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January 13, 2017


**MEMORANDUM:**

**MEMO NO.**

FFS 17-01

QI-1702

TO: QUEST Integration Health Plans  
Medicaid FFS Providers

FROM:  Judy Mohr Peterson, PhD  
Med-QUEST Division Administrator

SUBJECT: TELE-HEALTH LAW (Act 226, SLH 2016) IMPLEMENTATION

The purpose of this memo is to inform our health plans and providers on the current status of the State Plan Amendment (SPA) and Hawaii Administrative Rules (HAR) changes we are making to conform to the Tele-health law (Act 226, SLH 2016), and to instruct health plans and providers to delay the implementation of Act 226 based on the current status of the above.

The Med-QUEST Division (MQD) has submitted a State Plan Amendment (SPA) to the Centers for Medicare and Medicaid Services (CMS) and the amendment process for the Hawaii Administrative Rules (HAR) has also been started to accommodate the provisions of Act 226 with an effective date of January 1, 2017. We hope to receive final written approval for the SPA from the Centers for Medicare and Medicaid Services (CMS) in the month of March 2017.

Although Act 226 indicates an effective date of January 1, 2017 (page 39, line 15), **please delay implementation until we receive approval from CMS.** There is language in the bill (page 4 lines 12-15) specifying MQD shall comply with federal requirements for utilization, coverage, and reimbursement for tele-health services. Therefore, approval of the State Plan Amendment for the provision of tele-health services is required in order to be in compliance.

Tele-health in Act 226 includes both tele-medicine and tele-dentistry services, and does not add any new services to those presently available to Medicaid recipients.

Should you have any questions, please contact Mr. Jon Fujii at (808) 692-8093 or email at [jfujii@dhs.medicaid.gov](mailto:jfujii@dhs.medicaid.gov).