

March 20, 2020

The Honorable Mitch McConnell
Senate Majority Leader
United States Senate
Washington, D.C. 20510

The Honorable Charles Schumer
Senate Democratic Leader
United States Senate
Washington, D.C. 20510

Dear Leaders McConnell and Schumer:

We thank you for your work to ensure a robust response to the COVID-19 pandemic. We write to express our strong support for S. 3539, a bill recently introduced by Senator Daines, which amends the Internal Revenue Code of 1986 to allow employers and health plans to cover telehealth services pre-deductible in Health Savings Account-eligible high deductible health plans during this health care crisis. We urge you to include this bill in the next COVID-19 vehicle that Congress advances.

We appreciate the work already done by Congress and the Administration to ensure Americans have access to virtual care during this emergency, when access to care and treatment is more important than ever. Virtual visits and remote monitoring ease the burden on in-person facilities and help limit the spread of the virus by allowing people to receive care remotely without exposing themselves unnecessarily. It also allows those with pre-existing conditions – which make them more vulnerable to the coronavirus – to stay in the safety of their homes.

While significant emergency changes have been made to other programs, one area for which we need additional flexibility pertains to Health Savings Account-eligible high-deductible health plans (HDHP-HSA). We sincerely appreciate Treasury and Internal Revenue Service guidance 2020-15, which provided flexibility for testing and treatment of COVID-19 without a deductible, and we believe it is critical to expand upon this guidance and allow telehealth pre-deductible in all instances (rather than just testing and treatment pertaining to COVID-19). According to the Employee Benefits Research Institute, enrollment in these health plans was estimated to be between 21.4 and 33.7 million. That's nearly 3 in 10 employees in 2017, and a larger group than is enrolled in the entire Medicare Advantage market.

We strongly support this bill, which would allow employers and health plans to cover important telehealth benefits pre-deductible and we strongly urge inclusion of your bill in the next COVID-19 legislative package.

The following organizations look forward to working with you to advance and pass this important legislation.

Sincerely,

Alliance for Connected Care
AMGA
American Academy of PAs
American Bankers Association Health Savings Account Council
Americas Health Insurance Plans
American Benefits Council
American Health Policy Institute
American Osteopathic Association
American Telemedicine Association
Beyond Type 1
Blue Cross Blue Shield Association
Business Group on Health
Compassion & Choices
Connected Health Initiative
Corporate Health Care Coalition
Council for Affordable Health Coverage
eHealth Initiative and Foundation
The ERISA Industry Committee
Health Innovation Alliance
Healthcare Leadership Council
HR Policy Association
National Association of Health Underwriters
The National Health IT Collaborative for the Underserved
National Retail Federation
Public Sector HealthCare Roundtable
Retail Industry Leaders Association
Smarter Health Care Coalition
The Society for Human Resource Management
The University of Michigan Center for Value-Based Insurance Design