

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

RELATES TO: KRS 304.17A-138

STATUTORY AUTHORITY: KRS 304.2-110(1), 304.17A-138(4)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 304.2-110(1) provides that the executive director may promulgate reasonable administrative regulations necessary for or as an aid to the effectuation of any provision of the Kentucky Insurance Code. KRS 304.17A-138(4) requires that the office promulgate an administrative regulation in accordance with KRS Chapter 13A to designate the claim forms and records required to be maintained for telehealth claims.

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) "Health insurer" or "insurer" is defined by KRS 304.17A-005(27).
- (7) "Kentucky Uniform Billing Committee (KUBC)" is defined by KRS 304.17A-700(13).
- (8) "National Uniform Billing Committee (NUBC)" is defined KRS 304.17A-700(14).
- (9) "Telehealth" is defined by KRS 311.550(17).
- (10) "UB" means uniform billing.

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 Form - J588 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 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 which 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 Form - J588, "Dental Claim Form" (1999 version 2000); and
 - (b) Form HCFA - 1500, "Health Insurance Claim Form" (12-90 Edition).
- (2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Office of Insurance, 215 West Main Street, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m.
(27 Ky.R. 2008; Am. 2540; 2781; eff. 4-9-2001; TAm eff. 8-9-2007; Crt eff. 2-26-2020.)