



Issue Brief

Expand Telehealth Services for Medicare Beneficiaries

Background

Medicare pays for a limited number of Part B services furnished by a physician or practitioner to an eligible beneficiary through telecommunications systems. For eligible telehealth services, the use of a telecommunications system substitutes for an in-person encounter. Medicare beneficiaries are eligible for telehealth services only if the services are provided from an “originating site” (including SNFs). An originating site is the location of an eligible Medicare beneficiary at the time the service furnished via a telecommunications system occurs. Medicare beneficiaries are eligible for telehealth only if they are presented from an originating site located in either a rural Health Professional Shortage Area (HPSA) located either outside of a Metropolitan Statistical Area (MSA) or in a rural census tract; or a county outside of a MSA.

As a condition of payment, an interactive audio and video telecommunications system must be used that permits real-time communication between the “distant site” and the beneficiary. The Centers for Medicare & Medicaid Services (CMS) has approved a small number of practitioners, including physicians and physician extenders, who can receive payment for Part B covered telehealth services, which is also subject to state law. Currently, physical and occupational therapists (PTs & OTs) and speech language pathologists (SLPs) are not included in the list of eligible telehealth practitioners.

Congressional Activity

The **Medicare Telehealth Parity Act of 2017 (H.R. 2550)**, which was introduced during the 115th Congress by Representatives Mike Thompson (D-CA), Diane Black (R-TN), Gregg Harper (R-MS) and Peter Welch (D-VT), will be reintroduced during the 116th Congress. Representatives Thompson and Welch, along with Representatives Bill Johnson (R-OH) and David Schweikert (R-AZ) plan to reintroduce the bill in the coming months. The bill expands telehealth coverage under Medicare in three phases and allows the services to be administered in several metropolitan areas. Most importantly, it authorizes reimbursement for OT, PT and SLP services in originating sites and as additional covered telehealth providers. NASL remains supportive of this important measure.

The **Bipartisan Budget Act of 2018** incorporated the **Creating High-Quality Results & Outcomes Necessary to Improve Chronic (CHRONIC) Care Act of 2017** and was signed into law by President Trump on February 12, 2018. The **CHRONIC Care Act**, which NASL supported, allows telehealth services to be used for end-stage renal disease (ESRD) treatments, stroke evaluations, accountable care organizations (ACOs), and Medicare Advantage plans.

Ask Congress

Expand telehealth coverage to better serve Medicare beneficiaries

Please consider co-sponsoring the **CONNECT for Health Act of 2019 (S.2741/H.R.4932)**, which would expand telehealth coverage under the Medicare program.

Authorize PTs, OTs, and SLPs, as reimbursable Medicare telehealth service practitioners.

Key Facts

Medicare pays for a limited number of Part B services furnished by a physician or practitioner to an eligible beneficiary via telehealth.

Medicare beneficiaries are eligible for telehealth services only if they are presented from certain originating sites.

Interactive audio & video telecommunications systems must be used that permit real-time communication between the distant & originating sites.

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The ***Reducing Unnecessary Senior Hospitalizations (RUSH) Act of 2018 (H.R. 6502)***, which was originally introduced during the 115th Congress by Reps. Adrian Smith (R-NE) and Diane Black (R-TN), is expected to be reintroduced during the 116th Congress. The bill seeks to reduce unnecessary hospitalizations by allowing for the use of telehealth technology in skilled nursing facilities (SNFs), to treat patients in place rather than transferring them to the hospital. Specifically, the legislation would allow the Medicare program to selectively enter into value-based arrangements with qualified physician group practices furnishing a combination of telehealth and qualified clinicians. The legislation would allow for an on-site clinician equipped with mobile diagnostics to coordinate treatment for patients with acute care needs through a telehealth connection to a physician. NASL believes there are problems with the bill in its current format; however, NASL lobbyists are actively working with stakeholders and sponsors to make it more workable for the SNF sector.

NASL also supports the ***Creating Opportunities Now and Effective Care Technologies (CONNECT) for Health Act of 2019 (S.2741/H.R.4932)***, which was reintroduced on October 30, 2019, by Sens. Brian Schatz (D-HI), Roger Wicker (R-MS), Ben Cardin (D-MD), John Thune (R-SD), Mark Warner (D-VA), and Cindy Hyde-Smith (R-MS); as well as Reps. Mike Thompson (D-CA), Peter Welch (D-VT), David Schweikert (R-AZ), and Bill Johnson (R-OH). The bill was originally introduced in 2016, and again in 2017, and it would remove a number of current Medicare restrictions on telehealth services in certain healthcare settings (i.e, mental health facilities), including originating site restrictions, geographic restrictions, and other limitations on access to these services. Most importantly, the bill provides the HHS Secretary with broad, direct authority to waive existing restrictions for payment of telehealth services under section 1834(m) of the Social Security Act when certain criteria are met. The bill also authorizes the CMS innovation center (CMMI) to test payment models that allow healthcare professionals, such as physical therapists (PTs), occupational therapists (OTs), and speech-language pathologists (SLPs), to furnish rehabilitation therapy to Medicare beneficiaries using telehealth, which NASL has long-supported and advocated for over many years.

NASL Asks Congress

- Expand Medicare Part B telehealth coverage to better serve Medicare beneficiaries and allow the services to be administered in several metropolitan areas throughout the Medicare program;
- Please consider co-sponsoring the *CONNECT for Health Act of 2019 (S.2741/H.R.4832)*, which would remove a number of the overly burdensome Medicare restrictions on telehealth services in the Medicare program.
- Authorize PTs, OTs and SLPs as reimbursable Medicare telehealth services practitioners.