

Revolutionizing Care Through Telehealth: Public Policy Considerations

NCSL

August 7, 2012

John D. Blum

Professor of Law

Loyola University Chicago

Beazley Institute for Health Law and Policy

jblum@luc.edu

Member, Board of Advisors, Center for Telemedicine Law and e- Health

Telemedicine on the Verge

- More Than 20 Years of Development
- Considerable Activity Across An Array of Technologies
- Increasing Forms of Application

Generics

- The use of electronic media to link patients with health care professionals in different locations
- **Telehealth** – Information, Education
- **Telemedicine**- Video Conferencing Services, Real Time Treatment, Store and Forward Diagnostics
- **E-Health** – Internet Medicine (Cybermedicine)
- **M-Health** – Mobile Health Apps

Technologies Impacting Telemedicine

- An Array of Big and Small Devices



- Health IT – EMR Context

Applications

- Dermatology, Radiology, Psychiatry Most Common
- **Host of New Programs**
- *Project Echo* , New Mexico, Physician Consults, Community Health Worker Education <http://echo.unm.edu/>
- *University of Pittsburg Medical Center* – e-visits, via questionnaire, coordinated with UPMC Epic System
- <http://upmc.com/HEALTHCARE-PROFESSIONALS/PHYSICIANS/TELEMEDICINE/Pages/default.aspx>
- *USF/ The Villages*- e visits for seniors
- <http://www.healthcare-informatics.com/article/florida-retirement-community-adopts-telehealth-linchpin-aco>

More Applications : Loyola, Ontario



- <http://www.sjmed.com/telemedicine-programdical>
- <http://otn.ca/en/patients-families/>

Standards/ Guidelines

- [ATA Standards](#)
- <http://www.americantelemed.org/i4a/pages/index.cfm?pageid=3311>
- Research
<http://www.capsil.org/files/Telemedicine%20and%20Telehealth%20Outcomes%20Research.pdf>
- Centers for Medicare, Medicaid Innovation

Research/Service/ Delivery

- GEORGE WASHINGTON UNIVERSITY
- Project Title: “Using Telemedicine in peritoneal dialysis to improve patient adherence and outcomes while reducing overall costs”
- Geographic Reach: District of Columbia, Maryland, Pennsylvania, Virginia
- Funding Amount: \$1,939,127
- Estimated 3-Year Savings: \$1.7 million
- Summary: George Washington University is receiving an award to improve care for about 300 patients on peritoneal dialysis in Washington, D.C., and eventually in Philadelphia and Southern Maryland. The intervention will use telemedicine to offer real-time, continuous, and interactive health monitoring to improve patient safety and treatment. The model will train a dialysis nurse workforce in prevention, care coordination, team-based care, telemedicine, and the use of remote patient data to guide treatment for co-morbid, complex patients. This approach is expected to improve patient access to care, adherence to treatment, self-management, and health outcomes, reducing cost of care for peritoneal dialysis patients with complex health care needs by reducing overall hospitalization days with estimated savings of approximately \$1.7 million. Over the three-year period, George Washington University’s program will train an estimated three health care workers and create an estimated three new jobs. These workers will provide clinical support and health monitoring via the web to home dialysis patients.

Drivers

- Access
- http://www.nytimes.com/2012/07/29/health/policy/too-few-doctors-in-many-us-communities.html?_r=2&partner=MYWAY&ei=5065
- Cost Savings – Double Edged
- Coordination(Health Reform) –Teams, Medical Homes,ACOs

Barriers

- Siloed Approach
- Broadband
- <http://www.broadbandmap.gov/technology>
- Adoption , Professionals and Patients
- <http://freelancemd.com/blog/2012/7/20/is-telemedicine-a-perfect-solution.html>
- <http://www.healthcareguy.com/2012/01/17/dos-and-donts-of-telemedicine/>

Legal, Regulatory Barriers

- Licensure
- Credentialing
- Reimbursement
- Fraud and Abuse
- Antitrust
- Privacy
- Medical Liability

Reimbursement

- Beyond Grants
- Incremental Progress – Medicare,
- <http://ctel.org/wp-content/uploads/2011/11/Physician-Fee-Schedule-Telehealth-2012.pdf>
- Medicaid <http://www.medicaid.gov/Medicaid-CHIP-Program-Information/By-Topics/Delivery-Systems/Telemedicine.html>

Reimbursement II

- Medicare Proposed Rules
- <http://www.americantelemed.org/files/public/policy/Telehealth%20Proposed%20Expansion%20for%20Medicare.pdf>
- Coordinated Approach in Government Programs
- http://www.americantelemed.org/files/public/policy/SixFixes_JointFederalAgencyCoordination.pdf

Broad Reform

- California
- http://www.leginfo.ca.gov/pub/11-12/bill/asm/ab_0401-0450/ab_415_bill_20111007_chaptered.html
[nia](#)

Private Payers

- Michigan
- <http://www.legislature.mi.gov/documents/2011-2012/billanalysis/House/pdf/2011-HLA-5408-3.pdf>
- Reaction Against Insurer Denial of Coverage
- <http://www.md247.com/>

Privacy-Security

- HIPAA
- <http://md247.com/customer-care/13.html>
- Skype, Google, Cell Phones, Encryption?
- Breaches and IT – Fraudulent Fridays
- <http://ehrintelligence.com/2012/07/27/northwestern-memorial-announces-theft-and-health-data-breach/>

Consider The Health Mantra In Considerations of Telemedicine

- Right Patient, Right Treatment, Right Time
- http://choosingwisely.org/?page_id=8

State Health Policy

- Great Opportunities for Leadership in Telehealth Areas
- Moving Toward Telemedicine as “Medicine”