



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
Olympia, Washington 98504

NOTICE OF ADOPTION OF AN INTERPRETIVE STATEMENT

Title of Interpretive Statement: Opioid Treatment Program (OTP) Annual Medical Exam via Telehealth | Interpretive Statement Number CHS-04-23-21

Issuing Entity: Health Systems Quality Assurance, Office of Community Health Systems

Subject Matter: Opioid Treatment Program (OTP) Annual Medical Exam via Telehealth

Effective Date: December 16, 2020

Contact Person: Michelle Weatherly, michelle.weatherly@doh.wa.gov

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Health Systems Quality Assurance, Office of Community Health Systems

Interpretive Statement

Revised – 10/18/11

Title: Opioid Treatment Program (OTP) Annual Medical Exam via Telehealth	Number: CHS-04-23-21
References: WAC 246-341-1020(12), 42 CFR 8.12	
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The Department of Health (department) interprets the requirement for agencies providing substance use disorder (SUD) Opioid Treatment Program (OTP) services to complete an *annual* medical exam, cited in facility licensing rule [WAC 246-341-1020](#) (12), to allow the program physician or the medical practitioner under supervision of the program physician to conduct the exam either in person **or** via telehealth technologies. The medical practitioner may use their professional and clinical judgment when determining the appropriateness of telehealth technologies for the annual medical exam and must document, in the patient’s record, their decision to use telehealth technologies.

This interpretation aligns with the department’s support for the use of telehealth services and for certain licensed health care professions to use their clinical judgment to determine appropriateness and use of telehealth services. This includes [using telehealth within their scope of practice](#) and as long as there is no statute or rule prohibiting the use of telehealth. Health care professionals must consider confidentiality laws, applicable laws for licensed health care facilities, and which services are appropriate for telehealth, keeping in mind patient health and safety.

Federal regulations cited in [42 CFR 8.12\(f\)\(2\)](#) still require the *initial* medical exam to be completed in-person on each individual upon enrollment in an OTP, which includes completing a personal substance abuse history, physical examination, laboratory evaluation, and determination of disease morbidity. The department is not commenting on the availability of reimbursement for telehealth services.

The department will revise Chapter 246-341 WAC to explicitly allow the use of telehealth for annual medical exams clarifying that annual medical exams may be conducted either in person or via telehealth technologies.