

PUBLIC PROTECTION CABINET
Department of Insurance
Division of Health, Life Insurance and Managed Care
(Amended at ARRS Committee)

806 KAR 17:270. Telehealth claim forms and records.

RELATES TO: KRS 304.17A-005, 304.17A-138, 304.17A-700

STATUTORY AUTHORITY: KRS 304.2-110(1), 304.17A-138

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 304.2-110(1) authorizes the commissioner to promulgate reasonable administrative regulations necessary for or as an aid to the effectuation of any provision of the Kentucky Insurance Code as defined in KRS 304.1-010. KRS 304.17A-138 requires that the department promulgate an administrative regulation in accordance with KRS Chapter 13A to designate the claim forms and records required to be maintained for telehealth claims. This administrative regulation establishes requirements for telehealth claim forms and records.

Section 1. Definitions.

- (1) "ADA" means American Dental Association.
- (2) "Electronic" or "electronically" is defined by KRS 304.17A-700(7).
- (3) "HCFA" means Health Care Financing Administration.
- (4) "Health benefit plan" is defined by KRS 304.17A-005(22).
- (5) "Health care provider" or "provider" is defined by KRS 304.17A-005(23).
- (6) "Insurer" is defined by KRS 304.17A-005(29).
- (7) "National Uniform Billing Committee (NUBC)" is defined by KRS 304.17A-700(14).
- (8) "Telehealth" is defined by KRS 311.550(17).

Section 2. Application. This administrative regulation shall apply to health benefit plans delivered, issued, or renewed on or after July 15, 2001.

Section 3. Claim Forms. The following claim forms shall be used for reimbursement of telehealth consultations:

- (1) A claim form for dentists shall consist of the ADA Dental Claim Form - J430 approved by the American Dental Association effective at the time the service was billed; and
- (2) A claim form for all other health care providers shall consist of the Health Insurance Claim Form, Form HCFA - 1500 data set or its successor submitted on the designated paper or electronic format as adopted by the National Uniform Claims Committee effective at the time the service was billed.

Section 4. Retention of Records. A provider shall, upon request, provide a copy of the following to an insurer as support for a claim for reimbursement of a telehealth consultation:

- (1) Written record that substantiates the request by the referring provider for the telehealth consultation by the primary care provider; and
- (2) Written record of the telehealth consultation.

Section 5. Material Incorporated by Reference.

- (1) The following material is incorporated by reference:
 - (a) "ADA Dental Claim Form - J430", 5/2019 ; and
 - (b) Form HCFA - 1500, "Health Insurance Claim Form", 2/2012 .
- (2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Department of Insurance, The Mayo-Underwood Building, 500

Mero Street , Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m.
This material is also available on the department's internet Web site at
<https://insurance.ky.gov/ppc/CHAPTER.aspx>.

(806 KAR 017:270. 27 Ky.R. 2008, 2540, 2781; eff. 4-9-2001; TAm eff. 8-9-2007; 48 Ky.R. 190, 1551; eff. 2-1-2022.)

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