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Eliminate Ambiguity in M-21, III.iv.3.D.2.c

I suggest the following changes to M-21 *Adjudication Procedures Manual*, pt. III, subpart iv, no. 3, sec. D at 2c (Telehealth and Telemental Health Examinations).

This document contains three sections:

(α) M-21, III.iv.3.D.2.c—*Current* – The *Manual* section as it appears today, which includes the 19 Feb 2020 update.

(β) M-21, III.iv.3.D.2.c—*Suggested Revision (edits)* – My suggested changes, showing the edits using ~~strikethrough~~ and **green text** for additions.

(γ) M-21, III.iv.3.D.2.c—*Suggested Revision (clean)* - A “clean” version of my suggested changes, i.e., without any editing notations.

M-21, III.iv.3.D.2.c—*Current*

When VHA elects to conduct a videoconference examination (or *telehealth/telemental health examination*) in lieu of an in-person examination, assess the report for sufficiency under the same standards applicable to in-person examinations.

Important:

- A telehealth or telemental health examination report is only acceptable and actionable for rating purposes when prepared by a VHA or VBA-contracted examiner. Decision makers must not accept in lieu of VA examination any DBQ that has been
 - prepared by a non-VA provider, and
 - completed by means of telephone or videoconference examination.
- A mental health DBQ submitted by a private provider and based on a telephone interview with a Veteran is *not* acceptable or actionable for rating purposes under any circumstances. VHA has determined that, in order to assess a Veteran’s mental health via telemental protocol, examiners *must* be able to
 - see clearly, and
 - fully appreciate all non-verbal cues, mannerisms, and manifestations displayed by the Veteran in a manner on par with an in-person examination.

Reference: For more information on telehealth and telemental health examinations, see the [Office of Disability and Medical Assessment \(DMA\) Expansion of Telehealth for Compensation and Pension \(C&P\) Examinations Fact Sheet](#).

M-21, III.iv.3.D.2.c—*Suggested Revision (edits)*

When a VHA or a VBA-contracted provider elects to conduct a videoconference examination (or *telehealth/telemental health examination*), assess the report for sufficiency under the same standards applicable to in-person examinations.

Important:

- A telehealth or telemental health examination report is ~~only~~ acceptable and actionable for rating purposes *only* when prepared by a VHA or VBA-contracted examiner. Decision makers must *not* accept ~~in lieu of VA examination~~ any DBQ that has been
 - prepared by a non-VA provider, *and* completed by means of ~~telephone or~~ videoconference examination.
 - VBA accepts Review PTSD, Initial Mental Disorder, and Review Mental Disorder DBQs from non-VA providers, *only* if the non-VA examiner conducted an **in-person** exam.
- PTSD and other mental disorder exams conducted via telephone or other audio-only technologies are not acceptable and actionable for rating purposes under *any* circumstances.
 - This prohibition does not apply to the rare occasion when an examiner needs to call a Veteran to clarify a detail or two. Such telephone calls should be fully documented in the exam report.
- ~~• A mental health DBQ submitted by a private provider and based on a telephone interview with a Veteran is *not* acceptable or actionable for rating purposes under any circumstances. VHA has determined that, in order to assess a Veteran's mental health via telemental protocol, examiners *must* be able to~~
 - ~~▪ see clearly, and~~
 - ~~▪ fully appreciate all non-verbal cues, mannerisms, and manifestations displayed by the Veteran in a manner on par with an in-person examination.~~

Reference: For more information on telehealth and telemental health examinations, see the [Office of Disability and Medical Assessment \(DMA\)](#)

[Expansion of Telehealth for Compensation and Pension \(C&P\) Examinations Fact Sheet](#) (VA intranet).

Note: While VA prohibits conducting PTSD and other mental disorder exams via telephone, this prohibition does *not* apply to several other exam types under the Acceptable Clinical Evidence (ACE) program.

M-21, III.iv.3.D.2.c—*Suggested Revision (clean)*

When a VHA or VBA-contracted examiner elects to conduct a videoconference examination (or *telehealth/telemental health examination*), assess the report for sufficiency under the same standards applicable to in-person examinations.

Important:

- A telehealth or telemental health examination report is acceptable and actionable for rating purposes *only* when prepared by a VHA or VBA-contracted examiner.
- Decision makers must *not* accept any DBQ that has been prepared by a non-VA provider, *and* completed by means of videoconference examination.
 - VBA accepts Review PTSD, Initial Mental Disorder, and Review Mental Disorder DBQs from non-VA providers *only* if the non-VA examiner conducted an **in-person** exam.
- PTSD and other mental disorder exams conducted via telephone or other audio-only technologies are not acceptable and actionable for rating purposes under *any* circumstances.
 - This prohibition does not apply to the rare occasion when an examiner needs to call a Veteran to clarify a detail or two. Such telephone calls should be fully documented in the exam report.

Reference: For more information on telehealth and telemental health examinations, see the [Office of Disability and Medical Assessment \(DMA\) Expansion of Telehealth for Compensation and Pension \(C&P\) Examinations Fact Sheet](#) (VA intranet).

Note: While VA prohibits conducting PTSD and other mental disorder exams via telephone, this prohibition does *not* apply to several other exam types under the Acceptable Clinical Evidence (ACE) program.