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

Patient → Provider
A. Data is submitted/collected; Data is stored on a Platform;
B. Data is Reviewed; Follow-up Communication
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

Covid-19 PUBLIC HEALTH STATE OF EMERGENCY
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

Covid-19 PUBLIC HEALTH STATE OF EMERGENCY
PHASE 1: IN-OFFICE

ESSENTIAL –EMERGENCY SERVICES

- Face-to-Face Visit
- D0140; D0170; or D0171 +
- CDT Emergency Codes:
  - Highly Likely
  - Probably
  - Possibly
<table>
<thead>
<tr>
<th>Definitely</th>
<th>Highly Likely</th>
<th>Probably</th>
<th>Possibly</th>
<th>Unlikely</th>
</tr>
</thead>
<tbody>
<tr>
<td>D0140</td>
<td>problem</td>
<td>D0220, D0230, D027</td>
<td>D4320, D4321</td>
<td>D3220 pulpotomy</td>
</tr>
<tr>
<td>D0171 re-eval post-op</td>
<td>D1354</td>
<td>D02910, D02915, D02920</td>
<td>D6930 re-cement fixed bridge</td>
<td>D3221 pulpal debridement</td>
</tr>
<tr>
<td>D0460 pulp vitality tests</td>
<td>D2799</td>
<td>D2910, D2915, D2920 re-cement onlay, veneer, post/core, or crown</td>
<td>D6980 repair fixed bridge</td>
<td>D3230, D3240 Pulpal Therapy</td>
</tr>
<tr>
<td>D7270 tooth re-implantation of accidentally avulsed or displaced tooth</td>
<td>D2929-D2934 Prefab crowns</td>
<td>D7111, D7140, D7210, D7250 Emergency extractions- not for asymptomatic teeth</td>
<td>D7220, D7230, D7240, D7241, D7251-pericoronitis or third molar pain; D7510; D7511; D7520; D7521 I&amp;D</td>
<td>D3310, D3320, D3330 RCT</td>
</tr>
<tr>
<td>D9110 Palliative emergency treatment</td>
<td>D2941 Interim therapeutic restoration-primary teeth</td>
<td>D8701, D8702 Ortho retainer repairs (for acute issues-pain, infection, trauma</td>
<td>D3346, D3347, D3348 RCT Retreatment</td>
<td>D33555-D3357 Pulpal Regeneration</td>
</tr>
<tr>
<td>D9910, D9911 Desensitizing medicament/resin</td>
<td>D2951 Pins</td>
<td>D34* Apicoectomy/Periradicular surgery, except D3460 Endo implant</td>
<td>D5511, D5512, D5520 Full Denture Repairs</td>
<td>D5611-D5671 Partial Denture Repairs</td>
</tr>
<tr>
<td>D7911, D7912 complicated sutures</td>
<td>D2980-D2983 Repairs-crown, inlay, onlay, veneer trauma</td>
<td>D8701, D8702 Ortho retainer repairs (for acute issues-pain, infection, trauma</td>
<td>D6090 Repair Implant prosthesis</td>
<td>D6091 Replacement Implant attachment</td>
</tr>
</tbody>
</table>

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

- D2980-D2983 Repairs-crown, inlay, onlay, veneer trauma
- D34* Apicoectomy/Periradicular surgery, except D3460 Endo implant
- 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
- D21*, D23* Direct fillings-unless symptomatic carious lesions
PHASE 1: **TELE-DENTISTRY SYNCHRONOUS ONLY**—CDT CODE D9995

**ESSENTIAL – EMERGENCY SERVICES**

- 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

Covid-19 PUBLIC HEALTH STATE OF EMERGENCY
## DENTAL EXAMINATION +

<table>
<thead>
<tr>
<th>Dental Services</th>
<th>CDT Codes</th>
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</thead>
<tbody>
<tr>
<td>Comprehensive Oral Evaluation- New Patient</td>
<td>D0150</td>
</tr>
<tr>
<td>Limited Oral Evaluation</td>
<td>D0140</td>
</tr>
<tr>
<td>Re-evaluation</td>
<td>D0170</td>
</tr>
<tr>
<td>Periodic Oral Evaluation-Established Patient</td>
<td>D0120</td>
</tr>
<tr>
<td>Comprehensive Periodontal Evaluation</td>
<td>D0180</td>
</tr>
<tr>
<td>Oral Evaluation Child &lt; age 3</td>
<td>D0145</td>
</tr>
<tr>
<td>Bundled Dental Services</td>
<td>CDT Codes</td>
</tr>
<tr>
<td>-------------------------------------------------------------</td>
<td>--------------------</td>
</tr>
<tr>
<td>Silver Diamine Fluoride (SDF)</td>
<td>D1206; D1208; D1354</td>
</tr>
<tr>
<td>Silver Nitrate (SN) Site Specific/ Per Tooth</td>
<td></td>
</tr>
<tr>
<td>Chlorhexidine Thymol/Varnish (CDT 2021)</td>
<td>NA</td>
</tr>
<tr>
<td>Glass Ionomer Dental Sealants</td>
<td>D1351; D1354</td>
</tr>
<tr>
<td>Prescription Strength Fluoride Toothpaste + 5000 ppm [Dispensed in Office]</td>
<td>D9630</td>
</tr>
<tr>
<td>2% Sodium Fluoride Rinse [Dispensed in Office]</td>
<td>D9630</td>
</tr>
<tr>
<td>Fluoride Varnish</td>
<td>D1206; D1208</td>
</tr>
<tr>
<td>Caries Risk Assessment</td>
<td>D0601; D0602; D0603</td>
</tr>
<tr>
<td>Nutritional Counseling and Motivational Interviewing</td>
<td>D1310; D9993</td>
</tr>
</tbody>
</table>
## DENTAL EXAMINATION + 3 
**ATRAUMATIC DENTAL CARIES TREATMENT**

<table>
<thead>
<tr>
<th>Bundled Dental Services</th>
<th>CDT Codes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Silver Diamine Fluoride (SDF)</td>
<td>D1354</td>
</tr>
<tr>
<td>Glass Ionomer</td>
<td></td>
</tr>
<tr>
<td>• ART: Atraumatic Restorative Treatment</td>
<td>D2330; D2331;</td>
</tr>
<tr>
<td>• ITR: Interim Therapeutic Restoration</td>
<td>D2332; D2335;</td>
</tr>
<tr>
<td></td>
<td>D2391; D2392;</td>
</tr>
<tr>
<td></td>
<td>D2393; D2394;</td>
</tr>
<tr>
<td></td>
<td>D2951</td>
</tr>
<tr>
<td>Hall Crowns for Primary Molars [No Drill]</td>
<td></td>
</tr>
</tbody>
</table>
# DENTAL EXAMINATION + 4

## PERIODONTAL DISEASE MANAGEMENT

### Bundled Dental Services

<table>
<thead>
<tr>
<th>Service</th>
<th>CDT Codes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Scaling and Root Planing – [No Ultrasonic - Cavitron]</td>
<td>D4341; D4342; D4346; D6081; D4355;</td>
</tr>
<tr>
<td>1 Week Metranidazole + Amoxicillin</td>
<td>D9630</td>
</tr>
<tr>
<td>Localized Delivery of Anti-microbials</td>
<td>D4381</td>
</tr>
<tr>
<td>Chlorhexidine Rinse [Dispensed in Office]</td>
<td>D9630</td>
</tr>
</tbody>
</table>
# DENTAL EXAMINATION + 5
## DENTURE REPAIR OR RELINE

<table>
<thead>
<tr>
<th>Bundled Dental Services</th>
<th>CDT Codes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Full Denture Repairs</td>
<td>D5511; D5512; D5520</td>
</tr>
<tr>
<td>Partial Denture Repairs</td>
<td>D5611-D5671</td>
</tr>
<tr>
<td>Recementing Crowns or Bridges [No drill]</td>
<td></td>
</tr>
</tbody>
</table>
PHASE 2: TELE-DENTISTRY SYNCHRONOUS—CDT CODE D9995

ESSENTIAL AND NON-ESSENTIAL SERVICES

- 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

Direct Real Time

Patient ➔ Provider

Remote Communication
**PHASE 2: TELE-DENTISTRY**

**A-SYNCHRONOUS** — CDT CODE D9996

A.

1. Data is submitted/collection;
2. Data is stored on a Platform;
3. Data is Reviewed;
4. Follow-up Communication

B.

1. Data is submitted/collection;
2. Data is stored on a Platform;
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

Covid-19 PUBLIC HEALTH STATE OF EMERGENCY
Advanced Payments for Medicaid Dental Providers
1135 WAIVERS
Other Important Resources and Information
COVID-19 HHS Guidance

HIPAA and Telemedicine/Teledentistry


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

<table>
<thead>
<tr>
<th>Skype for Business / Microsoft Teams</th>
<th>Updox</th>
<th>VSee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Doxy.me</td>
<td>Google G Suite Hangouts Meet</td>
<td>Zoom for Healthcare</td>
</tr>
<tr>
<td>Cisco Webex Meetings / Webex Teams</td>
<td>Amazon Chime</td>
<td>GoToMeeting</td>
</tr>
</tbody>
</table>

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.
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).
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
CONTACT

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