GUIDANCE ON THE USE OF VIRTUAL CARE PLATFORMS

BACKGROUND: On March 17, 2020, Centers for Medicare & Medicaid Services (CMS) broadened access to Medicare telehealth services on a temporary and emergency basis through a waiver. In conjunction, the Office for Civil Rights (OCR) at the Department of Health and Human Services (HHS) issued guidance that during the COVID-19 emergency, covered healthcare providers subject to HIPAA may seek to communicate with patients through remote technologies which may or may not be HIPAA compliant. OCR will exercise enforcement discretion to not impose penalties for use of these technologies to perform telehealth services during the COVID-19 public health emergency for all patient care, regardless of whether the telehealth service is related to the diagnosis and treatment of COVID-19.

HIPAA COMPLIANT: OCR indicated that the following vendors represent they are HIPAA-compliant video communication products if a valid Business Associate Agreement is in place with the product vendors:

- Skype for Business
- VSee
- Doxy.me
- Updox
- Zoom for Healthcare
- Google G Suite Hangouts Meet

NOT HIPAA COMPLIANT BUT PERMITTED: OCR indicated the following popular applications allow for video chats but do not represent they are HIPAA compliant. Providers using these non-HIPAA compliant platforms are encouraged to notify patients that these third-party applications potentially introduce privacy risks, and providers should enable all available encryption and privacy modes when using such applications:

- Apple FaceTime
- Google Hangouts video
- Facebook Messenger video chat
- Skype
RECOMMENDATIONS: Given the temporary nature of these authorities and the fact that many of the available alternative technologies are not HIPAA compliant, we recommend that providers performing telehealth services, including Virtual Provider Office and Virtual Urgent Care, use the AmWell Platform.

However, we recognize that many providers may already be using or may need to temporarily use these alternative technologies for delivering virtual care. Our recommendation is that every provider performing virtual visits complete the virtual care training and the AmWell Platform onboarding process. While providers are completing this process, they may use these alternative technologies. It is the expectation that as providers complete the onboarding process, they will transition exclusively to the AmWell Platform.

Ascension remains committed to developing virtual care capabilities across the network and is accelerating implementations to meet the growing need. If you have any questions about this guidance or if you need assistance with the onboarding process and virtual care training, please reach out to Michelle Heavens at Michelle.Heavens@ascension.org.