

Congress must ensure telehealth access after pandemic's over

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Congress must act now to ensure that once the pandemic ends Medicare patients can continue to access the telehealth services that they and their physicians have come to rely on as an effective and convenient way to provide health care in many circumstances.

“Telehealth is a critical part of the future of effective, efficient and equitable delivery of health care in the United States,” AMA Trustee Jack Resneck, MD, said in a prepared statement for the U.S. House of Representatives Energy and Commerce Committee’s health subcommittee. “Efforts must continue to build capacity and support access to care centered on where the patient is located to the greatest extent it is clinically efficacious and cost-effective, and to ensure physicians and other health care providers have the tools to optimize care delivery,”



Dr. Resneck, a San Francisco dermatologist, spoke before the subcommittee at a March hearing entitled “The Future of Telehealth: How COVID-19 is Changing the Delivery of Virtual Care.” In his prepared remarks, Dr. Resneck said telehealth “has the capacity to improve access to care for many underserved populations and improve outcomes for at-risk patients, particularly those with chronic disease and impairments.”

But for that to happen, Congress needs to modernize the Social Security Act (SSA)—specifically section 1834(m)—to keep pace with health care’s digital future.

“While these restrictions may have made sense given the limited technologies available when they were first instituted in the Balanced Budget Act of 1997, two-way audiovisual technology is now widely available and relatively inexpensive,” Dr. Resneck said.

The AMA supports the bipartisan Telehealth Modernization Act that has been introduced in the House and Senate. The bills would make permanent emergency measures that temporarily waived restrictive regulations and expanded access to telehealth services for all Medicare beneficiaries.

Learn more with the AMA about lessons from the pandemic on telehealth. Find out more about how the AMA is advancing telemedicine during the COVID-19 pandemic and check out the AMA telehealth quick guide.

Outdated laws

When many physician offices closed their doors at the beginning of the COVID-19 public health emergency a year ago, the government waived the SSA restrictions that only allowed Medicare to pay for beneficiaries’ telehealth services when care was delivered via two-way audiovisual technology at an eligible site in a rural area.

In practice, the restrictions meant a patient had to live in an eligible rural location and then travel to an eligible “originating site” for telehealth services, except in limited select cases where Congress has authorized telehealth services in an individual’s home. About 14,000 patients received Medicare telehealth services in a week under that system.

After restrictions were lifted during the public health emergency, more than 10.1 million patients received a Medicare telehealth service from mid-March through early-July 2020. And telehealth visits accounted for 43.5% of all primary care visits for Medicare beneficiaries during that time, according to the Department of Health and Human Services (HHS).

“The rapid and widespread adoption of telehealth by physicians in 2020 was one of the most significant improvements in health care delivery in decades,” Dr. Resneck said. “The successful



adoption of telehealth throughout the country has demonstrated that if the financial barriers are removed, physicians will adopt important innovations in the delivery of care that are necessary to improve their patients' health.”

Learn more with the AMA about why, in the shift to telehealth, you shouldn't let team-based care get left behind.