



# Idaho Telehealth Council

## Meeting Minutes:

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**Subject:** Idaho Telehealth Council                      **DATE:** December 11, 2015

**Location:** 450 W State St, 10<sup>th</sup> Floor, Room 10A Boise, Idaho 83702

**Attendees:** Brian Whitlock, Telehealth Council Chairman – Idaho Hospital Association  
Jill Alessi – Pacific Source  
Susan Ault – Idaho Primary Care Association  
Bill Hazle, MD – Stargazers, LLC  
Anne Lawler – Idaho Board of Medicine  
Kathy McGill – Department of Insurance  
Ken Schaecher, MD – Select Health  
Tracey Sessions – Idaho State Hospital South  
Mary Sheridan – IDHW Division of Public Health  
Mitch Toryanski – Bureau of Occupational Licenses  
Cynthia York, Administrator – Office of Healthcare Policy Initiatives  
Tiffany Whitmore Seibert – Saint Alphonsus Health System

**Teleconference:** Rick Goodwin, MS – Eastern Idaho RMC  
Casey Meza – Kootenai Health  
David Morledge, PhD – Neurostatus, LLC  
Representative John Rusche – Idaho Legislature  
Molly Steckel – Idaho Medical Association

**Members Absent:** Marc Chasin, MD – St. Luke’s Health System  
Melissa Christian – Regence BlueShield  
Matt Wimmer – IDHW Division of Medicaid  
Becky diVittorio – OptumHealth  
William Ganz, MD – Idaho Board of Medicine  
Paul McPherson, MD – St. Luke’s Children’s Hospital  
Michael Meza, MD – Kootenai Health  
Rhonda Robinson Beale, MD – Blue Cross of Idaho

**DHW Staff:** Kate Creswell, Project Coordinator – Office of Healthcare Policy Initiatives

**Guests:** Alex Adams, Idaho Board of Pharmacy  
Elwood Kleaver – Conex  
Joe McCollum – Attorney Idaho Hospital Association

**STATUS:** Approved 1/8/16

## Summary of Motions/Decisions:

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**Motion:**

Dr. Hazle moved to approve the Idaho Telehealth Council (ITC) meeting minutes from the November 13, 2015 meeting.

Mitch Toryanski seconded the motion.

**Outcome:**

Motion Carried.

## Agenda Topics:

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**Welcome and Roll Call – Brian Whitlock, Telehealth Council Chair**

- Council members and guests provided brief introductions.
- Chair Brian Whitlock, Idaho Hospital Association, let the Council know he would be conducting the Council meeting in Stacey Carson's absence.

**Approve Minutes – Brian Whitlock, Telehealth Council Chair**

- Bill Hazle, MD moved to approve the Idaho Telehealth Council (ITC) meeting minutes from the November 13, 2015 meeting. Mitch Toryanski seconded the motion, motion carried.

**Changes to Telepharmacy Rules – Alex Adams, Pharm D, MPH, Idaho State Board of Pharmacy**

- Alex Adams, Executive Director of the Idaho State Board of Pharmacy, provided an update on telepharmacy in Idaho and discussed the Board's perspective. The Board of Pharmacy has progressively expanded telepharmacies in Idaho through the use of waivers, and there are now five approved remote dispensing site locations including Arco, Challis, Council, Kendrick, and Mackay.
- Counseling is required for every prescription that is dispensed.
- Data collected by the Board of Pharmacy has been consistent with national findings, which have found that telehealth error rates are generally better than those of industry standards.
- Currently, remote dispensing sites are required to appear before the Board and demonstrate that there is limited access to pharmacy services in order to receive a waiver.
- The Board is looking to make a rule change during the 2017 legislative session. These changes will be discussed during the January 18-19 board meeting in Boise, Idaho and there will be opportunities for public comment.
- Potential areas of discussion include:
  - Review of the waiver of the requirement that a remote distance site be located in a medical care facility.
  - Is a distance parameter needed?
  - Current rules have remote dispensing site limitations, allowing one pharmacist to oversee three technicians.
  - Are there circumstances in which a remote dispensing license should not be renewed?
  - Does the supervising pharmacy need to be located in Idaho?
  - What additional safeguards should be in place for controlled substances?

**H.R. 2948 Letter Update – Brian Whitlock, Telehealth Council Chair**

- A motion was passed during the November 18<sup>th</sup> Council meeting to revise the original letters of support for the Medicare Telehealth Parity Act of 2015 (H.R. 2948).
- Following that meeting, concern with this motion was expressed to the Governor's Office, who contacted the Director. After reviewing the letters and action of the Council, the Director determined the letters were outside the Council's scope, and directed that the letters not be sent.
- Organizations are welcome to send individual letters of support.

**Planned Parenthood Lawsuit – Brian Whitlock, Telehealth Council Chair**

- Planned Parenthood filed a lawsuit against the State of Idaho, challenging the constitutionality of the Telehealth Access Act and HB 154, which bans the use of telemedicine to deliver medication abortion services. The press release is included in your packets.

- IMA Policy Director Molly Steckel spoke with the Planned Parenthood attorney, who confirmed they do not plan to eliminate the Act entirely. Planned Parenthood is only fighting the abortion language, which was added after the Council submitted the original bill.
- If successful, Planned Parenthood will remove lines 20-21 in 54-5607(3) on page 3 of the bill. This sentence was added for political reasons and its removal does not affect the Act itself other than clarifying policy on prescribing abortion drugs through telehealth.
- Because the Council did not include this section in its original bill and did not testify on the merits of this section, other than to say the Council did not oppose the language, there should not be any concern with the lawsuit.

#### **Idaho Telehealth Subcommittee Overview and Updates**

- Reimbursement Subcommittee (Goal 1):
  - During the last meeting, the reimbursement subcommittee decided it is not the role of the Council, and would not be possible, to provide reimbursement policy recommendations. Instead, the subcommittee decided to document the existing reimbursement policies of Idaho payers with the reimbursement matrix.
  - Representative Rusche expressed his disappointment that the Council was unable to reach a consensus on a reimbursement policy recommendation and stated the Council can expect this issue to be resolved through parity legislation in the next few years.
  - There were questions about whether or not the reimbursement matrix would be available to the public. It was determined that the matrix would be public information and Dr. Schaecher stated that because of the rapidly changing environment, the information provided in the matrix is already out of date and would be difficult to maintain.
  - The Goal One subcommittee has concluded, but may act as a sounding board for the Council via email as needed.
- SHIP Subcommittee (Goal 2):
  - The SHIP subcommittee has developed a telehealth expansion plan. The material will be condensed to a one page summary and presented to the IHC.

#### **Recap of High-Level Observations/Recommendations – Brian Whitlock, Telehealth Council Chair**

- Subcommittees provided observations and recommendations and were included in the meeting handouts. The Council was not comfortable endorsing the observations of the subcommittees and asked that the observations be listed separately from the general observations of the Council.
- Council observations included:
  - The Council's scope, outlined in HCR 46 has been fulfilled.
  - The Council recognizes that telehealth is rapidly evolving and requires adaptability.
  - Telehealth is important to health care expansion and rural health, and the Council is committed to improving telehealth in Idaho.
  - Many providers are confused about telehealth rules and regulations. Specific guidelines are necessary to alleviate this confusion and a delivery mechanism is needed to educate providers.
  - There is value in having an entity that can synthesize and analyze information, educate providers, and advise the legislature when needed.
  - If the Council continues, it is important to have dedicated staffing resources to support the work of the Council.
- Representative Rusche stated he believes there will be on-going telehealth issues and the state government can benefit from the guidance and recommendations of the Council.

#### **Next Steps**

- Kate Creswell and Chair Stacey Carson will draft a letter to the Director with Council/Subcommittee observations and will ask for continued funding. The letter will then be emailed to the Council for approval prior to being sent.
- The next meeting is scheduled for January 8, 2016 and will be conducted as a one hour conference call.

There being no further business Chairman Whitlock adjourned the meeting at 11:34 am.