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Kaiser Foundation Health Plan of Washington
Kaiser Foundation Health Plan of Washington Options, Inc.
Provider Contracting, RCB-C2W-02
PO Box 34262, Seattle WA 98124-1262

DECEMBER 28, 2022

Dear Provider:

In October 2022, the OIC finalized rule making regarding the requirement under RCW 48.43.735(1)(a)(v) and WAC 284-170-433(1)(b), effective 1/1/2023, every participating provider contract must require that a covered person has an established relationship with a provider prior to receiving telemedicine services.

As defined in RCW 48.43.735(9)(d), "Established relationship" means the provider providing audio-only telemedicine has access to sufficient health records to ensure safe, effective, and appropriate care services and: (i) For health care services included in the essential health benefits category of mental health and substance use disorder services, including behavioral health treatment: (A) The covered person has had, within the past three years, at least one in-person appointment, or at least one real-time interactive appointment using both audio and video technology, with the provider providing audio-only telemedicine or with a provider employed at the same medical group, at the same clinic, or by the same integrated delivery system operated by a carrier licensed under chapter 48.44 or 48.46 RCW as the provider providing audio-only telemedicine; or (B) The covered person was referred to the provider providing audio-only telemedicine by another provider who has had, within the past three years, at least one in-person appointment, or at least one real-time interactive appointment using both audio and video technology, with the covered person and has provided relevant medical information to the provider providing audio-only telemedicine; (ii) For any other health care service: (A) The covered person has had, within the past two years, at least one in-person appointment, or, until January 1, 2024, at least one real-time interactive appointment using both audio and video technology, with the provider providing audio-only telemedicine or with a provider employed at the same medical group, at the same clinic, or by the same integrated delivery system operated by a carrier licensed under chapter 48.44 or 48.46 RCW as the provider providing audio-only telemedicine; or (B) The covered person was referred to the provider providing audio-only telemedicine by another provider who has had, within the past two years, at least one in-person appointment, or, until January 1, 2024, at least one real-time interactive appointment using both audio and video technology, with the covered person and has provided relevant medical information to the provider providing audio-only telemedicine.

The requirements related to having an established relationship must be clearly communicated to providers as they vary by service. The full definition must be included in the contract; therefore, Kaiser Foundation Health Plan of Washington will administer an amendment to your **Kaiser Foundation Health Plan of Washington Agreement** in the future when new state or federal requirements become effective after 1/1/2023 and are required within the contract.

Per the conformity provision within your agreement this notification constitutes the effectiveness of the established relationship contractual requirement.

Conformity: If state or federal laws or regulations change and affect any provision of this Agreement, this Agreement will be deemed amended to conform with those changes the date the law or regulation becomes effective.

If you have questions about the notification, please email or call your contract manager [CMName] at [CMEmail].

Sincerely,

A handwritten signature in cursive script that reads "Alacia Broussard".

Alacia Broussard
Vice President, Contracting, Network Operations and Strategy (CNO&S)