

August 6, 2020

The Honorable Mitch McConnell
Majority Leader
United States Senate
Washington, D.C. 20510

The Honorable Charles Schumer
Minority Leader
United States Senate
Washington, D.C. 20510

The Honorable Chuck Grassley
Chairman, Finance Committee
United States Senate
Washington, D.C. 20510

The Honorable Ron Wyden
Ranking Member, Finance Committee
United States Senate
Washington, D.C. 20510

The Honorable Lamar Alexander
Chairman, Health, Education, Labor and
Pensions Committee
United States Senate
Washington, D.C. 20510

The Honorable Patty Murray
Ranking Member, Health, Education, Labor
and Pensions Committee
United States Senate
Washington, D.C. 20510

Dear Senate leadership:

The undersigned represent members of the telehealth working group of the American Connection Project Broadband Coalition. The coalition is a collection of over 90 major companies and trade associations – representing agriculture, financial services, health care and technology – advocating for robust funding for federal investment in broadband internet connectivity to advance telehealth, distance learning and the tremendous economic value that comes with internet connectivity.

We greatly appreciate that the latest coronavirus relief package under consideration by the Senate includes provisions that would give the Department of Health & Human Services (HHS) the authority to maintain the Medicare telehealth flexibilities made available during the public health emergency (PHE) through the length of the public health emergency, or December 31, 2021, whichever is later. We agree that this provides Medicare beneficiaries with a period of certainty that they will have continued access to providers in the safest possible setting. As negotiations on the next package continue, we urge that this provision become a priority for inclusion in the final package. While we acknowledge and appreciate the recent proposals by HHS to permanently add some telehealth services and temporarily approve others, the agency's authority to further maintain access to telehealth services post-PHE is constrained by statute. Giving HHS authority to maintain the current flexibilities is a sensible and temperate step toward expansion, as it will allow the health care field time to evaluate clinical experience with telehealth during the pandemic and make evidence-based recommendations for permanent expansion.

Further, given that health care providers also need certainty during this time of economic upheaval, we would urge you to consider mandatory – rather than discretionary –

extensions of these telehealth flexibilities. The flexibilities extended by HHS allowed providers to massively migrate from in-person to virtual care in a matter of weeks in response to the necessity of addressing patients' health care needs while protecting both patients and providers from exposure to COVID-19. As an example, according to a recent HHS Assistant Secretary for Planning and Evaluation (ASPE) [report](#), nearly half (43.5%) of Medicare primary care visits were provided via telehealth in April, compared with less than one percent before the PHE in February (0.1%). However, we believe that this is a pivotal moment that will define telehealth's role in care delivery going forward; the investment we make today will determine the health care system of the future. We fear that without greater certainty around continued Medicare coverage of these services, providers will be hesitant to invest in the infrastructure needed to make recent telehealth gains permanent.

Finally, we urge Congress to enact groundbreaking broadband connectivity legislation that includes the necessary resources to close the digital divide in this country. This investment is essential to fully realize the promise of effective and efficient health care delivered via telehealth, among other economic and social benefits. Such an investment must recognize the higher costs of operating in rural areas and ensure that the solution accounts for the costs to sustain these systems while maintaining affordability.

We appreciate your consideration of extending the regulatory flexibilities that have accelerated virtual health care access during COVID-19, and urge you further to consider that improving Americans' access to broadband can facilitate more widespread telehealth access and improve the health and wellbeing of our communities long into the future.

Sincerely,

CentraCare
Cleveland Clinic
Gillette Children's Specialty Healthcare
HealthPartners
Land O'Lakes, Inc.
Mayo Clinic
Medical Alley Association
Minnesota Milk
University of Minnesota