



AmeriHealth Caritas™
District of Columbia

To:	All AmeriHealth Caritas DC Providers
Date:	March 20, 2020
Subject:	HIPAA Telehealth

In light of the COVID-19 pandemic, many healthcare providers are seeking to communicate with patients virtually and provide telehealth services through remote communications technologies. Many healthcare providers have questions about using HIPAA-compliant video communication applications and whether some of these technologies, and the manner in which they are used by HIPAA covered health care providers, fully comply with the requirements of the HIPAA Rules.

To address this, the United States Department of Health and Human Services (HHS) Office for Civil Rights (OCR) recently announced that they are exercising their enforcement discretion to permit covered healthcare providers to use non-public facing remote communication products that allow for video chats, including Apple FaceTime, Facebook Messenger video chat, Google Hangouts video, or Skype, to provide telehealth without risk that OCR might seek to impose a penalty for noncompliance with the HIPAA Rules related to the good faith provision of telehealth during the COVID-19 nationwide public health emergency.

Please be advised that OCR further clarifies that, “Facebook Live, Twitch, TikTok, and similar video communication applications are public facing, and should not be used in the provision of telehealth by covered healthcare providers.”

Additionally, healthcare providers that choose to use non-public facing third party applications to notify their patients that there are potential privacy risks with these applications, and healthcare providers should use all encryption and privacy modes available through these applications when using them.

Additional details regarding the HHS OCR’s recent telehealth guidance, and the HIPAA requirements that remain in effect at this time, may be found at the following location: <https://www.hhs.gov/hipaa/for-professionals/special-topics/emergency-preparedness/notification-enforcement-discretion-telehealth/index.html>. AmeriHealth Caritas Network providers are strongly encouraged to monitor regulatory changes and OCR guidance relating to this matter.

If healthcare providers are unable to engage in telehealth services, please know that AmeriHealth Caritas DC enrollees may obtain telehealth services through MYidealDOCTOR™. MYidealDOCTOR™ offers AmeriHealth Caritas DC enrollees a convenient way to talk with and receive treatment from a healthcare provider who can consult, diagnose, and prescribe medication (if needed) for common and acute illnesses. AmeriHealth Caritas DC enrollees can reach MYidealDOCTOR™ at 1-855-879-4332 or at myidealdoctor.com.