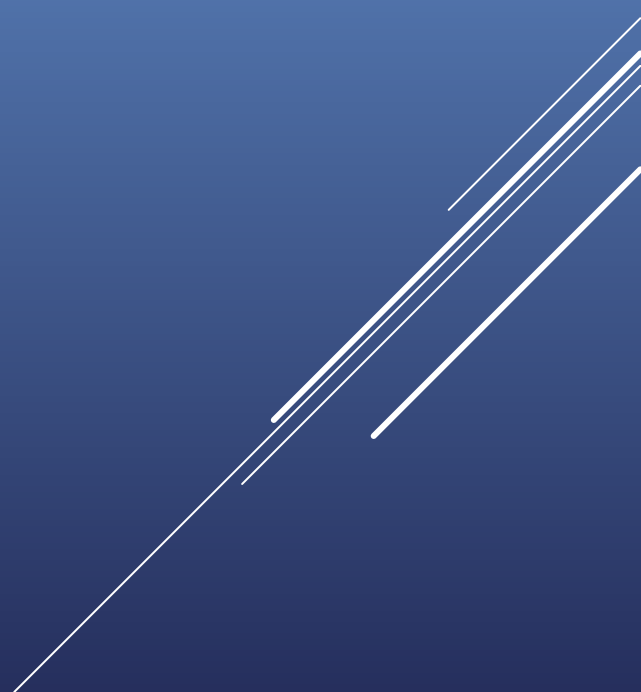
Tele-dentistry: "Synchronous"

- ▶ Remote Communication
- ▶ Patient <—> Provider [Direct]
- ▶ Oral Evaluation Codes +
- ▶ D9995
 - ▶ Real-time
 - ▶ Audio or Video [State Specific]
 - ▶ Non-Public Facing Application
 - ▶ Controlled Substances: Must be Audio and Video
- ▶ Unique State Codes
 - ▶ D0999 + D9999 Synchronous (CA)
 - ▶ "02" Telehealth

Tele-dentistry: "Asynchronous"

- ▶ Remote Communication
- ▶ Patient <—>Transmission of Data <—>Provider Assessment and Patient Follow-up
- ▶ D9996
 - ▶ NOT Real-Time
- ▶ Data Transmission
 - ▶ Patient can transmit directly to Provider
 - ▶ Secure portal and platform
 - ▶ Must be HIPAA compliant
 - ▶ Secondary Provider can transmit to Primary Provider
 - ▶ Secure portal and platform
 - ▶ Must be HIPAA compliant
 - ▶ Data is stored on a platform and reviewed by

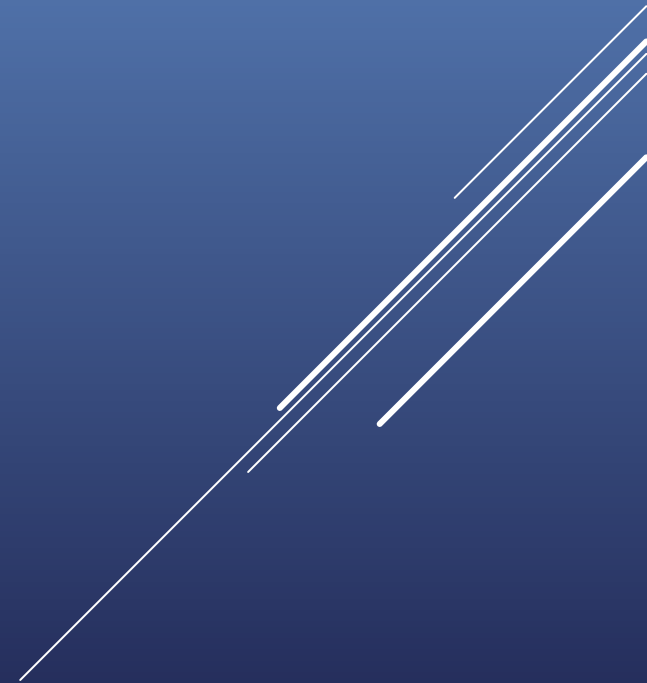
▶ Advanced Payments for Medicaid Dental Providers



1135 WAIVERS

The image features a solid blue background. In the bottom right corner, there are several white lines of varying lengths and thicknesses, arranged in a roughly parallel, diagonal pattern from the bottom left towards the top right.

▶ Other Important Resources and Information



- ▶ COVID-19 HHS Guidance
- ▶ HIPAA and Telemedicine/Teledentistry
- ▶ <https://www.hhs.gov/hipaa/for-professionals/special-topics/emergency-preparedness/notification-enforcement-discretion-telehealth/index.html>

OCR AND HHS GUIDANCE

- ▶ “OCR is exercising its enforcement discretion to **not impose penalties for noncompliance with the HIPAA Rules** in connection with the **good faith provision** of telehealth using such non-public facing audio or video communication products during the COVID-19 nationwide public health emergency.”

REMOTE COMMUNICATIONS DURING THE COVID-19 NATIONWIDE PUBLIC HEALTH EMERGENCY

“During the COVID-19 national emergency, ...

- ▶ covered health care providers subject to the HIPAA Rules may seek to communicate with patients, and provide **telehealth services, through remote communications technologies....**
- ▶ Some technologies... and the manner in which they are used by...health care providers, may not fully comply with the requirements of the HIPAA Rules.
- ▶ **OCR** will exercise its enforcement discretion and **will not impose penalties for noncompliance with the regulatory requirements under the HIPAA Rules** against covered health care providers in connection with the **good faith provision** of telehealth during the COVID-19 nationwide public health emergency.
- ▶ **This notification is effective immediately.”**

**REMOTE COMMUNICATIONS
DURING THE COVID-19 NATIONWIDE
PUBLIC HEALTH EMERGENCY**



- ▶ “A covered health care provider that wants to use **audio or video communication technology** to provide telehealth to patients during the COVID-19 nationwide public health emergency can use **any non-public facing remote communication product** that is available to communicate with patients. ”

REMOTE COMMUNICATIONS DURING THE COVID-19 NATIONWIDE PUBLIC HEALTH EMERGENCY



- ▶ This exercise of discretion **applies to telehealth provided for any reason, regardless of whether the telehealth service is related to the diagnosis and treatment of health conditions related to COVID-19.**

REMOTE COMMUNICATIONS
DURING THE COVID-19 NATIONWIDE
PUBLIC HEALTH EMERGENCY



- ▶ “Under this Notice, covered health care providers may use popular applications that allow for video chats, including Apple FaceTime, Facebook Messenger video chat, Google Hangouts video, or Skype, to provide telehealth without risk ... [of] penalty for noncompliance with the HIPAA Rules ...
- ▶ Providers are encouraged to notify patients that these third-party applications potentially introduce privacy risks, and
- ▶ providers should enable all available encryption and privacy modes when using such applications.”

REMOTE COMMUNICATIONS DURING THE COVID-19 NATIONWIDE PUBLIC HEALTH EMERGENCY



NOT APPROVED DEVICES and APPLICATIONS:

- ▶ “Under this Notice,... Facebook Live, Twitch, TikTok, and other similar video communication applications should not be used in the provision of telehealth by covered health care providers.”

REMOTE COMMUNICATIONS
DURING THE COVID-19 NATIONWIDE
PUBLIC HEALTH EMERGENCY

▶ HIPAA COMPLIANT APPLICATIONS

- ▶ ...For providers seeking additional privacy protections for telehealth while using video communication products... technology vendors that are HIPAA compliant include:

Skype for Business / Microsoft Teams	Updox	VSee
Doxy.me	Google G Suite Hangouts Meet	Zoom for Healthcare
Cisco Webex Meetings / Webex Teams	Amazon Chime	GoToMeeting

There may be other technology vendors that offer HIPAA-compliant video communication products that will enter into a HIPAA BAA with a covered entity. Further, OCR does not endorse any of the applications that allow for video chats listed above.

HIPAA COMPLIANT APPLICATIONS



- ▶ Under **Section 1135 of the Social Security Act**, the Secretary may temporarily **waive or modify** certain Medicare, Medicaid, and Children's Health Insurance Program (CHIP) **requirements** to ensure that sufficient health care items and services are available to meet the needs of individuals enrolled in Social Security Act programs in the emergency area and time periods and that providers who provide such services in good faith can be reimbursed and exempted from sanctions (absent any determination of fraud or abuse).

SECTION 1135 WAIVERS



Flexibilities that States via **Section 1135 Waiver request:**

- ▶ Waive prior authorization requirements in fee -for-service programs
- ▶ Permits providers located out of state/territory to provide care to another state
- ▶ Temporarily increase access to care
- ▶ Temporarily waive requirements that suspend certain provider enrollment and revalidation requirements physicians and other health care professionals be licensed in the state in which they are providing services, so long as they have an equivalent licensing in another state;
- ▶ States and territories are encouraged to assess needs and request available flexibilities
- ▶ Medicaid and CHIP Disaster Response Toolkit
- ▶ For questions please email: 1135waiver@cms.hhs.gov

SECTION 1135 WAIVER



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