

Statement for the Record:**“Legislative Proposals To Support Patient Access To Telehealth Services”****House Energy and Commerce Committee****April 10, 2024**

The Patient Access Network Foundation (PAN Foundation), appreciates the opportunity to submit testimony for the hearing *Legislative Proposals To Support Patient Access To Telehealth Services*. The PAN Foundation is a national patient advocacy organization and charitable foundation that for two decades, has been dedicated to helping underinsured people living with life-threatening, chronic, and rare diseases get the medications and treatments they need by assisting with their out-of-pocket costs. Additionally, through our national and grassroots efforts, we advocate for improved affordability and access to care. Since 2004, we have provided more than 1.1 million underinsured individuals with \$4 billion in financial assistance.

Telehealth services provide access to healthcare and should continue to be an option, particularly for those in rural and underserved areas. We urge the Committee to ensure the Medicare telehealth services initially provided during the public health emergency are maintained and made permanent.

As you are aware, telehealth can help expand access to care and maintain continuity of care for patients. For people with Medicare, access to telehealth services is especially important. From July to September 2020, 15.1 million people with Medicare had a telehealth visit with a doctor or other healthcare professional, according to the [Kaiser Family Foundation](#)—nearly half of beneficiaries whose providers offered telehealth services. [A federal report](#) found that older adults and individuals from underserved communities benefited the most from expanded telehealth access during the COVID public health emergency. Since 2021, Medicare beneficiaries telehealth utilization has [stabilized at 15 percent](#) demonstrating the integration of telehealth into care delivery.

COVID telehealth flexibilities should be made permanent to include expanding coverage of telehealth services, removing barriers to access such as geographic restrictions, expanding originating sites to include a patient’s home and other clinically appropriate sites, and removing unnecessary in-person visit requirements for tele-mental health services.

It is also important to allow the use of audio-only equipment for a wide range of Medicare services, to ensure that telehealth is accessible to underserved groups. Audio-only visits will ensure that those in areas with limited or no broadband won’t lose access to critically needed services. Among Medicare beneficiaries who had a telehealth visit, 56 percent [reported](#) accessing care using a telephone only. Among Medicare beneficiaries who are over 75, live in

rural areas, identify as Hispanic, or have Medicare and Medicaid, a majority [reported](#) using audio-only telehealth services.

Specifically, the PAN Foundation supports the following bills being discussed in today's hearing:

- Creating Opportunities Now for Necessary and Effective Care Technologies for Health Act or the CONNECT for Health Act ([H.R. 4189](#)) that permanently removes geographic and originating site restrictions and provides HHS authority to waive telehealth restrictions in statute.
- Telehealth Modernization Act ([H.R. 7623](#)) that permanently removes geographic restrictions on originating sites, allows the home of the beneficiary to serve as the originating site for all services, allows federally qualified health centers and rural health centers to furnish telehealth services, and coverage of audio-only telehealth services.
- Telemental Health Care Access Act ([H.R. 3432](#)) to remove in-person requirements for mental health services.

Further we are concerned that the Drug Enforcement Administration (DEA) has yet to issue regulations continuing the teleprescribing of controlled substances. The PAN Foundation joined 214 organization in [letter](#) urging DEA to expedite the release of a revised proposed rule. There needs to be sufficient time for a comment period and to finalize the rule before the flexibilities expire on December 31, 2024. Otherwise, patients will fall through the cracks and lose access to medications critical to maintaining their health. We recommend the Committee urge DEA to issue a proposed rule expeditiously.

Once again, the PAN Foundation urges the Committee to make the current Medicare telehealth flexibilities permanent and address payment and regulatory barriers that limit access to telehealth while preserving access to in-person care when preferred by the provider or patient.

Please don't hesitate to contact Amy Niles, Chief Advocacy and Engagement Officer at aniles@panfoundation.org if you would like further information.

Thank you again for your time and attention to these important matters.