

07/16/2021

Good Evening REDC Members,

We have lots of updates this week as we in the classic congressional sprint to August recess and members leave town for the month. Below is your policy update and more detail on the CMS telehealth items will forthcoming once we take a deeper dive.

I. SERVE Act

- Senate is slotted to markup the NDAA in Committee early next week.
- As of right now, we found a way to offset the \$135M over 10 year discretionary spending! However, our leads are still trying to find a way to offset the \$2M over 10 year mandatory spending. I've given them the clearance to work any mechanism magic to make this happen. **I can say this is our only hurdle left!**
- **What's Been Happening:**
 - Additionally, grassroots & grasstops emails and calls are in full scale right now, with 800 emails from grassroots advocates in just 1 day.
 - **Please keep up the good work by sending the grasstops emails to the staff and grassroots Phone2Action utilizing the link here: <https://p2a.co/DhFjKyL>**
 - Former Congressman Patrick Kennedy reached out directly to Chairman Reed (D-RI) (Senate) and Chairman Smith (D-WA) (House) as he has personal relationships with them, asking for the inclusion of the SERVE Act!
 - We also finalized the letter with 132 organizations and businesses urging SERVE Act inclusion (see attached).
 - We've had ~15 re-upped Hill meetings with HASC and SASC members over the last two weeks urging them to vote in favor of an amendment and co-sponsor.
- **New Co-sponsors:**
 - House: Elissa Slotkin (D-MI-8)
 - Senate: Richard Blumenthal (D-CT)
- **Department of Defense Meeting on Monday:**
 - Monday, July 19th a small group of REDC Members and researchers will meet with the DoD on eating disorders issues, including removing the age limit.
 - Thank you to Center for Discovery, Eating Recovery Center, Monte Nido & Affiliates, and Walden for volunteering and helping connect with folks who have expertise in these areas!

II. Telehealth

- **[CMS Releases 2022 Medicare Physician Fee Schedule](#)**

- The Centers for Medicare & Medicaid Services released the proposed rule for the 2022 Medicare Physician Fee Schedule (PFS), which included telehealth provisions.
 - The 1,700 page rule is open for public comment through September 13.
 - We will be taking a closer look at the telehealth provisions, but key proposed changes include:
 - allowing certain services added to the Medicare telehealth list to remain on the list to the end of December 31, 2023 to allow for evaluations on whether selected services should be permanently added.
 - Requiring an in-person, non-telehealth service be provided by the physician or practitioner delivering mental health telehealth services within six months prior to the initial telehealth serves and at least once every six months thereafter.
 - Allowing for some use of audio-only technology for certain services when a beneficiary is not capable of using or does not consent to the use of audio-video technology.
 - A new modifier for audio-only services.
 - Allow mental health services furnished via telehealth in Rural Health Clinics and Federally Qualified Health Centers.
- **UBH Announces Elimination of Telehealth for PHP/IOP September 30, 2021**
 - The notice can be read [here](#).
 - We have alerted the Kennedy Forum of this date as they continue tackle parity issues and other issues caused by payers.
- **[UHC/Optum Announce Elimination of OON Benefits for Fully Insured Plans](#)**
 - Starting July 1, UHC no longer will pay for OON claims when fully insured customers seek non-emergency care outside of their local coverage area (typically outside of the state; however there are exceptions and neighboring states can still be considered within the coverage area).
 - Patients seeking treatment from "step down" facilities, including residential treatment facilities, inpatient rehabilitation programs and more are subject to the new rule.
 - Any patient currently in treatment will not be affected by the policy.
 - Fully insured employer plans and individual market health products much fully adopt the new restrictions by mid-2022.

- We have also alerted the Kennedy Forum and the Department of Labor of this policy and we have a follow up call next week.
 - I have reached out to several REDC members and have learned that this has not impacted many of you yet.
 - **Please let me know if it does as the Kennedy Forum is looking for examples to build their case against this policy.**
- **84% of Americans want to Continue Receiving Mental Health Treatment via Telehealth Post-Pandemic**
 - Market research company, Propeller Insights conducted the survey of more than 1,000 Americans on behalf of DrFirst.
 - 74% of respondents said their provider made virtual mental health services available during the COVID-19 pandemic.

III. ACA

- More than 2 million people have signed up for health coverage on the federal and state exchanges from mid-February through the end of June.
- Florida continues to lead the nation in the number of new people enrolling in ACA health plans.
 - The state accounted for 27% of the selections made nationwide.
- According to CMS, the average monthly premium through the federal marketplace fell 25% in April after the passage of the generous premium tax subsidies through the American Rescue Plan.
 - 34% of the people enrolled in a health plan are paying \$10 or less per month.

Wishing everyone a great weekend,
Allison & the Center Road Solutions Team