



**BLBA BULLETIN NO. 20-02**

Issue Date: June 4, 2020

---

Expiration Date: Until Further Notice

---

**Subject:** Telemedicine for Routine Medical Services

**Background:** In response to the COVID-19 pandemic, a number of cities, states, and localities have implemented “shelter in place” or “stay-at-home” orders, requiring the closure of non-essential services, and limiting the movements and travel of their residents. Even as some of these state and local limitations have been eased, certain medical services may nonetheless still be impacted for several months. During this time, the Division of Coal Mine Workers’ Compensation (DCMWC) recognizes the need to implement temporary procedures to allow for the use of telemedicine services for some medical treatments provided to miners entitled to benefits. In particular, DCMWC finds it appropriate to allow telemedicine services in place of in-person non-emergency, routine medical services provided by physicians and other health care professionals who work under a physician’s supervision (HCPs).

In issuing this Bulletin, DCMWC is fully aware that some treating physicians and HCPs may be constrained in their ability to provide telemedicine services by the requirements of either state law or their licensing authorities. This Bulletin should not be interpreted as countermanding or absolving the responsibility to follow those requirements. Such requirements may include, for example, that the physician or HCP be physically located in the same state as the miner’s residence while providing services via telemedicine, or that the physician or HCP be licensed to practice in the state where the miner resides. The use of telemedicine services described in this Bulletin is optional, not required.

**Applicability:** Appropriate DCMWC personnel

**Purpose:** To provide temporary guidance to DCMWC staff in allowing and paying for routine medical services utilizing telemedicine when payment is made from the Black Lung Disability Trust Fund.

**References:** 20 CFR 725.701, 20 CFR 725.705, 20 CFR 725.706, 20 CFR 725.707, 20 CFR 725.708, BLBA Bulletin 18-02.

**Action:**

1. In accordance with DCMWC regulations, policies and procedures, physicians (including pulmonologists) and other HCPs may provide routine medical care through telemedicine during the period in which this Bulletin remains in effect, when that care is associated directly with an accepted condition as outlined under 20 CFR 725.701(e)(1).

2. During the period in which this Bulletin remains in effect, a physician or other HCP can choose to conduct routine medical treatment utilizing telemedicine options (including phone, video conferencing or similar technologies) that they believe will provide appropriate medical treatment to the miner, while maintaining the miner's privacy and safeguarding all protected health information.

3. If, in the exercise of their professional judgment, a physician determines that the miner's needs require an HCP on-site with the miner during a telemedicine service, the physician can have a Registered Nurse (RN), Advanced Practice Nurse Practitioner (APNP), or Physician Assistant (PA) present with the miner during the telemedicine service.

4. Physicians and HCPs treating miners via telemedicine can bill utilizing appropriate telemedicine billing codes, listing the miner's address as the location of delivery of the medical care. HCPs who were present at the miner's location during a telemedicine service can bill using non-telemedicine billing codes appropriate to their visit. Along with the bill for services, the physician or HCP must provide the following information:

- a. A note stating the method of telemedicine used;
- b. Any vitals or medical evidence collected; and
- c. An outline of the medical need and the benefit derived from the service, as it relates to the miner's accepted condition.

5. Physicians can refer miners for pulmonary rehabilitation services, as outlined in BLBA Bulletin 18-02. During the period in which this Bulletin remains in effect, a physician can direct an RN, APNP, respiratory therapist, or PA to conduct necessary pulmonary rehabilitation services at a miner's home or another place near the miner's location.

6. DCMWC will routinely review documentation and verify that medical bills are eligible for reimbursement prior to payment. If discrepancies are identified, DCMWC staff will work with the physician or HCP to resolve any issues.



MICHAEL A. CHANCE  
Director, Division of Coal  
Mine Workers' Compensation

Distribution: All DCMWC Staff