



May 8, 2024

The Honorable Jason Smith  
Chairman  
Ways and Means Committee  
United States House of Representatives  
Washington, DC 20515

The Honorable Richard Neal  
Ranking Member  
Ways and Means Committee  
United States House of Representatives  
Washington, DC 20515

Dear Chairman Smith and Ranking Member Neal:

On behalf of the American College of Physicians (ACP), I am writing to express our strong support for extending the telehealth flexibilities that were implemented during the COVID-19 pandemic and are scheduled to expire at year-end. To prevent this from happening, ACP supports the Preserving Telehealth, Hospital, and Ambulance Access Act, which would extend these flexibilities for two years until the end of 2026. Longer term stability would strengthen patient care, so we also encourage the Ways and Means Committee to include legislation in this mark-up, like the CONNECT for Health Act of 2023, H.R. 4189, the Protecting Rural Telehealth Access Act, H.R. 3440, and the Telehealth Modernization Act of 2024, H.R. 7623, which facilitate access to care via telehealth permanently.

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.

### **Preserving Telehealth, Hospital, and Ambulance Access Act (Act)**

The Act removes geographic restrictions and expands originating sites for telehealth services through December 31, 2026. The two-year extension applies to federally qualified health centers and rural health clinics. It delays the in-person requirements under Medicare for mental health services furnished through telehealth and telecommunications technology. The Act allows for the furnishing of audio only telehealth services.

Congress should act to extend the current telehealth flexibilities that are scheduled to expire on December 31, 2014. Telehealth has been a lifeline for our physicians and their patients throughout the COVID-19 pandemic, facilitating care continuity while mitigating exposure risks, but the benefits extend beyond pandemic contingencies. The expanded role of telehealth has become an important method of health care delivery that can enhance patient–physician collaborations, improve health outcomes, increase access to care and members of a patient's

health care team, and reduce medical costs when used as a component of a patient's longitudinal care. Extending the current flexibilities for at least an additional two years gives clinicians and patients the freedom to choose the most appropriate modality of care while giving regulators additional time to collect data and develop evidence-based permanent telehealth policies that protect patient safety and the patient physician relationship. Additionally, we recommend the collection and reporting of telehealth data stratified by race, ethnicity, language, gender, and other key demographic factors to ensure policies are equitably improving access to and quality of care.

### **CONNECT for Health Act of 2023 (CONNECT Act)**

ACP strongly supports the CONNECT Act, bipartisan legislation which would expand coverage of telehealth services through Medicare, make current telehealth flexibilities permanent, improve health outcomes, and make it easier for patients to connect with their doctors. More specifically, the CONNECT Act would:

- permanently remove all geographic restrictions on telehealth services and expand originating sites to include the home and other sites;
- permanently allow health centers and rural health clinics to provide telehealth services;
- allow more eligible health care professionals to utilize telehealth services;
- remove unnecessary in-person visit requirement for telemental health services;
- allow for the waiver of telehealth restrictions during public health emergencies; and,
- require more published data to learn more about how telehealth is being used, impacts of quality of care, and how it can be improved to support patients and health care providers.

We believe patients across geographies and settings, including both rural and urban areas, have benefited from increased access and improved convenience provided by telehealth services. In addition, data collection will help tailor and implement best practices for telehealth and control costs.

### **The Protecting Rural Telehealth Access Act (Rural Telehealth Act) and Telehealth Modernization Act of 2024 (Modernization Act)**

The Rural Telehealth Act will also expand access to health care and save patients time and money by making permanent Medicare coverage of telehealth services allowed during the COVID-19 pandemic. These changes would include allowing patients to be treated at home, allowing rural health clinics and Federally Qualified Health Centers to provide telehealth services, and expanding coverage of audio-only services for certain conditions.

The Modernization Act would help ensure that seniors and rural patients who may not have internet connectivity receive the care they need through audio-only telehealth services, in

addition to allowing health centers and rural health clinics to provide telehealth services. ACP supports these bills as well.

## **Conclusion**

We strongly encourage the Committee to support legislation to permanently extend the current telehealth flexibilities in addition to a two-year extension. Telehealth services are critical to ensuring everyone has access to affordable, high-quality healthcare - especially those who are vulnerable and reside in rural and underserved communities. If you have any questions, please contact George Lyons at [glyons@acponline.org](mailto:glyons@acponline.org).

Sincerely,

A handwritten signature in black ink, appearing to read "I. Opole", written in a cursive style.

Isaac O. Opole, MD, PHD, FACP

President