

COVID-19 – Governor Issued Executive Orders

Implication to Occupational Therapy State Licensure as of July 20, 2020

(Please note: Each directive indicated is a result of an executive order issued by the governor of the state and is active until the state of emergency regarding COVID-19 expires. Jurisdictions with no implications indicated do not currently have executive orders specific to occupational therapy.)

STATE	IMPLICATIONS TO OT STATE LICENSURE
ALABAMA	Alabama Medicaid: This provision is to temporarily allow speech and occupational therapy services through telemedicine during COVID-19 emergency for dates of service on or after March 16, 2020. This allowance should only be used for medically necessary services that can be appropriately delivered in a secure, confidential location.
ALASKA	Alaska State Board of Physical Therapy and Occupational Therapy – Enactment of SB 241: Licensees may renew their license for the July 1, 2020, to June 30, 2022, license period without having met all regulatory renewal requirements. Health Mandate 015: Services for Healthcare Providers: This Mandate addresses various issues that apply to occupational therapy practitioners including information related to delivery of routine healthcare services, provisions for resuming non-urgent/non-emergent surgeries and procedures, and urgent and emergent services. Division of Healthcare Services Temporary Expansion of Medicaid Telehealth Coverage: For as long as the U.S. Department of Health and Human Services Secretary's public health emergency remains in effect, Alaska Medicaid is expanding Medicaid telehealth coverage. Information included addresses aspects such as fee schedules and acceptable electronic means.

ARIZONA

<u>Executive Order 2020-17 Continuity of Work</u>: This Order directs state agencies and boards to defer requirements to renew licenses that have an expiration date between March 1, 2020, and September 1, 2020, by six months for the expiration date unless those requirements can be completed online.

<u>Arizona Board of Occupational Therapy Examiners – Licensing Waivers</u>

- Temporary waiver of the fingerprint requirement for those applying for a new license and cannot have their fingerprints taken due to COVID-19. The Board may issue a six-month provisional license to those applying for a new license who cannot obtain fingerprints.
- Temporary waiver of exam requirement for those who have successfully completed their program but are not able to take the NBCOT exam because the testing centers are closed. The Board may issue a six-month provisional license to new graduates who cannot take the NBCOT exam.
- Temporary waiver of continuing education requirement for those who cannot complete their CEs due to COVID-19. The Board may issue a six-month extension letter to those who cannot complete their continuing education in time because of COVID-19.
- Fee waivers for those who have been financially impacted by COVID-19. You must attest that you have been financially impacted by COVID-19 and cannot afford to pay licensing fees.

<u>Executive Order 2020-07 Proactive Measures to Protect Against COVID-19</u>: The Department of Health Services in conjunction with the Department of Insurance shall require that all insurers regulated by the State cover telemedicine visits at a lower cost-sharing point for consumers than the same in-office service to encourage utilization of telemedicine for the duration of the state's public health emergency.

<u>Executive Order 2020-15 Expansion of Telemedicine</u>: All health insurance plans regulated by the Arizona Department of Insurance are required to cover all healthcare services that are provided through telemedicine if the healthcare service would be covered were it provided through in-

	person visit. This Order also includes additional information such as reimbursement,
	documentation, and acceptable electronic means of telehealth and telemedicine services.
	Executive Order 2020-29 Increased Telemedicine Access for Workers' Compensation: Beginning April 14, 2020, and continuing for the duration of the Public Health Emergency, all workers' compensation insurance plans regulated by the Arizona Department of Insurance, self-insurance plans regulated by the Industrial Commission of Arizona, and the Special Fund are required to provide coverage for all healthcare services that can be provided through telemedicine if the healthcare service would be covered were it provided through an in-person visit.
ARKANSAS	Arkansas Department of Human Services Memorandum (DMS-04): In response to the COVID-19
	outbreak in Arkansas and consistent with CMS's coverage and payment for COVID-19 diagnostic
	testing, DMS is suspending the prohibition on use of telemedicine technology for limited
	occupational, physical or speech therapy services provided to established patients during the
	COVID-19 outbreak and the declaration of public health emergency.
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	Arkansas Department of Human Services Memorandum (DMS-04a): This addendum expands
	allowable telemedicine services to include services provided by licensed occupational, physical, or
	speech therapy assistants.
CALIFORNIA	Executive Order N-39-20: Authorizes the Director of the Department of Consumer Affairs to waive
CALIFORNIA	any of the professional licensing requirements relating to healing arts licensees in Division 2 of the
	Business and Professions Code, and any accompanying regulations. This includes, but is not limited
	to, education, training requirements necessary to maintain licensure, and requirements governing
	the practice and permissible activities of licensees.
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	Emergency Medical Services Authority – Out of State Medical Personnel: Any out-of-state
	personnel, including, but not limited to, medical personnel, entering California to assist in
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	preparing for, responding to, mitigating the effects of, and recovering from COVID-19 shall be
	permitted to provide services in the same manner as prescribed in Government Code section
	179.5, with respect to licensing and certification.

<u>Department of Consumer Affairs – Order Waiving License Reactivation or Restoration</u>

Requirements: The Director may waive any statutory or regulatory requirements with respect to a professional license issued pursuant to Division 2 of the Business and Professions Code, including the requirements to reactivate or restore a license to active status. Waivers may include continuing education requirements and fees for licensure. These waivers apply to individuals who have a retired, inactive, or cancelled status for no longer than five years.

<u>Executive Order N-43-20</u>: Healthcare providers must maximize the number of capable healthcare workers through the use of telehealth services to ensure that Californians impacted by COVID-19 are able to access medical treatment as necessary. This Order addresses provisions such as consent, good faith, breach of security, and suspension of penalties.

<u>Department of Consumer Affairs – Order Extending Eligibility Period and Expiration Dates for Limited Permits</u>: The Director waived California Code of Regulations, title 16, section 4123, subdivision extending several timeframes regarding limited permits and taking the NBCOT national certification examination.

COLORADO

<u>Executive Order D 2020 038</u> Temporary Suspension of Certain Statutes and Rules to Expand the Healthcare Workforce: This Order suspends statutory and regulatory scope of practice limitations to permit licensed professionals to cross train, supervise, and delegate responsibilities concerning temporary care and treatment of patients.

<u>Department of Regulatory Agencies – Guidance for Healthcare Professionals Not Currently Licensed in Colorado</u>: Healthcare providers who are being called upon to assist in caring for patients, but who are wondering if they can lawfully practice without a current Colorado license should consider the following exemptions and provisions that will allow them to immediately resume work in the field:

All Healthcare Providers:

- A provider with an expired or lapsed license, registration, or certification may operate within a 60-day grace period without being subject to penalties or fines under C.R.S. §12-20-202(1)(e). Note: Medical professionals must be aware of reimbursement and liability concerns beyond the date of license expiration.
- Any active military personnel, including any National Guard member or reservist, and any veteran who has not been dishonorably discharged may operate under an expired license, certificate, or registration of any active military personnel for a minimum of 30 days under C.R.S. §12-20-202(2)(b).
- A military spouse who has been relocated to Colorado by military orders and has an active license in good standing from another state, can practice in most professions regulated by DPO for up to one year from the date they move before obtaining a Colorado license under C.R.S. §12-20-304.

Office of Occupational Therapy: New graduates who are unable to test due to indefinite postponement of exams can work under the supervision of a Colorado licensee until testing centers open.

<u>Executive Order D 2020 020</u>: This Order suspends certain statutes and expands the use of telehealth services. Provisions address areas such as health benefit plans, reimbursement, and consultative services.

CONNECTICUT

<u>Executive Order No. 7v</u>: Temporary Permits for Certain Healthcare Providers Extended and Fees Waived - The Order waives any application fees for temporary permits and extends the duration of the temporary permits for care professions governed thereunder, for the duration of the public health and civil preparedness emergency, unless earlier modified or terminated. The Commissioner may issue any implementing order deemed necessary to effectuate this order.

<u>Executive Order No. 7G</u>: This Order addresses the flexibility for Medicaid enrolled providers and innetwork providers for commercial fully insured health insurance to provide telehealth services.

	Executive Order No. 7DD: Expansion of Healthcare Workforce: This Order modifies Executive Order No. 7G by addressing areas such as insurance coverage, acceptable electronic means, and HIPAA. Executive Order No. 7HHH: This Order temporarily suspends, for the duration of the public health and civil preparedness emergency, the requirements for licensure, certification to allow persons who are appropriately licensed, certified or registered in another state or territory of the United States or the District of Columbia, to render temporary assistance in Connecticut within the scope of the profession for which a provider is licensed, certified or registered.
DELAWARE	Division of Professional Regulation: If a licensee is due to renew and is unable to complete required continuing education due to the Governor's declared state of emergency, the licensee will be granted up to 60 days after the lifting of the state of emergency to complete continuing education. Delaware State Medicaid Policies Related to Coronavirus Disease 2019 (COVID-19): To the extent it is practical, Division of Medicaid and Medicare Assistance (DMMA) encourages the use of telehealth to provide COVID–19 related services to Medicaid members. DMMA is revising telehealth policies to remove barriers created by requirements that patients present in-person before telehealth services may be provided and allow out of state healthcare providers to provide services if they hold an active license in another jurisdiction. DMMA will also expand allowable interfaces.
DISTRICT OF COLUMBIA	Administrative Order 2020-02: Licensure, registration, or certification requirements, permits, and fees shall be waived for healthcare practitioners appointed as temporary agents for the District of Columbia. CMS COVID-19 Emergency Declaration Blanket Waivers for Healthcare Providers: This declaration addresses flexibility for Medicare telehealth services. Specific information is provided regarding eligible practitioners and audio-only telehealth services.
FLORIDA	<u>State of Florida Department of Health – Suspension of Statutes, Rules, and Orders Made Necessary by COVID-19</u> : Pursuant to the authority granted by Executive Order 20-52, healthcare professionals

	holding a valid, unrestricted, and unencumbered license in any state, territory, and/or district may
	render such services in Florida not to exceed 30 days.
	Emergency Order 20-003:
	 Any upcoming licensure renewal deadlines between March 21 and April 30, 2020 are extended to May 31, 2020.
	 Healthcare professionals not licensed in this state may provided healthcare services to a patient in this state using telehealth not to exceed 30 days.
	Florida Medicaid Telemedicine Guidance for Therapy Services and Early Intervention Services: To ensure that Florida Medicaid providers can maintain continuity of care during the state of
	emergency, the Agency is expanding coverage of therapy services and early intervention services provided through telemedicine.
	<u>Executive Order Number 20-85</u> : This Order addresses telehealth for State Group Insurance ensuring all state employees have access to telehealth services.
GEORGIA	Georgia State Board of Occupational Therapy Emergency Rule on Continuing Education (Rule 671-
	3-0.1-08): Allows licensees until June 30, 2020, to complete any continuing education required in
	order to renew the license.
	Georgia Department of Community Health: Georgia Medicaid revisions regarding telehealth address areas such as originating site of services and acceptable modalities.
HAWAII	Executive Order No. 20-02: This Order involves suspension of a law to the extent necessary to allow
	individuals currently and actively licensed pursuant to chapter 453, HRS, to engage in telehealth
	without an in-person consultation or a prior existing physician-patient relationship.
	Department of Human Services Memo No. QI-2010 FFS 20-05: Due to COVID-19 in Hawaii, the
	Med-QUEST Division will cover additional codes that may be used to deliver services through
	telehealth technology during and through the public health emergency.

IDAHO	Idaho Office of the Governor: Regulations are waived in the second proclamation aimed at maintaining or improving access to care. Waivers to suspend licensure requirements for out-of-state telehealth providers, remove financial barriers, and improve access to health services are indicated. Idaho Department of Health & Welfare Medicaid Information Release MA20-14: To reduce barriers to medical services for Medicaid participants and administrative burden for providers during this public health emergency, Idaho Medicaid temporarily implemented changes to telehealth for therapy service providers. These changes include areas such as place of service, inclusion of
	evaluations, and billing.
ILLINOIS	<u>Executive Order 2020-09</u> : This Order expands telehealth services and protects healthcare providers in response to COVID-19. All health insurance issuers regulated by the Department of Insurance are required to cover the costs of telehealth services to deliver medically necessary services.
INDIANA	Executive Order 20-05: Suspension of the requirement that a healthcare provide hold an Indiana license is he/she holds a professional license from another state and is not suspended or barred from practice in that state or any other state.
	Executive Order 20-09: The expiration of any state agency-issued license, certification, or permit which expired, or is set to expire, during this public health emergency shall be extended automatically to May 22, 2020.
	Executive Order 20-13: This Order provides waivers for healthcare providers without an active license in Indiana, including retired and out-of-state healthcare professionals, to obtain temporary authorization to practice. This Order also addresses the use of telemedicine and related aspects of reimbursement, acceptable electronic means, and a request for insurers to provide coverage.
	Executive Order 20-27: The expiration of any state agency-issued license, certification, or permit which expired, or is set to expire, during this public health emergency shall be further extended automatically to June 4, 2020.

IOWA <u>Iowa Board of Physical and Occupational Therapy Guidance Related to Governor Reynold's</u> Proclamations & COVID-19: Proclamation of Disaster Emergency Issued March 22, 2020 License Renewal - If a license expires while Proclamation is in effect, the licensee will have 60 days after the Proclamation expires to renew license. Continuing Education – Any board rules that require completion of continuing education inperson are waived for the next renewal, regardless of when license expires. Background Checks – Applications will be processed without background check for the duration of the Proclamation. Fingerprint check will need to be completed within 60 days of Proclamation expiration. Section 7 of the Governor's April 24, 2020 Proclamation temporarily suspended regulatory provisions that required Iowa licensure for providing physical therapy and occupational therapy services to patients located in Iowa. Accordingly, a physical therapist or occupational therapist who holds an active license in another state may provide telehealth or electronic services to patients located in Iowa. Department of Human Services: To facilitate clinically appropriate care within the Medicaid program during this public health emergency, services that by definition are direct contact services and are typically rendered in person may now be rendered via telehealth when clinically appropriate. **KANSAS** Executive Order No. 20-19: All state agencies shall extend renewal deadlines for any occupational or professional license, certificate, permit, or registration issued by a state agency or any board, commission, division, or other licensing authority within a state agency to any individual, business, or organization that was in good standing as of March 12, 2020, and that has expired or will expire during the State of Disaster Emergency, and such licenses, certificates, permits, and registrations shall remain valid until 90 days following the termination of the State of Disaster Emergency. Kansas State Board of Healing Arts Emergency Action: The Board is accepting applicants seeking temporary licensure for the purpose of preparing for, responding to, and mitigating any effect of COVID-19. The Emergency Temporary License for the COVID-19 response is available for all

healthcare professions regulated by the Board. Those who hold an emergency temporary license

are limited to engaging in the practice of their profession for healthcare services relating to COVID-19 response efforts and/or mitigating any effect of COVID-19. The license will cancel in 90 days, if not renewed, and will automatically cancel 30 days after the declared Kansas state of emergency ends. All license fees will be waived for this license.

• Military service members and their spouses receive prioritized licensing application processing under existing law, pursuant to KSA 48-3406.

<u>Executive Order 20-26</u>: This Order provides temporary relief from certain restrictions and requirements governing the provision of medical services.

- Any and all provisions in Kansas statutes relating to supervision, delegation, and related issues by and to healthcare providers that are licensed, registered, or certified and ancillary workers, are temporarily suspended, in whole or part, to the extent necessary to allow these healthcare professionals to provide medical services in response to COVID-19.
- A designated healthcare facility is temporarily authorized to allow students who are enrolled in programs to become licensed, registered, or certified healthcare professionals to volunteer or work within the facility in whatever roles necessary to support the response to COVID-19 and are appropriate to the students' education, training, and experience.
- A designated healthcare facility is temporarily authorized to allow licensed, registered, or certified healthcare professionals who are serving in the military to volunteer or work within a facility in whatever roles necessary to support the response to COVID-19 and are appropriate to the students' education, training, and experience.
- All provisions in Kansas law or regulations are temporarily suspended to the extent that they require for any healthcare professional, as a condition of licensure, certification, registration, or the renewal of a license, certification, or registration, or reinstatement within five years of a lapsed license: an exam, fingerprinting, continuing education, and payment of a fee.
- For individuals who hold professional certifications for basic life support, advanced cardiac life support, or first aid, such certifications shall remain in effect as long as the emergency declaration is in effect.

KENTUCKY	Kentucky Board of Licensure for Occupational Therapy – The board has voted to suspend the inperson supervision requirement during the declared state of emergency. The licensure board is in agreement to relax the criteria for face-to-face supervision of occupational therapy assistants and temporary permit holders, and indirect methods of supervision (text, email, phone call, FaceTime/Skype) may be utilized to meet these needs during this time of restricted contact. SB 150 Section 1(4): This Bill as enacted addresses temporary registration of out-of-state healthcare providers to provide telehealth services to patients in Kentucky during the COVID-19 declared state of emergency.
LOUISIANA	Department of Health Board of Medical Examiners – Medical Professions; Restricted Temporary Permits; Emergency Temporary Permits: The Board may waive procedures and requirements regarding criminal history record information; extend or renew expired emergency temporary permits; and issue a temporary permit to an individual who was a former licensee. Louisiana State Board of Medical Examiners Emergency Temporary Permit: The Board has indicated a specific licensure application for out-of-state medical professionals seeking temporary, voluntary license for an emergency event in the state of Louisiana. Louisiana State Board of Medical Examiners Telehealth Guidance: To reduce the threat posed to healthcare providers from COVID-19, allocate resources to respond to the disaster, and further the
	Governor's Proclamation No. 20-32, guidance is offered to allied providers licensed by the Board to both facilitate the use of telehealth and assure them that services provided during this emergency will not be subject to Board scrutiny merely because they were provided by telehealth.
MAINE	 Executive Order No. 35 FY 19/20: Alleviates the following licensing requirements for all healthcare providers: Licensees whose licenses are scheduled to expire on or before March 20, 2021, may renew that license without satisfying any continuing education requirements that would otherwise apply.

•	Licensees whose licenses are scheduled to expire during the declared state of civil
	emergency will have their expiration dates extended until 30 days following the conclusion
	of the declared emergency.

Licensees may provide necessary healthcare services permitted by their licenses through the use of all modes of telehealth, including video and audio, audio-only, or other electronic media. To the extent that requirements of any state patient privacy or confidentiality law would in any way prevent, hinder, or delay the provision of healthcare services through the use of telehealth authorized by this Order, enforcement of that law is hereby suspended. This Order does not expand the scope of practice for any type of licensee.

All temporary licenses issued by the Board of Occupational Therapy Practice issued during the state of civil emergency shall not expire prior to 30 days following the conclusion of the declared state of civil emergency.

MARYLAND

Executive Order Relating to Various Healthcare Matters:

- Any person who holds a valid, unexpired license as a healthcare practitioner that is issued in another state may engage in activities authorized under such license without first obtaining a license or practice letter from the applicable Maryland licensing board if the practitioner meets certain criteria.
- All boards and commissions licensing healthcare practitioners are ordered to expedite temporary licenses. Temporary healthcare licenses that would otherwise expire during the state of emergency are extended to the termination date of the emergency is rescinded.
- Inactive practitioners in Maryland may engage in activities that would have been authorized without first reinstating his/her license if meeting certain criteria.
- Healthcare practitioners may engage in activities that are not authorized by their license in Maryland if safe delivery of services is ensured by qualified supervisory personnel at the healthcare facility concur.

<u>Executive Order Number 20-03-20-01</u>: This Order authorizes reimbursement of audio-only healthcare services issues by healthcare providers licensed, certified, or otherwise authorized by law to provide healthcare.

<u>Executive Order Number 20-04-01-01</u>: This Order further authorizes additional telehealth services previously addressed in Order Number 20-03-02-01.

MASSACHUSETTS

Order Extending the Registrations of Certain Licensed Professionals:

Extension of License Expiration

- Licenses that were not revoked, suspended, surrendered, cancelled, or subject to nondisciplinary restrictions and which expired between March 10, 2020, and March 17, 2020, will be restored to current status.
- Licenses which are due to expire during the pendency of the State of Emergency shall not expire until 90 days after the Governor issues notice that the State of Emergency no longer exists.

Renewal of Previously Expired Licenses

- Healthcare providers whose licenses were not revoked, suspended, surrendered, cancelled, or subject to non-disciplinary restrictions and which expired between March 10, 2010, and March 9, 2020, will have their licenses restored to current status upon request.
- Healthcare providers who request renewal or reactivation of their licenses in accordance with these provisions are exempt from any applicable continuing education or reactivation requirements and from payment of the applicable renewal fee. Licenses that are renewed or reactivated in accordance with these provisions shall remain valid until 90 days following the termination of the State of Emergency.

Emergency Reciprocity Licensure

- Healthcare providers who are licensed in another state must provide information to the corresponding Massachusetts Board of Registration sufficient to allow verification that the healthcare provider holds a license in good standing in another state. There is no application fee.
- Licenses that are issued in accordance with these provisions shall remain valid during the
 State of Emergency and shall authorize the holder to provide services in Massachusetts and

across state lines into Massachusetts using telemedicine where appropriate. The services provided in Massachusetts and into Massachusetts using telemedicine must be within the scope of practice authorized by Massachusetts licensure, in accordance with Massachusetts laws, regulations, and any applicable Order issued by the Governor or the Commissioner during the State of Emergency.

<u>Commonwealth of Massachusetts Order Expanding Access to Telehealth Services and to Protect Healthcare Providers</u>: This Order indicates provisions for health insurance coverage for clinically appropriate, medically necessary services to members via telehealth. Additional provisions address areas such as documentation, record keeping, and reimbursement.

MICHIGAN

Executive Order No. 2020-30:

- Any and all provisions relating to scope of practice, supervision, and delegation are temporarily suspended to the extent necessary to allow licensed, registered, or certified healthcare professionals to provide medical services necessary to support the facility's response to the COVID-19 pandemic and are appropriate to the professional's education, training, and experience as determined by the facility in consultation with the facility's leadership.
- A designated healthcare facility is temporarily authorized to allow students who are enrolled in programs to become licensed, registered, or certified healthcare professionals to volunteer or work within the facility in whatever roles that are necessary to support the facility's response to the COVID-19 pandemic and are appropriate to the student's education, training, experience, as determined by the facility in consultation with the facility's medical leadership.
- Healthcare professionals licensed and in good standing in any state or territory in the U. S. can practice in Michigan without penalty regarding lack of licensure.
- Any unlicensed volunteers or students at a designated healthcare facility who perform activities in support of this state's response to the COVID-19 pandemic are entitled to the same rights and immunities as provided by law for the employees of this state.

	 Any law or regulation is temporarily suspended to the extent that requires for any healthcare professional, as a condition of licensure, certification, registration, or the renewal: a) an exam to the extent that exam's administration has been cancelled while the emergency declaration is in effect; b) fingerprinting to the extent that, in judgement that locations to have fingerprints taken are substantially unavailable; c) and continuing education while the emergency declaration is in effect.
	Governor Expands Telemedicine: Access to telemedicine for Michiganders is expanded by immediately allowing Medicaid beneficiaries to receive services in their home while the state combats the spread of Novel Coronavirus (COVID-19).
	Executive Order 2020-61: An order that extends the duration of Executive Order 2020-30 and provides temporary relief from certain restrictions governing healthcare services.
	Executive Order 2020-138: An order encouraging the use of telehealth services and rescinding restrictions that impede the use of telehealth.
	Executive Order 2020-150: An order that provides temporary and limited relief from certain licensing and certification requirements pertaining to COVID-19. This order rescinds Executive Order 2020-61.
MINNESOTA	Executive Order No. 20-23: An order authorizing Minnesota health-related licensing boards to modify continuing education requirements and process applications without submission of a full set of fingerprints during the COVID-19 Peacetime Emergency.
	SF 4334: Article 3 indicates a health carrier shall not exclude or reduce coverage for a healthcare service or consultation solely because the service or consultation is provided via telemedicine directly to a patient or patient's residence.
MISSISSIPPI	Mississippi Division of Medicaid: Telehealth services are extended to expand coverage of telehealth services throughout the state. Revisions include such areas as site of service and acceptable

	electronic means. An <u>Emergency Telehealth Policy</u> was also implemented to address improved access, provider approval, and billing information.
MISSOURI	Missouri Department of Social Services (MoHealth.Net): Included in the revised telehealth policy is the waiving of the requirement that in order to treat patients in this state with telemedicine or telehealth, healthcare providers shall be fully licensed to practice in this state.
MONTANA	 The Montana Department of Labor and Industry – COVID-19 Information for Professional and Occupational Licensees: Emergency Healthcare Registration for out-of-state healthcare licensees – Applications will be evaluated. Those in good standing will be issued a registration to work in Montana during the current state of emergency. Retired and Non-Disciplinary Terminated Licenses – Healthcare providers who held a Montana license that terminated within the past five years and who have a clean disciplinary record, may receive a temporary permit without paying a fee or demonstrating recent continuing education, certification, or competency evaluation. Montana Department of Public Health and Human Services: This agency indicates revisions to the
	reimbursement policy for telemedicine/telehealth services during the Montana State of Emergency. The revisions also include clarifications for allowable methods and technology as well as requirements for telemedicine/telehealth encounters.
NEBRASKA	Executive Order 20-10: Regulations are temporarily suspended to permit individuals formerly licensed in Nebraska who want to renew a credential after its expiration date or to change from inactive to active status to do so without being subject to continuing competency requirements. Such individuals may be temporarily reinstated to practice upon submission.
	Nebraska Provider Bulletin 20-09: Nebraska Medicaid is temporarily modifying certain policies to enable delivery of remote care through telehealth. Nebraska Medicaid PT/OT/Speech codes are included as part of the temporary expansion of telehealth services as a result of the COVID-19 public health emergency. Telehealth or teletherapy services include audio and visual contact.

NEVADA Emergency Directive 009: An order temporarily extending all licenses and permits issued by the State of Nevada, Boards, Commissions, Agencies, or political subdivisions for 90 days. Emergency Directive 011: Waiver of licensing provision - Professional licensing boards regulating providers of medical services shall temporarily waive certain licensing requirements to allow the practice of currently unlicensed skilled medical professionals during the pendency of the COVID-19 crisis. All licensing fees assessed on providers of medical services by the State of Nevada or professional licensing boards shall be waived for all persons applying to practice in the State of Nevada pursuant to this Directive, for the duration that this Directive shall be in effect. No license for a provider of medical services shall be suspended for any administrative reasons, including without limitation, continuing education requirements while this Directive is in effect, and for a period of 60 days thereafter. State of Nevada Board of Occupational Therapy COVID-19 Updates - News: ■ Emergency Temporary License – The Board has approved emergency provisions for issuance of a temporary license by endorsement to include the waiver of the license fee and jurisprudence exam; and extended NBCOT certification to allow "inactive status" for new applicants who hold a current license in good standing in another state. Option to Defer Renewal Fee – The Board has approved the option to defer renewal fees for licensees whose current license expires prior to October 1, 2020. Department of Health and Human Services Update to Telehealth Services: Telehealth is allowable for physical therapy/occupational therapy/speech therapy. Services must be within scope of practice and be appropriate for delivery via a telehealth platform. Additionally, providers must maintain visual sight of recipients when prompting specific care/services. **NEW** Emergency Order # 15 Pursuant to Executive Order 2020-04: Any out-of-state medical provider whose profession is licensed within this State shall be allowed to **HAMPSHIRE** perform any medically necessary service as if the medical provider were licensed to perform such service within the state of New Hampshire subject to the following conditions:

a) The medical provider is licensed and in good standing in another United States jurisdiction. b) The medical services provided within New Hampshire are in-person or through appropriate forms of telehealth, as set forth in Emergency Order #8. c) The medical provider presents to the Office of Professional Licensure & Certification evidence that they are licensed in good standing in another jurisdiction. Such medical providers shall be issued an emergency New Hampshire license at no cost, which shall remain valid during the declared state of emergency. d) Medical providers shall be subject to the jurisdiction of the appropriate state licensing body while providing services within New Hampshire.

Emergency Order #8: This Order involves the temporary expansion of access to telehealth services to protect the public and healthcare providers. All health benefit plans authorized under RSA 5-B, and New Hampshire Medicaid coverage, including all Medicaid Managed Care Organizations, are hereby required to allow all in-network providers to deliver clinically appropriate, medically necessary covered services to members via telehealth. This shall include reimbursement for all modes of telehealth, including video and audio, audio-only, or other electronic media provided by medical providers to treat all members for all medically necessary covered services beginning today March 1 7, 2020, and shall remain in effect until rescinded, or until the State of Emergency is terminated, whichever happens first.

<u>Emergency Order #15</u>: This Order indicates that to further the temporary remote instruction and support of New Hampshire children, in-state and out-of-state medical providers shall be allowed to perform healthcare services through the use of all modes of telehealth, including video and audio, audio-only, and/or other electronic media to New Hampshire children enrolled within a New Hampshire school or in a school in another state.

NEW JERSEY

<u>Executive Order No. 112</u>: The Disaster Control Act is authorized to reactivate, on a temporary basis for the duration of the State of Emergency or Public Health Emergency, whichever is longer, the license of any healthcare professional previously licensed to practice in New Jersey who retired from active practice within the last five years, either by electing to place their license in inactive status or by allowing their license to lapse, provided that such healthcare professional submits an

application on a form adopted by the Director of the DCA (the "Director") for such purpose and containing such information and certifications as the Director may require, and the Director or the relevant licensing board determines that such application should be granted.

New Jersey Legislation A3680: This Act addresses the use of telemedicine and telehealth to respond to the coronavirus disease 2019 (COVID-19). Included are provisions such as any healthcare practitioner shall be authorized to provide and bill for services using telemedicine and telehealth, which may include all services included in the definitions of telemedicine and telehealth. Additional information includes provisions for healthcare practitioners who are not licensed in New Jersey to provide telehealth services.

NEW MEXICO

<u>Executive Order 2020-007</u>: The Department of Health and Department of Homeland Security and Emergency Management shall credential out-of-state professionals who can render aid and necessary services pendency of this Order.

<u>Public Notice Regarding Boards and Commissions Process and Procedures During the COVID-19</u> <u>Public Health Emergency Executive Order 2020-04:</u>

- Callers with questions or concerns related to COVID-19 or requesting an exception to any licensure requirements due to COVID-19 concerns, will be directed to send their concerns in writing to the appropriate board or commission email address, to ensure that all matters are properly tracked and submitted to the appropriate board or commission.
- The Boards and Commissions staff have no authority to make any exceptions to board or commission requirements on behalf of the board.
- Boards and Commissions staff will communicate all written concerns to the appropriate board or commission.
- The appropriate board or commission will address all concerns on a case by case basis at its next board or commission meeting.

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	New Mexico State Medicaid Program: New Mexico's Medicaid Program is now requiring managed care organizations to reimburse healthcare providers for telephone and video patient visits until the end of the COVID-19 public health emergency.
NEW YORK	 Any healthcare facility is authorized to allow students, in programs to become licensed in New York State to practice as a healthcare professional, to volunteer at the healthcare facility for educational credit as if the student had secured a placement under a clinical affiliation agreement, without entering into any such clinical affiliation agreement. Notwithstanding any law or regulation to the contrary, healthcare providers are relieved of recordkeeping requirements to the extent necessary for healthcare providers to perform tasks as may be necessary to respond to the COVID-19 outbreak, including, but not limited to, requirements to maintain medical records that accurately reflect the evaluation and treatment of patients, or requirements to assign diagnostic codes or to create or maintain other records for billing purposes. Any person acting reasonably and in good faith under this provision shall be afforded absolute immunity from liability for any failure to comply with any recordkeeping requirement.
	Pre-license supervised experience - The Board of Regents approved an emergency regulation that allows the Department to excuse the requirement for occupational therapy to be provided on a continuous basis if such continuous experience cannot be completed during the State of Emergency declared by Governor Cuomo in Executive Order 202 relating to the COVID-19 health crisis. For the duration of the current state of emergency, the requirement that supervised experience be obtained on a "continuous" basis has been suspended. You can resume your supervised experience where you left off before it was interrupted by COVID-19. Executive Order No. 202.1 Section 2999-cc: This order allows additional telehealth provider categories and modalities, to permit other types of practitioners to deliver services within their scopes of practice, and to authorize the use of certain technologies for the delivery of healthcare

services to established patients, pursuant to such limitations as the commissioners of such agencies may determine appropriate.

<u>Executive Order No. 202.27</u>: Individuals who are validly licensed in another state or Canada can practice for an extended period of thirty days to allow those professionals the ability to continue to provide services necessary for the State's COVID-19 response.

<u>Executive Order No. 202.32</u>: Expands Executive Order No. 202.27 for thirty days until June 20, 2020, allowing individuals validly licensed in another state or Canada to practice in New York.

NORTH CAROLINA

<u>Executive Order 130</u>: Each professional healthcare licensure board has the authority to waive or modify enforcement of any legal or regulatory constraints that would prevent or impair the following:

- i. Allowing persons to provide care if they are licensed in other states, territories, or the District of Columbia, but not licensed in North Carolina;
- ii. Allowing persons to provide care if they are retired or if their licenses are inactive;
- iii. Allowing skilled, but unlicensed volunteers to provide care; and
- iv. Allowing students at an appropriately advanced stage of professional study to provide care. In each case, the professional healthcare licensure board shall have the authority to allow or not allow, in its discretion, these waivers or modifications, and the board shall have the authority to impose conditions on any persons authorized to provide care under this Subsection.

North Carolina Medicaid Division of Health Benefits Special Bulletin COVID-19 #2: Effective March 13, 2020, North Carolina Medicaid will reimburse for virtual patient communication and telephonic evaluation and management for the beneficiaries seeking care where they are already and established patient.

	North Carolina Medicaid Division of Health Benefits Special Bulletin COVID-19 #36: North Carolina
	Medicaid will cover teletherapy delivered via any HIPAA-compliant, secure technology with audio
	and video capabilities. Outpatient specialized therapy services including occupational therapy are
	covered.
NORTH DAKOTA	Executive Order 2020-05.1: Hereby suspends the licensure requirements for healthcare or behavioral health professionals and certain healthcare facility licensure requirements. Licensure requirements for healthcare practitioners (Chapter 43-30 Occupational Therapists) and any other licensure requirements set forth in related sections of the North Dakota Administrative Code, who are licensed in good standing in other states, as needed to provide healthcare and behavioral health services, to include telehealth, for citizens impacted by COVID-19, subject to identification, verification of credentials and other temporary emergency requirements approved by the State
	Health Officer and the Director of Emergency Services, in consultation with the Executive Director, North Dakota Department of Human Services.
	Executive Order 2020-20: The nationwide criminal history record check requirements under North Dakota healthcare or behavioral health licensing status set forth are temporarily suspended during this declared state of emergency, until such time as law enforcement agencies in North Dakota have the ability to safely conduct fingerprinting.
	<u>Executive Order 2020-05.01</u> : For purposes of providing expanded services across the state through telehealth, this Order suspends certain statutory and regulatory requirements to facilitate the delivery of healthcare and behavioral health services.
OHIO	House Bill 197: Extends the deadline for expiration of all licenses issued by the state of Ohio until either 90 days after the emergency declared by the Governor's Executive Order 2020-01D or December 1, 2020, whichever date is earlier.
	Executive Order 2020-29D: This order indicates the Ohio Department of Medicaid is authorized to adopt a new version of a rule regarding telehealth (OAC 5160-1-18) and rescind the prior version,

	and the Ohio Department of Mental Health and Addiction Services is authorized to adopt an amended version of OAC 5122-29-31.
OKLAHOMA	Executive Order 2020-07: Any medical professional who holds a license, certificate, or other permit issued by any state that is a party to the Emergency Management Compact shall be deemed licensed to practice in OK so long as this Order shall be in effect. This Order applies to Medical and Allied Licenses issued by the Board of Medical Licensure and Supervision. The medical professional shall first apply with and receive approval from the appropriate board. All occupational licenses issued by any agency, board, or commission of the State of Oklahoma that expire during this emergency shall be extended so long as this Order is in effect. All occupational licenses extended during this Order will expire 14 days following the withdrawal or termination of this Order. Executive Order 2020-12: All state agencies with licensing and certificate responsibility over medical professionals shall by April 15, 2020, promulgate emergency rules necessary to increase the number of medical professionals able to practice the in the State. Such action may include, but is not limited to, the following: a. Reduction in supervisory requirements or limitations place on non-physicians; b. Removal of barriers of entry for retired medical professionals from re-entering the workforce. Medical professionals who have lapsed or inactive licenses or certifications may have their single-state license or certification reinstated if they submit a reinstatement application and fee proscribed by their respective licensing boards and meet the qualifications for licensure or certification. The continuing qualifications as required for licensure or certification are hereby waived as long as this Order remains in effect. It is strongly recommended any required fees be waived to the fullest extent possible; and c. Increased opportunities for students and recent graduates who are not yet fully licensed to practice. All occupational licenses issued by an agency, board, or commission of the State of Oklahoma that expire during this emergency shall be ex

	Oklahoma Healthcare Authority: Effective immediately and only as long as the national emergency
	surrounding COVID-19 exists, Oklahoma Healthcare Authority has expanded the list of
	occupational therapy services allowed to be rendered via telehealth, when appropriate.
OREGON	Occupational Therapy Licensing Board:
	 License Renewals Extended – In light of COVID-19 and the impact it is having on
	occupational therapy practitioners, the Occupational Therapy Licensing Board has now
	implemented temporary rules extending license renewals. All licenses currently set to lapse
	on 5/31/2020 will automatically extend to 6/30/2020.
	 Continuing Education – If NBCOT certified, the practitioners CE automatically meets the CE
	requirement of Oregon. In light of the current COVID-19 outbreak, and the impact on many
	in-person continuing education opportunities, the Board wants to highlight that there is no
	limit to the number of online classes that can count towards licensure renewal requirements.
	Temporary Administrative Order DMAP 19-2020: The Health Evidence Review Commission (HERC)
	has updated guidelines for coverage of telehealth services. These updates support appropriate
	response to an outbreak or epidemic of an infectious disease through increased access to
	appropriate healthcare resources. This temporary rule amendment authorizes the Authority and
	Division to operationalize the intent of the revisions to telehealth services.
	Temporary Administrative Order DMAP 20-2020: The amended rule authorizes the Division of
	Medical Assistance Programs to operationalize intended coverage of telemedicine services as
	described in the Health Evidence Review Committee guideline notes. The amended rule
	incorporates guidance from Center for Medicare and Medicaid Services policy and regulatory
	revisions in response to the COVID-19 public health emergency.
PENNSYLVANIA	Pennsylvania Department of State:
	 Waiving of licensing requirements for military personnel – For those Reserve medical
	specialists who do not qualify for state licensure, temporary waivers can be granted allowing
	them to practice in Pennsylvania as long as they are employed by the Armed Forces, the U.S.
	Public Health Service, the Department of Veterans Affairs, or the federal government.

	 Changes to supervision requirements for Occupational Therapists (OTs) and Occupational Therapy Assistants (OTAs) – Where direct supervision or in-person contact is called for practitioners can utilize indirect supervision, including electronic means; where a statute or regulation calls for indirect supervision, practitioners may act without supervision but are strongly encouraged to at least have access to a supervisor via electronic means in the event supervision is needed. Waiving of license reactivation requirements – Temporary waivers of the reactivation requirements for the duration of the COVID-19 emergency and 90 days thereafter: For OTs and OTAs who have expired licenses of four years or less, this waives all continuing education/continued competency requirements. Authorization of licensed healthcare professionals to provide services via telemedicine – Due to the COVID-19 emergency, the Department requested authority to issue guidance to licensees under any of BPOA's health-licensing boards permitting them to provide services via telemedicine when appropriate.
PUERTO RICO	Department of Health Administration Order No. 42: Healthcare specialists must use, whenever possible, telemedicine to minimize interaction with patients and prevent the spread of COVID-19.
RHODE ISLAND	State of Rhode Island Department of Health: Emergency Reciprocal Licensing Professions and Procedures – Allows for issuance of a 90-day temporary license (beginning March 18) to professionals holding a valid out-of-state license. This license can be renewed one time with no associated cost.
	 Executive Order 20-29: This Order relaxes regulations and eliminates barriers of access to healthcare during the COVID-19 crises. Provider Referrals – Insurers will need to relax the requirement of primary physician referrals for a patient to receive healthcare services from a specialist. Provisions are to be made to allow for much more time and leniency in gaining approvals. Prior Authorization – Patient hospitalization and rehabilitation, long-term care, and telemedicine in network services are not to be suspended secondary to not receiving prior

	 authorization. Additionally, there will be no prior authorization needed for testing or treatment of COVID-19. Behavioral Healthcare – No referrals or other benefit review approvals will be necessary for a patient to access needed mental and behavioral healthcare. Executive Order 20-06: This Order expands access to telemedicine services and addresses issues such as patient location, acceptable electronic means, and insurance coverage. This Order was extended past the original deadline to ensure access to healthcare across the state.
SOUTH CAROLINA	South Carolina Department of Health and Human Services (SCDHHS): SCDHHS will reimburse for the services indicated when they are rendered by a physical therapist, occupational therapist or speech therapist. These services may only be provided to an established patient. Up to three encounters will be allowed every 30 days, and services may be provided regardless of the Medicaid member's location. SCDHHS COVID-19 Telehealth Policy Update: Initial guidance on some telehealth flexibilities focused on expanding SCDHHS coverage to established patients. To facilitate patient care as the social distancing standards increase, SCDHHS will reimburse for additional services when provided to a new patient. SB 455: This Bill as enacted requires state licensing boards to issue temporary professional licenses
SOUTH DAKOTA	 to spouses of active duty military assigned to a South Carolina base. Executive Order 2020-16: Supervision of Occupational Therapy Assistant – Temporarily suspends the provision requiring the physical presence of an occupational therapist on the premises where a patient is being cared for by an occupational therapy assistant. Continuing Education – Temporarily suspends the regulatory provision limiting the number of credit hours by correspondence or interactive online continuing education courses.

	South Dakota Department of Social Services: South Dakota Medicaid has added temporary
	coverage of physical therapy, occupational therapy, and speech-language pathology services
	provided via telemedicine for recipients and providers at high risk for COVID-19 or under
	quarantine or social distancing during a declared emergency for COVID-19. The service must be
	provided by means of "real-time" interactive telecommunications system.
TENNESSEE	Executive Order No. 15: This Order expands the number of providers who are eligible to provide
	telehealth services by loosening regulations around technology and geographic area. This Order
	also urges insurers to provide coverage.
	Executive Order No. 20:
	 Waives requirements of licensure fees, notarized applications, and continuing education for
	healthcare professionals.
	 Gives authority to the Commissioner of Health to grant a license, certificate, or registration
	to a healthcare professional who has been out of practice.
	Executive Order No. 36:
	 Allows the Commissioner of Health the discretion to allow a healthcare professional who is
	licensed in another state, and who would otherwise be subject to licensing requirements in
	Tennessee to engage in the practice of such individual's profession in Tennessee.
	 Extends the current expiration dates for healthcare professionals to renew their license until
	August 31, 2020.
	 Application for licensure fees have been extended until June 30, 2020.
	 Notarization in not required for healthcare practitioners' applications.
	 Retired medical professionals can reenter the healthcare workforce without requiring them
	to demonstrate continued competency or submit to an interview before a licensing board
	provided all other requirements are met.
	 Continuing education requirements are suspended so healthcare professionals can keep
	practicing.
	practicing.

	 Temporarily reduces barriers to the delivery of existing telehealth services and added restorative therapy as an appropriate reimbursable service.
TEXAS	Office of the Texas Governor – Governor Abbott Waives Certain Regulations for Telemedicine Care in Texas: Coordinated efforts between the Office of the Governor, the Texas Department of Insurance, the Texas Medical Board, and health insurance plans will increase access to healthcare for all Texans. This action will expand telemedicine options by giving healthcare providers greater flexibility to perform audio-only telephone consultations with their patients.
	Texas Department of Insurance COVID-19 Emergency Rules 28 TAC §35.1: The new rule is intended to reduce barriers and expand telemedicine by implementing parity with payment and documentation requirements applicable to in-person services.
UTAH	State of Utah Department of Commerce Division of Occupational and Professional Licensing: Temporary Suspension of Live Requirements for Division of Occupational and Professional Licensing (DOPL) Continuing Education – Temporary waiver of "live" CE requirements for those whose license expiration dates are between March 25, 2020, and October 1, 2020. Temporary Suspension of Fingerprinting Requirements for Licensure – Temporary licenses based on Utah-only background checks. At this time, applicants will be required to obtain the FBI fingerprint check within 180 days of receiving their temporary license. Executive Order Suspending Enforcement of Statues Regulating to Telehealth Services: This Order suspends statues that create difficulties for healthcare providers when providing telehealth services.
VERMONT	Vermont General Assembly Title 3: Executive Chapter 005: Secretary of State Subchapter 003: Professional Regulation: Issuance of temporary licenses during a declared state of emergency. The person to be issued a temporary license must be currently licensed, in good standing, and not subject to disciplinary proceedings in any other jurisdiction. The temporary license shall authorize the holder to practice in Vermont until the termination of the declared state of emergency or 90 days, whichever comes first, as long as the licensee remains in good standing. Fees shall be waived

	when a license is required to provide services under this subdivision. (Note: this order was in place prior to COVID-19) Vermont Secretary of State Office of Professional Regulation: • Emergency legislation - Allows individuals who hold an out-of-state license to practice in Vermont without a Vermont license. If providing services to Vermonters in a licensed facility, practitioners do not need to provide contact information to the Office of Professional Regulation. • Vermont Secretary of State - Allows retired professionals or those with expired licenses to return to work exemptions based upon years since retirement or expiration. Students who cannot take their exam because of the COVID-19 State of Emergency can apply for a temporary license. • COVID-19 Emergency Policy Related to Continuing Education Providers - For the duration of the declared State of Emergency secondary to the COVID-19 pandemic, for all regulated professions under the umbrella of the Office of Professional Regulation that require continuing professional education as a condition of license renewal: a) remote continuing education may be substituted; b) courses approved for live instruction may be adapted by course providers for remote presentation; c) licensees are asked to make reasonable efforts to meet continuing education requirements on time; however, extensions as a matter of
VIRGINIA	 Course when necessary will be granted. No. 91 2020 Relating to Vermont's Response to COVID-19: This Act expands patients' access to and providers' reimbursement for healthcare services, including preventive services, consultation services, and services to new patients, delivered remotely through telehealth, audio-only telephone, and brief telecommunication services. Commonwealth of Virginia Department of Health Professions Executive Order 51: Extension of Continuing Competency Requirements – All boards granted an extension of continuing competency requirements for a period of six month for any renewal due through June 30, 2020.

	 Renewal Late Fees – Temporary waiving of renewal fees beginning with the March renewals.
	<u>Department of Medical Assistance Services Medicaid Memo</u> : This memo sets out the Agency's
	initial guidance on the flexibilities available to providers in light of the public health emergency
	presented by the COVID-19 virus. These flexibilities include expanded telehealth coverage.
WASHINGTON	Washington State Department of Health:
	 <u>Emergency Volunteer Health Practitioners</u> – Health professionals licensed in other states
	may practice in Washington by registering through the emergency volunteer health
	practitioner process or by applying for a WA license, which may result in the department
	issuing a temporary practice permit.
	 <u>License expiration date extensions</u> – The Secretary has extended health profession license
	expiration dates for licenses up for renewal between April 1 and September 30, 2020.
	Renewal payment won't be required until September 30, 2020.
	Consta Bill F20F Final Bill Deports This is Bill as appeted addresses reimburgement for telemediains
	<u>Senate Bill 5385 Final Bill Report</u> : This is Bill, as enacted, addresses reimbursement for telemedicine services at the same rate as in-person services. Additionally, information is provided regarding insurance
	carriers and telemedicine claims.
WEST VIRGINIA	Department of Health and Human Resources Memorandum: Due to the World Health Organization
	declaring Coronavirus disease (COVID-19) a pandemic, the West Virginia Bureau for Medical
	Services is allowing nonemergent services to be rendered through the telehealth modality. The
	expansion of this service will include the use of live video conferencing or audio only (telephonic)
	to the members home with a Medicaid enrolled provider.
WISCONSIN	Emergency Order #16:
	 Interstate Reciprocity – Any healthcare provider with a valid and current license issued by
	another state may practice under that license and within the scope of that license in
	Wisconsin without first obtaining a temporary or permanent license for the Department of
	Safety and Professional Services with particular conditions.

- Temporary Licenses Any temporary license, that has been granted to a healthcare provider shall remain valid for 30 days after the conclusion of the declared emergency, including any extensions.
- Recently Expired Credentials or Licenses Includes stipulations for individuals who have expired licenses within the last five years.

<u>ForwardHealth Wisconsin</u>: Beginning on March 12, 2020, and for the duration of the Wisconsin public health emergency for COVID-19, ForwardHealth will allow telehealth services utilizing interactive synchronous (real-time) technology, including audio-only phone communication, for currently covered services that can be delivered with functional equivalency to the face-to-face service. This applies to all service areas and all enrolled professional and paraprofessional providers allowable within current ForwardHealth coverage policy. Services that are not currently covered on a face-to-face basis are not covered via telehealth.

<u>Emergency Order 35</u>: This Order suspends rules related to supervision of occupational therapy assistants. Occupational therapists can use their professional judgement to determine the amount of direct contact needed to supervise an occupational therapy assistant and are allowed to use technology to supervise.

WYOMING