

Congress of the United States
Washington, DC 20515

April 14, 2020

The Honorable Alex Azar
Secretary
U.S. Department of Health and Human Services
200 Independence Ave., SW
Washington, DC 20201

Dear Secretary Azar:

We write to request that the Department of Health and Human Services use the authority that Congress granted within the Coronavirus Aid, Relief, and Economic Security (CARES) Act (Public Law 116-136) to expand the types of providers eligible to furnish telehealth services under Medicare during the COVID-19 pandemic to include physical therapy practitioners, occupational therapy practitioners, speech language pathologists (SLPs), and audiologists. While the Medicare Interim Final Rule (CMS-1744-IFC) released March 30, 2020, added reimbursement codes for care commonly provided by these clinicians to the list of eligible Medicare telehealth services, it did not include this group in the eligible provider list.

Section 3703 of the CARES Act grants the Secretary the authority to waive certain restrictions for providers to furnish telehealth services during a national public health emergency. CMS has yet to issue a waiver allowing physical and occupational therapists, SLPs, and audiologists to be reimbursed for services under the Medicare telehealth benefit. In the Interim Final Rule, the agency acknowledges the outsized role these professionals hold in delivering medically-necessary therapeutic care, stating, “the majority of the [therapy] codes are furnished over 90 percent of the time by therapy professionals.” Precluding therapy professionals from Medicare telehealth reimbursement would lead to a significant lack of access for beneficiaries relying on rehabilitative, habilitative, and audiologic care that is critical to living independently, participating in activities of daily living and maintaining overall positive health and well-being.

Medicare beneficiaries are some of the most vulnerable for contracting the Coronavirus Disease 2019 (COVID-19). Current stay at home orders and social distancing protocols are leaving many beneficiaries with underlying conditions without access to the services they need. We cannot continue to put older and health compromised Medicare beneficiaries at risk by forcing them to choose between forgoing regular care or risking exposure to the virus.

By expanding Medicare to include therapy professionals as clinicians eligible to provide therapy services via telehealth during the COVID-19 pandemic, CMS will provide Medicare beneficiaries access to vital services already being provided to beneficiaries of major private insurers and Medicaid state plans.

We must do all we can to ensure that the American people can continue to receive the care that they need, while also practicing the necessary social distancing to remain safe and healthy during the COVID-19 pandemic. Congress has given HHS the additional authorities necessary to broaden telehealth services that allow Medicare beneficiaries to stay at home, and we urge you to use them by expanding the types of providers eligible to furnish telehealth services for the duration of the COVID-19 public health emergency to include physical therapy practitioners, occupational therapy practitioners, speech language pathologists (SLPs), and audiologists

Thank you for your consideration of this request.

Sincerely,



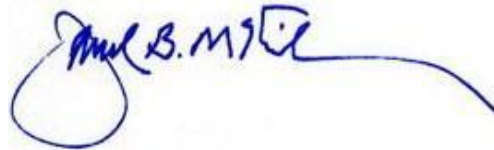
Lisa Blunt Rochester
Member of Congress



Lizzie Fletcher
Member of Congress



Doris Matsui
Member of Congress



David McKinley
Member of Congress



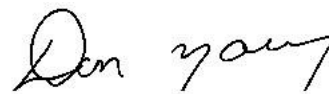
Rep. William Timmons
Member of Congress



Rep. Ben Ray Luján
Member of Congress



Rep. Ann McLane Kuster
Member of Congress



Rep. Don Young
Member of Congress

Cc: Seema Verma, Administrator, Centers for Medicare & Medicaid Services