



Top Accomplishments in 2022

Since its formation in December 2013, the Alliance for Connected Care (“the Alliance”) has made significant progress in raising the profile of telehealth and remote patient monitoring among policymakers in Washington, and creating urgency around the need to reduce legal and regulatory barriers. We have helped energize Congress and the Executive Branch to break down barriers to increased telehealth and remote monitoring adoption. Building off of the transformation of telehealth access since 2020, the Alliance has continued to push forward on permanent telehealth policies. We are excited to continue this push forward in 2023 and hold on to important expansions in patient access to telehealth.

Summary

Passage of Major Telehealth Legislation – Twice - The Alliance for Connected Care was thrilled to see the partial culmination of much of our work over the past year with the Congressional passage of first a temporary telehealth extension and then a more useful two-year extension of all telehealth flexibilities. Most notable within these legislative packages is a two-year extension of widely supported Medicare telehealth services that Congress enacted at the start of the pandemic, including important practitioner type flexibility and a delay of the implementation of in-person requirements on mental health services. Another huge win, driven by the Alliance, was a two-year extension of the flexibility for employers and health plans to provide pre-deductible coverage of telehealth services for individuals and families with high deductible health plans coupled with a health savings account (HDHP-HSA).

Growing the Community Through Strategic Partnerships - In 2022, the Alliance for Connected Care led a number of federal and state group letters, gaining hundreds of signers for many. We continued to grow and strengthen our Advisory Board of allied organizations who advocate alongside us. Notable additions included LeadingAge, Cystic Fibrosis Foundation, American College of Emergency Physicians (ACEP), The Haystack Project, the Gerontological Advanced Practice Nurses Association (GAPNA), and the Chronic Lymphocytic Leukemia (CLL) Society.

Ongoing Relationships with Congress & Administration Officials - In 2022, the Alliance for Connected Care maintained strong relationships with House and Senate telehealth champions, and continued to serve a primary role in helping these offices strategize and implement telehealth legislation, telehealth events, and plan for telehealth hearings.

The Alliance also maintained ongoing relationships with other policymakers crucial to telehealth progress to ensure key connected care priorities are considered in major Executive Orders, rulemakings, and key reports. These included key individuals at the White House and in the Department of Health and Human Services (HHS), experts at the Centers for Medicare and Medicaid Services (CMS) and its Center for Program Integrity, the HHS Office of Inspector General (OIG), the Drug Enforcement Agency (DEA), the Federal Trade Commission (FTC), the Congressional Budget Office (CBO), and the Medicare Payment Advisory Commission (MedPAC).

Leading the Conversation on Connected Care - An area of strength for the Alliance for Connected Care continues to be its aggressive thought leadership in the national and beltway press. The Alliance was regularly quoted in major DC and state publications – often refuting misinformation and leading the conversation during key moments for legislation or regulation. In 2022, the Alliance’s expertise was regularly sought and included in press coverage of telehealth and related issues with our expertise being quoted an average of **1.3 times** per week.



Top Accomplishments and Achievements

Key Events and Research by the Alliance in 2022

- In November 2022, the Alliance [co-hosted](#) a Telehealth Data Event with participation from more than 300 attendees featuring research by MedStar Health, Epic Research, and Ascension, focused on current telehealth data and implications on health care utilization, quality, and access.
 - Major policymakers and stakeholders participated in the event, including MedPAC staffers, HHS, HHS OIG, the Health Resources and Services Administration (HRSA), and various staffers from congressional offices.
- The Alliance for Connected Care [commissioned](#) a Medicare telehealth analysis, which found that the expanded telehealth flexibilities during the COVID-19 pandemic did not add to the total volume of Medicare services, and patients that initiated care through telehealth did not have more E&M revisits for the same medical issues than patients with in-person visits.
- The Alliance published a [survey](#) on telehealth access, care across state lines, and the health care workforce. The poll reinforced that telehealth has been a crucial tool in expanding care during the pandemic, and that telehealth can address soaring behavioral health needs, meet patients in their home, and reduce wait times for patients. Notably, the survey found that practitioners and patients overwhelmingly support telehealth use across state lines, with more than 84 percent of practitioners supporting the option to treat patients across state lines. This survey has been cited in various articles and demonstrates the value of telehealth and cross-state care.

Notable Congressional Advocacy

- **Reinstate and Extend Virtual Care Access for Individuals with HDHP-HSAs –**
 - In January 2022, the Alliance for Connected Care [led](#) a group letter, signed by more than 125 organizations, urging Congress to reinstate a provision that allows employers and health plans to provide pre-deductible coverage for telehealth services for those with high-deductible health plans coupled with Health Savings Accounts (HDHP-HSAs). This letter and ongoing advocacy led to the successful inclusion of this provision in the Consolidated Appropriations Act, 2022 through December 31, 2022.
 - The Alliance continues to lead a stakeholder group of more than 40 individuals, comprised of both Alliance members and those external to the coalition, around this policy. The Alliance has led this group in strategy and policy discussions to engage Congress on extending this flexibility to ensure access for millions of Americans.
 - The Alliance also signed on to a [stakeholder letter](#) in November 2022 urging Congress to extend this flexibility in year-end appropriations discussions to avoid another telehealth cliff as was experienced at the start of 2022. This letter was signed by nearly 360 organizations and is being used on the Hill in ongoing advocacy on this issue.
 - In December 2022, the Alliance worked with key House champions on a [letter](#) directed at House leadership, urging the inclusion of the extension of the HDHP-HSA telehealth flexibility in the year-end appropriations package. The letter was signed by 30 bipartisan House members. This advocacy successfully led to a two-year extension of this policy in the FY2023 Omnibus spending package.



- **Permanent Comprehensive Telehealth Reform** – In January 2022, the Alliance [co-led](#) a group letter, signed by more than 360 organizations, to Congress urging leadership in facilitating a pathway to comprehensive permanent telehealth reform that would provide certainty to patients and health care providers while providing sufficient time for Congress and the Administration to analyze the impact of telehealth on patient care.
- **House Ways & Means Committee Comments for the Record** – The Alliance submitted a [letter](#) to the House Ways & Means Committee, providing input following the Committee’s hearing on “America’s Mental Health Crisis.” The letter provided several recommendations to the Committee, including that Congress should permanently remove obstructive in-person requirements on mental health through telehealth, move to fully remove outdated originating site requirements on telehealth, and ensure continued access to audio-only mental health care, among other recommendations.
- **Healthy Future Task Force, Modernization Subcommittee RFI** – The Alliance for Connected Care submitted [comments](#) in response to the Healthy Future Task Force Modernization Subcommittee request for information (RFI) regarding the utilization of wearable technologies, the expansion of telemedicine, and digital modernization efforts in the United States health care system. Comments focused on recommendations around telehealth expansion, including which pandemic-era telehealth flexibilities should be made permanent and how Congress can address licensure barriers that impede patient access to care.
- **Healthy Future Task Force, Treatments Subcommittee RFI** – The Alliance submitted [comments](#) in response to the RFI from the Treatments Subcommittee of the Healthy Future Task Force regarding medical innovation to supercharge the availability and development of life-saving treatments, devices, and diagnostics, while addressing rising costs to patients. Comments focused on modernizing and decentralizing clinical trials, particularly by urging Congress to consider addressing licensing limitations that prohibit clinicians working on clinical trials from recruiting patients from outside the state in which they are licensed.
- **Benefit Expansion for Workers Act** – The Alliance [led a letter](#) with other leading telehealth groups supporting the Benefit Expansion for Workers Act of 2022, which would allow employers to provide telehealth or other remote care services to employees ineligible for an employer-sponsored group health plan.
- **State Licensing Limitations in Clinical Trials** – The Alliance led 17 organizations in a [letter](#) to Senate HELP Committee leaders, urging them to consider addressing state licensing limitations in clinical trials in the Prepare for and Response to Existing Viruses, Emerging New Threats, and Pandemics Act (PREVENT Pandemics Act).
- **Introduction of the Telehealth Extension and Evaluation Act** – The Alliance played a significant role in the development, and was pleased to [support](#) the introduction of, the bipartisan Telehealth Extension and Evaluation Act ([S. 3593](#)) in February 2022.
- **Senate Advocacy on Advancing Telehealth Policies This Fall** – The Alliance co-led a [stakeholder letter](#), which was signed by 380 organizations, to bipartisan leadership of the Senate urging action on telehealth legislation this fall. The letter urges the Senate to pass a two-year extension of important telehealth policies enacted at the start of the COVID-19 pandemic, which are currently set to expire 151 days after the end of the PHE.
- **Advocacy on Interstate Licensure** – The Alliance continued to be a leading voice on advocating for reforms to provider licensure, which often create barriers that impact access to care. The Alliance



engaged several Members of Congress on education and advocacy around this issue, including by presenting to the Healthy Future Task Force and at a telehealth briefing with House Education and Labor Committee Republicans and their staff. The Alliance has also engaged two bipartisan House Members and one Senate Member to champion a bill to instruct HHS to develop the infrastructure for a national framework for interstate licensure, and has been directly engaged in the drafting and development of this legislation as we continue to move toward introduction.

Notable Regulatory Advocacy

- **Provider Location Requirements** – The Alliance for Connected Care worked with the Center for Program Integrity at CMS to ensure that remote telehealth clinician home addresses would not be published as part of government transparency efforts. These recommendations were partially successful – enrollment forms will have a privacy checkbox in 2023. We continue to advocate for modernization of many provider location requirements.
- **Special Registration for Telemedicine** - The Alliance continued to push the Drug Enforcement Administration (DEA) on the publication of the special registration for the prescribing of controlled substances through telehealth. Included in this advocacy were meetings with the White House, advocacy to DEA directly, and several sign-on letters. Included in the [Consolidated Appropriations Act, 2023](#) was Alliance-supported report language directing the DEA to finalize the special registration.
- **White House Office of Science and Technology Policy RFI** – The Alliance submitted [comments](#) in response to the request for information from the White House Office of Science and Technology Policy (OSTP) on strengthening community health through technology. Specifically, the Alliance commented on the burdensome licensure requirements which create a barrier in access to virtual health care and recommended that the federal government: 1) develop and implement a national framework for interstate licensure using a policy of mutual recognition; and 2) address state licensing limitations that impact clinical trial recruitment and diversity.
- **HHS Initiative to Strengthen Primary Health Care RFI** – The Alliance submitted [comments](#) in response to an HHS request for information on its Initiative to Strengthen Primary Health Care, providing comments on the impact of telehealth and virtual care on primary care access.
- **CMS CY 2023 Physician Fee Schedule** – In September 2022, the Alliance [submitted](#) comments on the CMS Medicare Physician Fee Schedule (PFS) Proposed Rule for calendar year (CY) 2023, which included several important reforms with respect to telehealth.
- **CMS Medicare Advantage RFI** - The Alliance submitted [comments](#) in response to the [request for information](#) from CMS on the Medicare Advantage (MA) program. The Alliance specifically commented on the role that telehealth has played in providing access to care in the MA program and key policy considerations for CMS to ensure this care modality is available and effectively utilized within the MA program moving forward.
 - The Alliance recommended CMS move forward with dramatic expansions to the use of telehealth to meet network adequacy requirements; clarify that the use of diagnoses obtained through audio-visual telehealth for risk adjustment purposes will continue after the end of the PHE; and promote additional paths to access practitioners across state lines by supporting licensure portability and ensuring that these providers count toward appropriate network adequacy requirements.



- **CMS CY 2023 Medicare Hospital Outpatient Prospective Payment System (OPPS) and Ambulatory Surgical Center (ASC) Payment System Proposed Rule** – The Alliance submitted [comments](#) in response to CMS Calendar Year (CY) 2023 Medicare Hospital Outpatient Prospective Payment System (OPPS) and Ambulatory Surgical Center (ASC) Payment System Proposed Rule. The Alliance applauded the proposal to ensure the continuation of patient access to mental health services via telehealth from hospital-based providers after the conclusion of the COVID-19 public health emergency (PHE).
- **CMS Make Your Voice Heard RFI** – The Alliance submitted comments in response to a CMS [request for information](#) on accessing health care and related challenges, understanding provider experiences, advancing health equity, and assessing the impact of waivers and flexibilities provided in response to the COVID-19 Public Health Emergency. The Alliance commented on a number of areas related to telehealth, including on provider location, in-person requirements, audio-only telehealth, cross-state licensure, and COVID-era telehealth policies.

Notable State Advocacy

- **Comments to FSMB on Appropriate Use of Telemedicine in Practice of Medicine** – The Alliance for Connected Care [submitted](#) comments in response to the Federation of State Medical Boards (FSMB) request for comments on the draft document entitled “[Report on the Appropriate Use of Telemedicine Technologies in the Practice of Medicine](#).” The Alliance offered recommendations around the provision of audio-only telehealth, reforming licensure laws and regulations, removing restrictive in-person requirements for establishing a provider-patient relationship, and addressing health equity through broadband access and affordability. Notably, the Alliance’s recommendation that an exception be made to state licensing requirements for clinical trials was included in the [final guidance](#) that was adopted by FSMB in April 2022.
- **ULC Model Telehealth Law** – Krista Drobac, Executive Director of the Alliance for Connected Care, acted as an observer for the Uniform Law Commission telehealth working group, which published its [Uniform Telehealth Act](#) in July 2022. The goal of the model legislation is to make clear that health care services may be provided through telehealth and to establish a registration system for practitioners who hold licenses in other states.
- **Letters of Support on State Legislation** – The Alliance was active in submitting letters of support for a variety of bills focused on telehealth, licensure, and scope of practice at the state level in 2022:
 - [Support Letter](#) for [Maryland SB 154](#), which would adopt the Advanced Practice Registered Nurse (APRN) Compact.
 - [Support Letter](#) for [Maryland HB 670](#), which would require the Maryland Health Care Commission (MHCC) to study the ways that interstate telehealth can be expanded to allow Maryland residents to use telehealth to receive health services from out-of-state practitioners.
 - [Support Letter](#) for [Utah SB 151](#), which would adopt the APRN Compact.
 - [Support Letter](#) for [Virginia SB 1245](#), which would repeal the sunset provision included in [House Bill 1737](#) that reduced the number of years of full-time clinical experience a nurse practitioner must have to be eligible to practice without a written or electronic practice agreement from five years to two years.
 - [Support Letter](#) for [Minnesota SB 2303](#), which would adopt the Nurse Licensure Compact.



- [Support Letter for South Dakota SB 134](#), which would modernize Physician Assistant (PA) practice and remove the outdated collaborative agreement with a physician in order to put all advanced practice providers on equal footing.
- [Support Letter for Kansas SB 454](#), which would amend the APRN authorized scope of practice to permit the prescribing of controlled substances without a supervising physician.
- **Medical Excellence Zone Advocacy** – The Alliance continued its work in Maryland, Virginia, and D.C. to establish a regional Medical Excellence Zone where health care professionals licensed and in good standing in one jurisdiction that is part of the Zone may practice across state lines via telehealth without having to obtain another license. The Alliance was directly involved with drafting and editing legislation in all three jurisdictions and working directly with both stakeholders and state legislators and their staff before the start of the legislative session to introduce these bills. While political dynamics within the states led to this legislation not advancing, it catalyzed discussions around the need for licensure reform at the state level and led to the development of a robust group of stakeholders committed to this issue.