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ALL PLAN LETTER

DATE: September 4, 2020

TO: All Health Care Service Plans

FROM: Sarah Ream, Acting General Counsel

SUBJECT: APL 20-032 – Continuation of DMHC’s All Plan Letters Regarding Telehealth During the California Declared State of Emergency Due to COVID-19

On March 4, 2020, California Governor Gavin Newsom declared a state of emergency in California due to the COVID-19 pandemic. On March 18, 2020, the Department of Managed Health Care (Department) issued All Plan Letter (APL) 20-009, which requires health plans to allow enrollees to obtain health care via telehealth when medically appropriate during the California declared state of emergency due to COVID-19.

On April 7, 2020, the Department issued APL 20-013 to provide guidance regarding coding for telehealth services, the types of services that can be provided via telehealth, and the types of providers who may render telehealth services. In conjunction with APL 20-013, the Department issued a “Frequently Asked Questions” document to respond to questions the Department received regarding the provision of services via telehealth during the declared state of emergency.¹

Duration of APLs 20-009 and 20-013

The Department has received questions regarding the duration of APLs 20-009 and 20-013. These APLs remain in effect for the duration of the California declared state of emergency or until further notice from the Department, whichever is earlier.

Directory reporting of provider’s home addresses

Health and Safety Code section 1367.27 requires health plans to include providers’ practice addresses in the health plans’ provider directories. However, due to COVID-19 many providers who normally provide health care services from locations outside their homes (e.g., offices, clinics) are now providing health care services from their homes

¹ For reference, copies of APL 20-009, APL 20-013, and the Department’s Frequently Asked Questions document are attached to this APL.

during the California declared state of emergency. This raises privacy issues for the providers.

Due to these issues, and notwithstanding section 1367.27's requirements, during the California declared state of emergency a health plan shall not include a provider's home address as the provider's "practice address" in the plan's provider directory unless the provider expressly authorizes the plan to do so.

As an alternative to listing the provider's home address as the "practice address," the plan may continue to list the provider's practice address as of March 3, 2020 (the day before the Governor declared a state of emergency in California).

Applicability of APL to Delegated Entities

The provisions of this APL and APLs 20-009 and 20-013 apply to delegated entities to the extent the services the health plan delegated to the entity are impacted by this APL. For example, if a health plan delegated the provision of behavioral health services to another entity, that entity must comply with this APL and APLs 20-009 and 20-013.

If you have questions regarding this All Plan Letter, please contact your plan's assigned reviewer in the Department's Office of Plan Licensing.