

December 4, 2020

Dear Policymakers and Stakeholders:

The undersigned organizations write to urge policymakers around the country to permanently enact and enhance the emergency telehealth reforms implemented to combat COVID-19. Our experience in the ongoing public health crisis has demonstrated the value of increased access to telehealth to enable all health care professionals and facilities to virtually consult, treat, and monitor patients.

These reforms have empowered physicians, nurses, and other physical and mental health professionals across the country to deliver high-quality virtual care, resulting in privately insured patients increasing their use of telehealth services by 3,552% since last year.ⁱ In addition, providers increased the number of weekly telehealth consultations to Medicare enrollees from 13,000 to 1.7 million. Today, nearly half of all patients use telehealth services, compared to just 11 percent in 2019.ⁱⁱ

Driven by swift action from governors, legislators, and regulators, healthcare providers are dramatically investing in telehealth like never before to meet the needs of their communities. However, this transformation occurred as a result of reforms that are limited to the duration of the COVID-19 public health emergency declaration. Without additional legislation, patients will unfortunately lose access to many of the telehealth services when the emergency declaration ends.

State legislators must act to ensure that health care professionals retain the legal authorization to provide essential health services to patients in need. With these critical issues in mind, we urge lawmakers to advance permanent telehealth reform focused on the following priorities:

- 1. Allow all health care providers to practice telehealth:** Lawmakers should authorize all licensed, certified, and registered health care providers to practice to the full extent of their health care expertise to deliver clinically appropriate care through telehealth.
- 2. Authorize providers to deliver any telehealth technology:** Policymakers should allow health care providers to practice telehealth through any mode of telecommunications technology that protects patient privacy, including audio-only telephone calls, live-video consultations, store-and-forward, and remote patient monitoring.
- 3. Remove barriers on the settings of patients and providers:** Lawmakers should eliminate laws and regulations that prohibit patients from receiving telehealth services in the location of their choosing, including a patient's home, school, or place of work. Similarly, policymakers should free providers to deliver telehealth from any

facility or location of their choosing.

4. Empower providers to practice across state lines: States around the country have temporarily authorized qualified providers from other states to deliver telehealth to support COVID-19 relief efforts. Policymakers should free out-of-state providers to practice telehealth on a permanent basis.

5. Reject payment parity mandates: Legislators should reject proposals to require patients and insurers to pay for telehealth services at the same rate as in-person health services. On average, telehealth consultations cost 75% less than physicals delivered in-person and consumers should benefit from these savings.

6. Eliminate Telepresenter requirements: Lawmakers should repeal laws that mandate patients are physically supervised by a health professional or assistant when they receive a telehealth service.

7. Allow providers to remotely treat new patients: Policymakers should remove rules and regulations that require health professionals to have a preexisting in-person relationship with a patient before they provide telehealth care.

8. Authorize Medicaid Reimbursements: Policymakers should direct Medicaid and other public health care programs to reimburse health care providers when they deliver telehealth to program enrollees.

We encourage you and your colleagues to consider legislation centered on these priorities before the public health emergency expires, which would deny patients access to virtual care.

Swift legislative action will reassure patients who are concerned about losing access to essential telehealth services. Furthermore, it will provide health care professionals the certainty they need to make critical investments in telehealth technology.

We need your support in ensuring that patients do not lose access to these critical services. We look forward to working with you to build on the temporary reforms implemented over the past several months to ensure families can continue to access high-quality health care when and where they need it.

Sincerely,

Americans for Prosperity

Alaska Policy Forum

American Conservative Union
Americans for Limited Government
Americans for Tax Reform
Buckeye Institute
Center for a Free Economy
Center for Freedom and Prosperity
Center for Individual Freedom
Club for Growth
Commonwealth Foundation
Consumer Action for a Strong Economy
Consumer Choice Center
Council for Citizens Against Government Waste
Empower Mississippi
Foundation for Government Accountability
FreedomWorks
Freedom Foundation of Minnesota
Goldwater Institute
Goodman Institute for Public Policy Research
The Heartland Institute
Idaho Freedom Foundation
Institute for Liberty
John Locke Foundation
Less Government
Market Institute
National Taxpayers Union
Nevada Policy Research Institute
Secure America's Future Economy (SAFE)
Small Business and Entrepreneurship Council

Taxpayers Protection Alliance

Tea Party Patriots Action

60 Plus Association

ⁱ <https://www.fairhealth.org/states-by-the-numbers/telehealth>

ⁱⁱ <https://www.mckinsey.com/industries/healthcare-systems-and-services/our-insights/telehealth-a-quarter-trillion-dollar-post-covid-19-reality>