

Non-Face-to-Face (NF2F) Services – Guidance

Under the current administration's leadership the Centers for Medicare & Medicaid Services (CMS) has broadened access to telehealth and e-encounters for non-face-to-face services to beneficiaries to allow for a wider range of services from their providers without having to travel to a healthcare facility. These services are in effect March 18, 2020 and for the duration of the COVID-19 Public Health Emergency.

While these services can be utilized and reported during this public health emergency the requirement to continue to hold our patient's information private and confidential remain in effect. Please observe and adhere to the following guidance:

1. **Confidentiality**: Though the Office of Civil Rights (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, the confidentiality of our clients' PHI continues to be of utmost importance and a guiding principle of DMHAS. The Commissioner's Confidentiality Statement is still enforced. Please refer to the **Commissioner's Confidentiality Statement**.
2. **Transporting PHI**: When removing PHI from the facility, please use the locked secure transport bags to the extent they are available. If you do not have the locked and secured transport bags be sure you do NOT leave PHI in your car, out in the open and available to others in your home or home office. Do NOT dispose of PHI in your general trash container; it should be shredded (you can bring them back to the facility at the appropriate time and at the end of its intended use).
3. **NF2F Services**: Apply to established or existing patients only. Initial MAT is not applicable.
4. **Consent**: The patient must verbally consent to the e-visit (NF2F).
5. **Time-limited**: This service is time-limited, e.g., during the COVID-19 Public Health Emergency
6. **Documentation**: Please use the provided blank template for NF2F encounters.

REMINDER: Email, ZixMail or other electronic PHI cannot be sent or stored on your home computer or other personal devices.

Attachments:

- Commissioner's Confidentiality Statement
- Coding Information for NF2F Telephone Services
- Blank progress note template for NF2F encounters