

Telehealth

Polsinelli's Telehealth practice counsels clients on all aspects of the delivery of health care via telehealth, telemedicine and digital health platforms. Launched in 2015, our practice advises clients on the changing legal, regulatory and reimbursement landscape of telehealth, telemedicine and asynchronous delivery of health care. We advise our clients on structuring and deploying successful telehealth and digital health services and products in a regulatory compliant manner. Representative clients include hospitals and health systems, academic medical centers, venture capital financed start-ups, direct-to-consumer telehealth vendors and providers, international telemedicine providers, remote patient monitoring software companies, trade associations and others. Our team is led by nationally recognized telehealth thought leaders who are published authors on the topic of telehealth and frequent speakers for media outlets, stakeholder organizations such as the American Telemedicine Association and regional telehealth resource centers.

Our telehealth practice advises on matters such as:

- State licensure and regulatory issues, including the establishment of a physician-patient relationship, scope of practice, prescribing, state licensure, certificate of need, informed consent, unfair trade practices enforcement, non-physician practitioner supervision, corporate practice of medicine and other issues
- Federal and private payor reimbursement requirements and rules, including Medicare, Medicaid, Medicare Advantage (MA) and commercial health plans
- Coding, coverage and payment for telehealth services
- Provider agreements and structure, including with respect to prohibitions on fee splitting, kickbacks, self-referral and other fraud and abuse matters
- Regulatory due diligence
- Regulatory and risk issues surrounding specialized areas of telehealth, including mental and behavioral health counseling
- Vendor negotiations and agreements
- Application of telehealth rules to remote patient monitoring and other digital health modalities
- Informed consent language and patient portal terms and conditions
- Federal and state privacy, security, and data protection requirements
- Credentialing issues, including The Joint Commission (TJC) and Medicare Conditions of Participation (COP) requirements
- Advocacy on federal and state rules related to telemedicine reimbursement and practice

Recognitions:

- Team members frequently cited in national media outlets for views on telehealth law and activity
- Nationally-recognized speakers at national legal and telehealth industry conferences
- Active participation in telehealth stakeholder federal advocacy efforts

Publications

January 12, 2026

How providers can prepare for the upcoming telehealth cliff

Quoted, Xtelligent Healthcare

November 18, 2025

Telehealth and Hospital-at-Home Rules Reinstated After October Lapse; DEA Signals Extension of Telemedicine Prescribing Flexibilities

October 20, 2025

CMS Extends Telehealth Claims Hold: What Hospitals and Providers Need to Know

October 1, 2025

Telehealth flexibilities expire amid government shutdown

Quoted, Healthcare Dive

October 1, 2025

Telehealth in Limbo: Government Shutdown Cuts Off Medicare Flexibilities

September 22, 2025

What was Old will be New Again: Medicare Reverts to Pre-Pandemic Telehealth Guidelines Oct. 1, 2025

September 22, 2025

Medicare Coverage for Telehealth Ends Sept. 30: Are Behavioral Health Providers Ready?

September 17, 2025

\$50 Billion Rural Health Fund: State Applications Now Open, Provider Input Urged

August 1, 2025

Telehealth Requires Scrutiny on Standard of Care

Quoted, Healthcare Risk Management

March 18, 2025

Medicare Telehealth Gets Another Temporary Lifeline – Will Congress Make it Permanent?

January 23, 2025

DEA's Long-Awaited Virtual SUD Prescribing Proposal Hangs in the Balance With New Administration

Quoted, Behavioral Health Business

November 18, 2024

Still in Telemedicine Limbo: DEA Issues Third Temporary Rule Extending Controlled Substance Prescribing Flexibilities Through December 2025

February 6, 2024

New SAMHSA Rule Expands Access to Medications for the Treatment of Opioid Use Disorder

October 12, 2023

DEA Issues Second Temporary Rule Extending Controlled Substance Prescribing Flexibilities Through December 2024

May 9, 2023

DEA Temporary Rule Extends Telemedicine Flexibilities Through November 2023 and Grants Additional One-Year Grace Period

February 27, 2023

DEA Announces Permanent Flexibilities for the Prescribing of Controlled Substances via Telemedicine

August 2, 2022

Telehealth: CMS Proposes to Discontinue Audio-Only E/M Services and Virtual Direct Supervision in 2023 Proposed Rule