



September 8, 2023

The Honorable Joe Manchin  
United States Senate  
Washington, DC 20510

The Honorable Chris Pappas  
United States House of Representatives  
Washington, DC 20515

Dear Senator Manchin and Congressman Pappas:

On behalf of the American College of Physicians (ACP), I am writing to share our support for your efforts to expand care for our patients via telehealth through S. 1636/H.R. 3440, the Protecting Rural Telehealth Access Act. We appreciate your leadership in sponsoring this legislation to ensure that much needed flexibilities for telehealth continue after they are set to expire on December 31, 2024.

ACP is the largest medical specialty organization and the second largest physician membership society in the United States. ACP members include 161,000 internal medicine physicians, related subspecialists, and medical students. Internal medicine physicians are specialists who apply scientific knowledge, clinical expertise, and compassion to the preventive, diagnostic, and therapeutic care of adults across the spectrum from health to complex illness.

ACP supports the expanded role of telehealth as a method of health care delivery that may enhance patient–physician collaborations, improve health outcomes, increase access to care from physicians and members of a patient's health care team, and reduce medical costs when used as a component of a patient's longitudinal care. Telehealth can be most efficient and beneficial between a patient and physician with an established, ongoing relationship and can serve as a reasonable alternative for patients who lack regular access to relevant medical expertise in their geographic area.

We were pleased that the Consolidated Appropriations Act, 2023 extended many telehealth flexibilities through the end of 2024, including:

- Removing geographic requirements and expanding originating sites for telehealth services
- Extending telehealth services for Federally Qualified Health Centers (FQHCs) and Rural Health Clinics (RHCs)
- Allowing the furnishing of audio-only telehealth services for evaluation and management services.

Importantly, S. 1636/H.R. 3440 would ensure that these telehealth flexibilities will continue after they expire at the end of 2024. It would lift geographic site restrictions for telehealth services as well as extend telehealth services for FQHCs and RHCs on a permanent basis. It would also ensure that audio-only telehealth for evaluation and management services would continue at least five years after the enactment of this legislation. The bill specifies that after five years, the Secretary of Health and Human Services shall conduct a review of the furnishing of specified telehealth services through audio-only technology. Such review shall include an analysis of the impact of the roll out of broadband technology and whether the use of audio-only technology is necessary to ensure access to such telehealth services.

ACP strongly supports policy changes to pay for services furnished to Medicare beneficiaries in any health care facility and in their home—allowing services to be provided in patients’ homes. While limited access to care is prevalent in rural communities, it is not an issue specific to rural communities alone. Underserved patients in urban areas have the same risks as rural patients if they lack access to in-person primary or specialty care due to various social determinants of health such as lack of transportation or paid sick leave, or insufficient work schedule flexibility to seek in-person care during the day, among many others.

However, while we commend your effort to promote access to care in rural and underserved communities, we must note our concern with section 6 of the legislation, which calls for a permanent expansion of healthcare practitioners eligible for providing telehealth services. Physicians and nurse practitioners have different training and competencies; whether in-person or virtual, physician-led team-based care is crucial to ensuring patients are safe. ACP strongly recommends that the Sense of Congress in section 6 be removed from the legislation before it moves forward.

We look forward to working with you to ensure that our patients continue to receive access to care via telehealth. Please do not hesitate to contact Brian Buckley, Senior Associate for Legislative Affairs, at [bbuckley@acponline.org](mailto:bbuckley@acponline.org) if we can be of assistance in advancing this bill through the 118<sup>th</sup> Congress.

Sincerely,

A handwritten signature in black ink that reads "Omar Atiq". The signature is written in a cursive, slightly slanted style.

Omar T. Atiq, MD, FACP  
President