

# World Learner School



**POLICY:** 765 **Student Telemedicine Policy**

**EFFECTIVE DATE:** 4.27.20

**REVISED DATE:**

## **I. PURPOSE**

The purpose of this policy is to set forth the provisions that must be followed when administering web-based telemedicine services for the purpose of consultation, evaluation, and service delivery in the areas of Physical Therapy, Mental Health, Speech/Language Pathology, Occupational Therapy, school psychology and counseling to students at school when onsite services are prohibitive.

## **II. GENERAL STATEMENT POLICY**

- A. The school district acknowledges that some students may require services through telemedicine during the school day. The school district's special education director or principal will support service delivery through telemedicine accordance with law and school district procedures to link a student to a professional for assessment, intervention and/or consultation. Telemedicine is defined as the delivery of health care services or consultations through electronic communication while the student is at one site and the qualified health care provider is at a distant site.

## **III. ASSURANCES**

- A. Students must meet Minnesota criteria for special education as the result of a comprehensive evaluation and demonstrate a need for services. For services provided by a licensed speech language therapist, students must qualify for services under criteria of speech or language impairment.
- B. Telemedicine provider will follow the school's policy and procedures to ensure student safety. In an unsafe student situation, telemedicine provider will report the situation to the school's special education director to document and proceed with the school's safety policy.
- C. Providers will maintain student confidentiality when telemedicine services are utilized including:
  - a. HIPAA rules and regulations must be followed for students.
    - i. Protected Health Information (PHI) includes name, age, address, social security number, health history, treatment, medications, payment record, and the fact that the student is an enrolled student, physical/mental/medical condition, including past, present or future.
    - ii. PHI may only be used, accessed, or disclosed as permitted by student's legal authority and may not be used, accessed, or disclosed unless related to treatment or payment or directed to do so by student's legal authority.
    - iii. Oral and written communication (which also includes phone, fax, and email) must safeguard PHI.
    - iv. Telemedicine providers are required to follow their students' assigned school HIPAA rules and regulations.
  - b. Student records maintained in the telemedicine provider's office must be kept confidential and secure, and computer records and documents containing student information must be kept confidential and secure with a confidential computer password required to access student information.
  - c. Health Information Technology for Economic and Clinical Health Act of 2009 (HITEH; U.S. Department of Health and Human Services, n.d.-a.)
  - d. Family Education Rights and Privacy Act of 1974 (FERPA; U.S. Department of Education, n.d.)
  - e. State and federal regulations pertaining to electronic storage of consumer information for local computer servers and local area networks

#### **IV. REQUIRED DOCUMENTATION**

- A. Type of service provided as documented in the IEP, and on the MA Billing activity logs.
- B. Time service begins and time service ends as documented on the MA activity logs.
- C. Description of provider's basis for determining telemedicine is appropriate.
  - a. Clinical services are based on the unique needs of each individual client, telemedicine may not be appropriate in all circumstances or for all students. Candidacy for receiving services via telemedicine will be assessed prior to initiating services. The student's education, culture, age, and ability will be used to determine eligibility.
  - b. Code of Ethics: Providers who hold the appropriate licensure or equivalent shall evaluate the effectiveness of services provided, technology employed, and products dispensed, and they shall provide services or dispense products only when benefit can be expected.
  - c. Providers shall make use of technology and instrumentation consistent with accepted professional guidelines in their areas of practice. If proper technology is not available, an appropriate referral may be made.

#### **V. MODE OF TRANSMISSION**

- A. The special education department in consultation with the IT department determines the appropriate web-based platform utilized to transmit telemedicine services that meet state and federal regulations.
- B. Providers shall ensure that all technology and instrumentation used to provide services or to conduct research and scholarly activities are in proper working order and properly calibrated.

#### **VI. LOCATION OF ORIGINATING AND DISTANCING SITE**

- A. The originating site is the location of the student at the time the provider is providing the service via a telemedicine session. Documentation of the site occurs on the IEP and on the MA activity log.
- B. The distant site is the location where the licensed provider is located while providing the telemedicine service. Documentation of location occurs on the IEP and on the MA activity log.

#### **VII. ROLES AND RESPONSIBILITIES**

- A. World Learner School providers who deliver telemedicine services must possess specialized knowledge and skills in selecting assessments and interventions that are appropriate to the technology and take into consideration student and disorder variables. Assessment and therapy procedures and materials may need to be modified or adapted to accommodate the lack of physical contact with the student. These modifications are reflected in the interpretation and documentation of the service.
- B. WLS administration, including the special education director and principal, are responsible for defining telemedicine-based services in WLS that will:
  - a. Ensure the telemedicine profession meet all state requirements to practice in the school
  - b. Ensure that the telemedicine professional have knowledge, skills and training in the use of the telemedicine

#### ***Legal References:***

- Minn. Stat. § 254B.05, Sub. 5 (f)
- Minn. Stat. § 256B.0625, Subd. 3b
- Minn. Stat. § 245.462, Subd. 17
- Minn. Stat. § 245.4871, Subd. 26