

Appendix I

TELEHEALTH AND DIGITAL BEHAVIORAL HEALTH MODELS: DEFINITIONS, IMPACTS, AND REGULATORY OVERSIGHT

Telehealth and digital behavioral health tools are promising options for mitigating workforce shortages and patient access gaps. This typology distinguishes provider-delivered remote care (telehealth) from digital behavioral health tools, helping policymakers better understand how each model functions. It outlines how each model affects patient access, care continuity, and provider workload, while summarizing their regulatory interactions.

Model	Description	Impact on Patient and Provider Experience	Regulatory Interactions
Telehealth (Provider-Delivered Remote Care)			
Ongoing Telehealth	<p>Longitudinal provider-patient relationship conducted remotely.</p> <p>Sub-types: (a) in-person to remote (continuity-oriented); (b) starts and ends remote (fully remote); (c) remotely initiated short-term care as a bridge to ongoing, potentially in-person care (bridge programs).</p> <p>Modality overlaps: (a) Live vs. Asynchronous (video, phone, secure chat); (b) by provider type; (c) by type of service – individual therapy, group therapy, etc.</p>	<p>Patient experience – Access – Eliminates geographic + scheduling barriers for longitudinal care.</p> <p>Patient experience – Continuity – Preserves therapeutic alliance.</p> <p>Provider experience – Greater scheduling flexibility; modest panel growth via fewer no-shows.</p>	<p>Licensure and Interstate Commerce – State medical and pharmacy boards view policymakers.</p> <p>Privacy and Security – HIPAA, 42 CFR Part 2 (genetic tests specific to substance use-related information) – state.</p> <p>Payment – Telehealth Billing Codes; required telehealth coverage; telehealth parity laws – state; state DRG.</p> <p>DEA rules for controlled substance e-prescribing.</p>
Episodic Telehealth	<p>On-demand, ad hoc encounters with existing clinicians.</p> <p>Sub-types: (a) Virtual urgent/after-hours care; (b) prescription-dish visits.</p> <p>Modality overlaps: (a) Live vs. Asynchronous; (b) by provider type.</p>	<p>Patient experience – Access – Eliminates geographic and scheduling barriers for one-off needs; 24/7 availability.</p> <p>Patient experience – Continuity – Heightened risk of fragmented care and over-prescribing; difficulty establishing an ongoing relationship with provider.</p> <p>Provider experience – Allows flexible shifts (reducing provider idle time); difficulty establishing ongoing relationships with patients.</p>	<p>Same as above plus:</p> <p>Consumer Protection – state ACO, DOL, FTC.</p> <p>Utilization Management – payers may impose higher standards for prescription-dish requests state.</p> <p>PDMP registration and standard query – prescriber must enroll in each patient's state PDMP and run the usual check before prescribing – higher burden for episodic visits – state medical/pharmacy boards.</p>
Digital Behavioral Health Tools The categories below are not mutually exclusive. Some tools blend patient- and provider-facing features.			
Patient-Facing Tools	<p>Self-guided or low-touch tools that substitute or augment clinician time.</p> <p>Sub-types: (a) Apps providing fully digital therapeutic services like cognitive behavioral therapy; (b) Symptom tracking and passive remote monitoring; (c) Apps providing adherence nudges/behavioral prompts.</p>	<p>Patient Experience – Access – Eliminates geographic + scheduling barriers for individuals who cannot easily initiate clinician.</p> <p>Patient Experience – Continuity – Therapeutic alliance dependent; data may be shared directly with a clinician.</p> <p>Provider experience – One clinician can support far more patients; lowers direct-care minutes.</p>	<p>Oversight over medical devices making clinical claims – FDA, when not considered a general “medical product.”</p> <p>Privacy, security & data responsibility – HIPAA, 42 CFR Part 2 – state; DEA rules and guidance on interoperability and Data 2.0 capabilities.</p> <p>Payment and coverage/billing codes – state, states, payers.</p> <p>Consumer Protection – state ACO, DOL, FTC.</p>

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Sir Norman Lockyer



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