

## Telehealth / Teletherapy Practice in California: Resource Links Provided by CAMFT



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There's a cultural shift in the way mental health professionals are practicing now. As opposed to the traditional office setting, there's another alternative that has created a lot of buzz in the mental health professional industry: teletherapy / telehealth. This creates both the opportunity for the therapist / counselor / mental health professional to "work from home" (or their chosen office setting location) while also creating convenience for their patients / clients to partake in sessions wherever they feel most comfortable.

CPH & Associates has had a growing number of calls and questions related to telehealth / teletherapy and rightfully so! It's important to know if your professional liability insurance provider is there to support your practice and with the portability CPH & Associates offers, we do just that! That being said, it's important you know your state's requirements related to teletherapy. Because CPH wants to best support its professionals in their practice, we networked with our loyal partner, [CAMFT](#), to compile some teletherapy resources for you:

- [“Regulatory and Legal Considerations for Telehealth: What Therapists Need to Know”](#) by Ann Tran-Lien, JD, Managing Director of Legal Affairs, *The Therapist*, September/October 2016: This is a great intro to telehealth that outlines general regulations for LMFTs, LCSWs, and LPCCS' considering teletherapy services, what to do upon initiation of telehealth services and everyday practice tips to limit your professional liability risks. It also touches on providing telehealth outside of the state of California and lists some additional telehealth resources.

- [Checklist for Telehealth in California](#): CAMFT put this checklist together for therapists who practice telehealth in California, this checklist may serve as a useful tool to ensure the requirements of California regulations on the Standards of Telehealth have been met. This document is provided solely for information and educational purposes and should not be considered to be legal advice.
- [“The Basics of Telehealth”](#) by Alain Montgomery, JD: Similar to [“Regulatory and Legal Considerations for Telehealth: What Therapists Need to Know”](#) where it addresses "What is Telehealth?" and "Professional Ethical Standards Regarding Electronic Therapy" but addresses some additional concerns such as: Can an LMFT in California Provide Psychotherapy to a Patient Outside the State of California?
  - Penalties for the Unlawful Practice of Telehealth



- Web Based Platforms for Clients within California
  - Does Medi-Cal Reimburse for Telehealth Services?
  - Informed Consent
  - Is Special Malpractice Insurance Required to Practice Telehealth?
  - Do Private Insurance Plans Reimburse for Telehealth Services?
- The [CAMFT Code of Ethics](#) states the following: 1.4.2 ELECTRONIC THERAPY: When patients are not physically present (e.g., therapy by telephone or Internet) during the provision of therapy, marriage and family therapists take extra precautions to meet their responsibilities to patients. Prior to utilizing electronic therapy, marriage and family therapists consider the appropriateness and suitability of this therapeutic modality to the patient’s needs. When therapy occurs by electronic means, marriage and family therapists inform patients of the potential risks, consequences, and benefits, including but not limited to, issues of confidentiality, clinical limitations, transmission difficulties, and ability to respond to emergencies. Marriage and family therapists ensure that such therapy complies with the informed consent requirements of the California Telemedicine Act. **Please Note:** *The Code is currently in the process of being reviewed by the Ethics Committee for proposed revisions, and additional provisions on telehealth may be added. The CAMFT Code of Ethics can be found here:* <http://www.camft.org/images/PDFs/CodeOfEthics.pdf>

- **NEW** [Proposed rule from the Department of Veterans Affairs for the authority of health care providers to practice telehealth](#): This is a *proposed federal ruling* filed in September 2017 and published October 2017 in support of teletherapy practice.

Another resource to reference would be the [BBS information on the Telehealth Regulations](#), where the [California State Board of Behavioral Sciences](#) also outlines some specifics related to telehealth services in California.

**Long story short:** If you're considering practicing in the telehealth / teletherapy space, leverage your state specific resources and contact your state licensing board to understand and prevent professional liability. If you have specific questions, we encourage you to join a professional association in your state, such as [CAMFT](#), to gain access to additional professional resources specific to your state and your individualized practice needs. Most importantly, ensure your professional liability insurance provider extends coverage to teletherapy. Taking all details from this blog into consideration, CPH & Associates' coverage does extend to teletherapy practice.

***\*Please note: This was published October 25th, 2017. Because this is a growing niche that changes often, please consider your sources and ensure all the resources you're accessing related to telehealth are current to best support your career.***

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