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## Telehealth Services

### Purpose:

To establish procedures for the use of telehealth services for sex offender treatment.

The TSOTB standard for sex offender treatment is in-person group therapy to address risk-relevant factors. This standard is considered best practice in the field and research shows this method of modality can reduce sexual recidivism.

The TSOTB also recognizes that there are occasions when weather impedes in-person sex offender treatment classes and the use of telehealth treatment could provide an alternative to non-attendance or canceling of group therapy.

The Board recognized that the global health pandemic of 2020 required temporary changes in the modality to best manage public health risks. While utilizing telehealth during the period that Tennessee was under a State of Emergency did allow many clients to continue receiving treatment, it also highlighted challenges for clients who either cannot afford internet services or are not allowed to access internet services due to the risk of re-offense, essentially preventing them from obtaining services altogether. Additionally, the Board requires providers to ensure privacy for all clients within the group setting in accordance with HIPAA.

While ATSA has not specifically rejected the use of telehealth for sex offender treatment, it was not generally used prior to the health crisis, and therefore, it is an untested, unresearched, and rarely used modality that cannot be considered best practice. To balance concerns raised regarding in-person treatment in certain cases, the health and safety of clients and providers, as well as maintaining best practices for ensuring that there are no more victims, the Board has developed this policy for the use of telehealth in lieu of in-person group sex offender treatment:

- The use of telehealth sex offender treatment will be allowed during inclement weather in lieu of canceling the group session. When determining the need for telehealth services for weather-related instances, the provider shall take into consideration whether schools and other local businesses are closed due to weather. In addition, providers shall take into consideration whether the client is still able to travel to work and/or recreational activities. Clients who can travel to work and/or other locations in the community are not eligible to receive telehealth services due to inclement weather. Providers must notify the supervising agency and the Presiding Officer in all instances when telehealth is utilized for weather-related purposes.
- All use of telehealth must follow the standards set by the provider's licensing board. Video platforms such as Zoom (free version), WebEx, Microsoft Teams, and GoToMeeting are not considered HIPAA compliant and cannot be used to conduct telehealth services. Audio-only platforms will not be allowed for telehealth use.



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- Additionally, the following regulations apply:
  - The provider shall provide the Presiding Officer with the program to be used for telehealth services prior to the implementation of the service. The Presiding Officer will review the program for HIPAA compliance.
  - To ensure effective treatment with the telehealth modality, group size will be limited to no less than four (4) and no more than six (6) clients per telehealth group.
- Clients receiving telehealth services must be able to maintain a private space during therapy, to maintain confidentiality for themselves and for other participating group members. Clients receiving telehealth services must be sufficiently engaged and motivated to pay attention during therapy; clients who consistently engage in distracting activities, such as cell phone or computer use, during therapy, may lose eligibility for the telehealth option at the discretion of the Presiding Officer.

***\*\*\*Approved August 31, 2023\*\*\****