

08/04/2022

Hello REDC Members,

With Congress out for the month of August, we'll be sending policy updates on Thursdays until after Labor Day.

Here is this week's update.

### **Story Collection on Insurance Discrimination**

- We are continuing to collect stories on insurance discrimination to send to the Department of Labor.
- Please provide examples for a payer/plan(s) discriminatory practice in covering eating disorders care over the last three years.
- Complete the survey here: <https://forms.gle/wSYoKoTN56YHGHLw9>.

### **Telehealth**

#### **White House Issues Statement Support of House Passage of H.R. 4040**

- Led by Reps. Cheney (R-WY) and Dingell (D-MI), the Advancing Telehealth Beyond COVID-19 Act passed the House and is likely to be rolled into an end of year spending deal within the Senate.
- Surprisingly, The White House released a Statement of Administration Policy for the Advancing Telehealth Beyond COVID-19 Act of 2022 (H.R. 4040), stating that the Administration strongly supports this legislation.
  - The statement noted that this bill would build on the experience and best practices learned during the pandemic and modernize the health care system to expand access to quality, affordable care, especially in rural and underserved communities. The Administration urged the Senate to pass the bill, noting that it looks forward to working with Congress to improve health care access and quality for all Americans.
- The REDC in partnership with the MHLG Telehealth Working Group is working to advance this bill into law.

#### **House Republicans Introduce Several Telehealth Bills**

- Republicans of the Ways & Means and Energy & Commerce Committees introduced several pieces of legislation that would make permanent certain expansions of telehealth services. On July 26:
  - Reps. Schweikert (R-AZ), Miller-Meeks (R-IA), and Carter (R-GA) introduced [H.R. 8489](#), which would extend certain telehealth services and requirements. [Press Release](#)

- Reps. Kelly (R-PA), Guthrie (R-KY), and Valadao (R-CA) introduced [H.R. 8491](#), which would expand eligible practitioners to furnish telehealth services. [Press Release](#)
- Reps. Buchanan (R-FL), Johnson (R-OH), and Steel (R-CA) introduced [H.R. 8493](#), which would remove geographic requirements and expand originating sites for telehealth services.
- Reps. Hern (R-OK), Curtis (R-UT), and Bacon (R-NE) introduced [H.R. 8497](#), which would remove in-person requirements under Medicare for mental health services furnished through telehealth and telecommunications technology. [Press Release](#)
- Rep. Miller (R-WV) introduced [H.R. 8505](#), which would permit the use of telehealth for purposes of recertification of eligibility for hospice care. [Press Release](#)
- Reps. Murphy (R-NC), Burgess (R-TX), and Herrell (R-NM) introduced [H.R. 8506](#), which would extend telehealth services for federally qualified health centers and rural health clinics. [Press Release](#)
- Reps. Smith (R-MO) and Flores (R-TX) introduced [H.R. 8515](#), which would allow for the furnishing of audio-only telehealth services. [Press Release](#)

### **American Hospital Association Letter on Senate Discussion Draft on Telehealth**

- As the Senate Finance Committee continues to work on their own mental health package, the American Hospital Association provided feedback on the Committee's discussion draft.
  - The letter can be read [here](#).

### **Parity**

- For a copy of the amicus brief that the REDC co-signed in response to the Wit v. UBH decision to overturn the initial ruling, please see the link [here](#).

### **TRICARE**

- TRICARE released their reimbursement manual and notified the end of the copay waiver for telehealth services, which were in place during the pandemic.
  - Conflicting reports say the implementation date will be September 6, 2022, but others have stated the date has not been determined.
  - See the attached PDF for further information.

### **Affordable Care Act**

- The U.S. Department of Health and Human Services released a proposed rule regarding Section 1557 of the ACA.
- The proposed rule seeks to reinstate and expand upon Obama-era health care non-discrimination regulations that were modified or eliminated by the Trump Administration and that have been repeatedly litigated in federal courts.
- To read a summary of the proposed rule provisions, please see the Manatt Health blog [here](#).

Best,

Center Road Solutions Team