

**Los Angeles County Department of Mental Health
Quality Assurance Unit – Policy and Technical Development Team**

COVID-19 Interim Practice:

Temporary Suspension of Consents Related to Telehealth

On 4/3/2020, Governor Gavin Newsom issued Executive Order N-43-20 to expand Telehealth Services. By suspending telehealth consent requirements, this order provides flexibility to health care providers so they are able to provide continuity of services to people across the state, and will allow providers to assist a greater number of clients while limiting the risk of exposure and infection of other persons from in-person contacts.

Due to this order, obtaining verbal or written consent prior to the use of telehealth services is **temporarily suspended during the current COVID-19 crisis**. However, LACDMH recommends that practitioners continue to review elements of telehealth noted below, including the risks, with clients when applicable and reasonable to do so. If the elements are reviewed with the client, the telehealth consent form may be completed or a statement in the progress note that elements of telehealth were discussed.

- Individual Telehealth: Consent for Tele-Psychiatric Services – [MH 652](#)
- Group/Family Telehealth: Consent for Group or Family Sessions Conducted via Telehealth or Telephone – [MH 739](#)

Key elements to discuss with clients using these forms include:

- All existing confidentiality protections apply
- Sessions will be conducted using approved secure platforms, but there is no guarantee that any software is completely secure and private ..
- Sessions will never be recorded by DMH, and clients are not to record sessions

Specific elements for group and family services conducted via telehealth include:

- Privacy cannot be guaranteed given that clients will be participating from their own remote location.
- Privacy and confidentiality can be strengthened by:
 - Being in a private area with no others in the room and where disruptions are minimized
 - Using headphones to limit possibility of others overhearing confidential information
 - Only using the first names of other group members

Refer to [Telephone and Telehealth Guidance for Group/Family Services during COVID-19](#) for more information related to providing group services via telehealth.