

March 29, 2023

The Honorable Tim Walberg  
2266 Rayburn House Office  
Building Washington, DC 20515

The Honorable Angie Craig  
2442 Rayburn House Office Building  
Washington, DC, 20515

The Honorable Suzan DelBene  
2330 Rayburn House Office Building  
Washington, DC 20515

The Honorable Mikie Sherrill  
1427 Longworth House Office Building  
Washington, DC 20515

The Honorable Ron Estes  
2234 Rayburn House Office Building  
Washington, DC 20515

The Honorable Rick Allen  
462 Cannon House Office Building  
Washington, DC 20515

Thank you for your on-going commitment to examining the lessons learned from the COVID-19 pandemic and for your continued advocacy to expand telehealth access beyond the end of the public health emergency (PHE). Much attention has been given to the important role telehealth and remote care services have played in extending access to high quality care during the pandemic. The undersigned organizations write to support and endorse your legislation, the Telehealth Benefit Expansion for Workers Act of 2023 (H.R. 824), which would amend the Public Health Service Act, the Employee Retirement Income and Security Act of 1974, and the Internal Revenue Code of 1986 to treat telehealth services as excepted benefits.

As you know, on June 23, 2020, the Labor, HHS and Treasury Departments jointly issued an FAQ pertaining to the Families First Coronavirus Response Act, the Coronavirus Aid, Relief, and Economic Security Act (CARES) and other health coverage issues.<sup>1</sup> Specifically, it stated that the agencies would take a non-enforcement position for employers wishing to provide telehealth or other remote care services to employees ineligible for any other employer-sponsored group health plan for the duration of the PHE.

Therefore, until this legislation is enacted, the treatment of telehealth services as an excepted benefit is temporary and will expire once the COVID-19 PHE ends. Uncertainty has driven employer hesitancy to offer telehealth benefits that will have to be taken away a short time later. Passage of this legislation is needed to provide certainty and ensure expanded, long-term access to these services. The Administration recently announced its intention to end the PHE on May 11, 2023, creating a new sense of urgency to address this issue and ensure workers that gained access to new benefits during the pandemic are able maintain access to affordable, high-quality care.

The COVID-19 pandemic has illustrated the immense benefits of telehealth and remote care services. Telehealth benefits reduce the need to leave home or work and risk infection at a physician's office, provide a solution for individuals with limited mobility or access to transportation, and has the potential to address provider shortages. Workers want these benefits, and employers want to continue offering these comprehensive telehealth benefits. We commend you for introducing this critical legislation that will

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<sup>1</sup> <https://www.cms.gov/files/document/FFCRA-Part-43-FAQs.pdf>

ensure hardworking employees, retirees, and their families can access high-quality, cost-effective care when and where they need it most, regardless of employment status. It is our hope that the bipartisan nature of the bill, the need to address this issue with the imminent end of the PHE, widespread support among stakeholders, and the common-sense approach to increasing access to virtual care for employees will propel this legislation forward and ensure quick passage.

Again, thank you for your continued leadership on this critical issue. We look forward to continuing to work with you to ensure employees can continue to receive care where and when they need it with the swift consideration of this bill.

Sincerely,

AlediumHR  
Alliance for Connected Care  
ALS Association  
American Benefits Council  
American Urological Association  
Amwell  
ATA Action  
Business Group on Health  
Circle Medical - A UCSF Health Affiliate  
CLL Society  
Consumer Technology Association  
DayaMed PA  
Depression and Bipolar Support Alliance  
e-Facilis LLC  
Executives for Health Innovation  
Federation of American Hospitals  
GO2 for Lung Cancer  
Health Innovation Alliance  
HR Policy Association  
Included Health (formerly Doctor On Demand + Grand Rounds Health)  
International Franchise Association  
Lifepoint Health  
Melanoma Research Foundation  
Mission: Cure  
National Association of Manufacturers  
Nemours Children's Health  
One Medical  
Partnership to Advance Virtual Care (PAVC)  
Purchaser's Business Group on Health  
Retail Industry Leaders Association  
SC My Care  
Sentara Healthcare  
Silicon Valley Employers Forum  
Teladoc Health  
The Center for Discovery  
The ERISA Industry Committee  
Transcarent  
Trinity Health  
United Spinal Association

URAC  
Walmart  
Zoom Video Communications