Beyond the Technologies: Administrative Considerations in Telepractice

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Disclosure

- Financial interest:
  - Financial support from speechpath.com

- Non-financial interest:
  - Member of ASHA SIG 18 and ATA Telerehab SIG member

Beyond the Technology: Administrative Considerations in Telepractice

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Telepractice

- “The application of telecommunications technology to delivery of professional services at a distance by linking clinician to client, or clinician to clinician, for assessment, intervention, and/or consultation.” (ASHA, 2004)

- “Range of services provided through telecommunications... including clinical services for communication enhancement, and education and supervision.” (ASHA, 2005)

ASHA Position on Telepractice

- “appropriate model of service delivery for the professions of speech-language pathology [and audiology].”

- “overcome barriers of access to services caused by distance, unavailability of specialists and/or subspecialists, and impaired mobility.”

- "potential to extend clinical services to remote, rural, and underserved populations, and to culturally and linguistically diverse populations."

http://www.asha.org/practice/telepractice/
Service Delivery Models

- Mobile Health Monitoring
- Online Speech Services
- Store-and-Forward
- Point-to-Point DVC
- Web-based Consultation

Terms to Know

- Rural Health Network
- Synchronous
- Asynchronous
- Hybrid
- Originating site
A Great Place to Start

• Administrative
• Clinical
• Technical

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http://www.americantelememd.org

Administrative Considerations

• PRIVACY AND SECURITY
• CLIENT SELECTION
• DOCUMENTATION
• LICENSURE
• LIABILITY AND ETHICAL ISSUES
• REIMBURSEMENT
Privacy and Security

- Applicable Laws
  - FERPA (Family Educational Rights and Privacy Act)
  - HIPAA (Health Insurance Portability and Accountability Act of 1996)
- Technology
  - Encryption
  - Firewall protection
  - Passwords
  - Records - storage and sharing
- Center for Telehealth and e-Health Law (CTEL)

Privacy and Internet-Based Telepractice

Ellen R. Cohn and Valerie J. M. Watzlaf

Abstract
Speech-language pathologists and audiologists have historically been attuned to protecting the privacy of their clients. The recent proliferation of Internet-based communication for telepractice has resulted in new and constantly evolving threats to client privacy. This article provides an overview of key legal protections to privacy. With a focus on Voice over Internet Protocol (VoIP; e.g., Skype), the authors present an approach to risk assessment that includes a HIPAA Compliance Checklist (Watzlaf, Moeini, & Firouzan, 2010) and a team approach to oversight. Upholding Internet-based privacy within the current environment is an ongoing and challenging responsibility.

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Client Selection

- Clinical service must be appropriate based on the unique needs of the client.
- The need for physical contact must be addressed.
- SLP must assess if services are effective
- Facilitators need to be well-trained.

ASHA - TECHNICAL REPORT ON TELEPRACTICE 2005

Documentation

- Training
- Informed Consent:
  - Potential benefits and risks, use of telecommunications technology, presence of facilitator, possibility of recording, right to decline or revoke, confidentiality and security measures
- Permission to video/audio record
- Patient Records
  - Document when a session is held by telepractice.
  - Response and outcomes
  - Issues encountered
  - Following billing protocols and coding
**Licensure**

- Practitioner must be licensed in the state where the client/patient is located as well as the state where the SLP is located
- Logistical & financial disincentive
- Check with your State Boards of Examiners
  - [http://www.ncsb.info/state-regulations](http://www.ncsb.info/state-regulations)
- Proposed Interstate licensure models

**Reimbursement**

- Contract Services
  - Billing arrangement may vary
    - (e.g., hourly, monthly)
- Third Party Reimbursement
  - Commercial Carriers
  - State agencies - Medicaid covers telepractice services in some states
  - Government Agencies
- Grant Funding
  - Office for the Advancement of Telehealth (OAT)
  - U.S. Department of Education
For example....Virginia’s Regulatory Considerations

- **State Licensure Requirements**
  - Virginia has a dual license system
    - Department of Education (VDOE)
    - Department of Health Professions (DHP)
- **Reimbursement**
  - Medicaid – permitted at federal level, but each state can decide policy
  - Medicare – not there yet
  - Private Insurers – moving in that direction
- **Federal Mandates – “Obama-care”**

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**Ethical Considerations**

- Scope of Practice
- Client Selection
- Competency
- Ethical Practice
- Security and Privacy
- Licensure Laws
- Documentation
- Knowledge and skills

“The use of telepractice does not remove any existing responsibilities in delivering services, including adherence to the Code of Ethics, Scope of Practice, state and federal laws (e.g., licensure, HIPAA, etc.), and ASHA policy documents on professional practices. Therefore, the quality of services delivered via telepractice must be consistent with the quality of services delivered face-to-face” (Position statement, 2005).
Related to the SLP or AuD

**Scope of Practice:** An example of our clinical services is: “...determining appropriate context(s) for service delivery (e.g., home, school, telepractice, community)” (ASHA, 2007, p. 1)

**Code of Ethics:**
- “Individuals may practice by telecommunication (e.g., telehealth/e-health), where not prohibited by law.”
- “Individuals shall honor their responsibility to the public...by supporting the development of services designed to fulfill the unmet needs of the public...” (ASHA, 2010_)

Knowledge and Skills

- Cultural and linguistic considerations
  - Cultural view of technology
  - Use of interpreters
  - Local/regional dialects
- Choice of assessment & intervention materials
  - Reliability and validity by telepractice
- Client selection
Related to the Facilitator

- “Individuals who hold the Certificate of Clinical Competence shall not delegate tasks that require the unique skills, knowledge, and judgment that are within the scope of their profession to assistants, technicians, support personnel...”

- “Individuals who hold the Certificate of Clinical Competence may delegate tasks related to provision of clinical services to assistants, technicians, support personnel, or any other persons only if those services are appropriately supervised, realizing that the responsibility for client welfare remains with the certified individual.”

- “Individuals shall not misrepresent the credentials of assistants...support personnel...”

Liability and Malpractice

- Coverage under liability/malpractice insurer
- Liability may apply to telepractice consultations
- Meet standards of care

Who is responsible for...
- student safety?
- equipment failure?
- training facilitator?
- notifying parents?
Case Study

- You receive an email from a company located in another state interested in expanding online services in your state. They offer you a part-time position, with high pay. They assure you that you can conduct therapy from the privacy and convenience of your home using your own laptop computer and a webcam.
- What questions should you ask?

Training in Telepractice
Areas of Training

Technology
- Digital video conferencing equipment (webcam or stand-alone)
- Peripherals
- Room set up
- Security and privacy
- Troubleshooting

Areas of Training

• Communication
  - Professionals at remote site
  - Roles and responsibilities of SLP/Graduate Student/Paraprofessional
  - Planning, data collection and documentation
## Areas of Training

- Supervision requirements
- Models of telepractice
- Appropriate client identification
- Outcomes measures
- Modification of therapy materials and strategies
- Strategies for encouraging engagement and interaction

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[Image: A Blueprint for Telerehabilitation Guidelines]

**ASHA's SIG 18: Telepractice Online Community**

[Website: www.asha.org/telepractice]

**ATA Telerehabilitation SIG**

[Logo: Mid-Atlantic Telehealth Resource Center]