[state-actions-affecting-occupational-therapy-in-response-to-covid-19.pdf (aota.org)](https://www.aota.org/~/media/Corporate/Files/Advocacy/State/telehealth/state-actions-affecting-occupational-therapy-in-response-to-covid-19.pdf)

MAINE AOTA State Affairs Group June 14, 2021

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| **Licensing board updates** | **Updated Telehealth policies** | **Medicaid & Private Insurance policy updates** |
| Governor Mills announced that the COVID-19 State of Civil Emergency will not be extended beyond June 30, 2021. Updated Guidance and Retiring of COVID-19 Prevention Checklists from the Office of Professional and Occupational Regulation (posted May 26, 2021) Notice from the Office of Professional and Occupational Regulation regarding Governor’s Executive Order 35 stating: all licensed health care providers may provide services via telehealth by video, audio, or electronic means; extending by 30 days until after the state of emergency is over, the expiration date of a license that is scheduled to expire during the declared state of emergency; and all temporary licenses issued by the OT board do not expire until 30 days after the state of emergency is over. Governor’s Executive Order 35, among telehealth provisions also 1) authorizes the reactivation of a lapsed OT license if the license holder meets certain requirements; 2) authorizes the issuance of a temporary OT license to a person with an active license in another state for the provision of in-person services in Maine or services provided via telehealth; 3) authorizes OTs to renew their license without satisfying continuing education requirements; 4) extends the license renewal deadline for all licenses scheduled to expire during the state of emergency for 30 days following the conclusion of the state of emergency; and 5) provides that temporary licenses issued by the OT board during the state of emergency shall not expire prior to 30 days after the end of the state of emergency. This Executive Order was amended, effective February 3, 2021, to state that any active license scheduled to expire on or before March 20, 2021 may renew the license without completion of the required continuing education. Public Law Chapter 617 gives the Governor, during the COVID-19 state of emergency the authority to modify or suspend the requirements for professional or occupational licensing or registration by any agency, board, or commission if strict compliance with such requirements would in any way prevent, hinder, or delay necessary action in dealing with the emergency | Governor’s Executive Order 35, among licensing provisions also 1) authorizes OTs and OTAs to provide necessary health care services permitted by their licenses through the use of all modes of telehealth, including video and audio, audio-only, or other electronic media; and 2) suspends enforcement of privacy requirements that would prevent, hinder, or delay the delivery of telehealth services. Remains in effect until rescinded or the public health emergency is terminated. Office of Professional and Occupational Regulation posted telehealth resources from the Northeast Telehealth Resource Center, including links to guidance on reimbursement.MaineCare Guidance relating to telehealth and telephone services during COVID-19 emergency period (updated April 16, 2020) | Medicaid: MaineCare providers are being encouraged to consider utilizing telehealth for the delivery of MaineCare-covered services when appropriate and necessary (updated April 16, 2020) Section 1135 disaster response waivers approved on May 28, 2020; April 7, 2020; and April 15, 2021. Time-limited Medicaid state plan amendments to respond to COVID-19 approved on May 8 and 20, 2020; January 15, 2021; and March 31, 2021.Time-limited state plan amendment granted to the CHIP program on April 4, 2020. 1915(c) Appendix K waivers allowing flexibilities in home and community-based services (HCBS) waivers granted on April 24, 2020; September 22, 2020; and March 18, 2021. Private insurance: Bureau of Insurance Bulletin 442 reminding carriers of the telehealth and in-person parity requirement. Bureau of Insurance Supplemental Order authorizing the provision of remote health care services via telephonic communication and requiring parity in reimbursement for services provided in-person and via telephone |