

## Connecticut Empowers DSS to Expand Medicaid Coverage of Telehealth Services

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On June 28, 2019, Connecticut Governor Ned Lamont signed into law Public Act No. 19-76 “An Act Expanding Medicaid Coverage of Telehealth Services” (PA 19-76). PA 19-76 revises the criteria and process by which the Connecticut Department of Social Services (DSS) determines the telehealth services covered by the Medicaid program. PA 19-76 is effective July 1, 2019.

Current law provides that DSS is only obligated to provide Medicaid coverage for telehealth services within available state and federal resources. The categories of telehealth services must be (1) clinically appropriate to be provided by telehealth, (2) cost effective for the state, and (3) likely to expand access to medically necessary services for Medicaid recipients who experience undue hardship in accessing health care services.

PA 19-76 amends and expands the third factor for Medicaid coverage above to require DSS to consider whether telehealth services are likely to expand access to medically necessary services where there is a clinical need for those services to be provided by telehealth. This Act also deletes the current qualifier that DSS’s provision of Medicaid coverage be within available state and federal resources, to now provide that DSS “shall provide coverage” as of the effective date of this legislation with reference to available resources.

Finally, the Act permits DSS to provide coverage for telehealth services, even in the face of contrary state regulations. To do so, DSS may adopt policies and procedures to be effective in the interim while adopting such policies and procedures as regulations, as long as DSS provides notice of its intent to promulgate regulations in accordance with state law.

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