



Kentucky Labor Cabinet

Department of Workers' Claims

Andy Beshear

Governor

Larry L. Roberts

Secretary

Jacqueline Coleman

Lieutenant Governor

Robert L. Swisher

Commissioner

The following guidance is to advise the reader of the current position of the Department of Workers' Claims (the "Department") on the specified issue.

FROM: Robert L. Swisher, Commissioner

RE: Telehealth services during state of emergency

DATE: March 23, 2020

On March 6, 2020, Governor Andy Beshear issued Executive Order 2020-2015 declaring a state of emergency in the Commonwealth of Kentucky in response to the novel coronavirus (COVID-19) pandemic. On March 18, 2020, Governor Beshear issued Executive Order 2020-243 encouraging all citizens of the Commonwealth of Kentucky to take all feasible measures to engage in social distancing to prevent the spread of disease, in accordance with guidance from the Centers for Disease Control and Prevention (CDC) and the Kentucky Department of Public Health.

The Department finds that in the current state of emergency, telehealth and telephysical therapy services should be promoted and utilized when appropriate in order to prevent the spread of

disease and provide for continuity of care to injured workers pursuant to KRS 342.020. Accordingly, it is the position of the Department that:

(1) Medical treatment and services, including physical therapy, may be offered and performed via telehealth, as defined in KRS 304.17A-005 (47), or telephysical therapy, as defined in 201 KAR 22:001(25), when clinically appropriate in the judgment of a health care provider, for treatment of workplace injuries and occupational disease;

(2) An injured worker shall have the right to decline to participate in telehealth and telephysical therapy;

(3) In performing telehealth and telephysical therapy services, medical providers shall comply with all applicable state and federal statutes and regulations pertaining to such services;

(4) A medical payment obligor shall reimburse telehealth or telephysical therapy providers for services provided to an injured worker. Reimbursement shall be equal to the reimbursement for the same service had it been provided in person unless the provider and the medical payment obligor contractually agree to a lower reimbursement rate for telehealth or telephysical therapy services. Pursuant to the Kentucky Schedule of Fees for Physicians, billing for telehealth and telephysical therapy shall be submitted on a HCFA 1500 form and shall include the modifier “95” with the appropriate CPT ® code.

/s/ Robert L. Swisher

Robert L. Swisher, Commissioner

Department of Workers' Claims

Follow the Kentucky Labor Cabinet on [Facebook](#) and [Twitter](#) for all the latest updates.



Questions? [Contact us](#)

STAY CONNECTED:



SUBSCRIBER SERVICES: [Manage Subscriptions](#) | [Unsubscribe All](#) | [Subscriber Help](#) |

