

# Congress of the United States

Washington, DC 20515

November 22, 2024

The Honorable Charles Schumer  
Senate Majority Leader  
U.S. Senate  
Washington, DC 20510

The Honorable Mitch McConnell  
Senate Minority Leader  
U.S. Senate  
Washington, DC 20510

The Honorable Mike Johnson  
Speaker of the House  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Hakeem Jeffries  
House Minority Leader  
U.S. House of Representatives  
Washington, DC 20515

Dear Majority Leader Schumer, Speaker Johnson, Minority Leader McConnell, and Minority Leader Jeffries:

We write to you regarding the importance of passing legislation before December 31, 2024, to prevent a fully avoidable lapse in access to virtual health care for millions of Americans. Failing to pass new legislation before the deadline will abruptly end the telehealth flexibility that has allowed 32 million Americans in the employer market with high-deductible health plans coupled with Health Savings Accounts (HDHP-HSAs) the potential to receive telehealth benefits from their employer or health plan pre-deductible.

Currently, more than 20% of the U.S. workforce and more than 32 million Americans are enrolled in an HSA-qualified HDHP. Bipartisan congressional action in 2020 and subsequent bipartisan extensions in 2022 and 2023, enabled more than 80% of health insurance providers to cover telehealth services in HDHPs with no deductible, expanding access to a range of affordable virtual care services for millions of U.S. workers. The telehealth safe harbor is a lifeline for many of these people. Families without access to a car, or who live far from medical facilities can utilize telehealth as their best option for receiving immediate non-emergency care.

The ability to offer pre-deductible telehealth services for employees is a meaningful expansion of health care access for 32 million Americans. Notably, according to unpublished estimates from the Employee Benefit Research Institute (EBRI) over 50% of individuals in an HSA-qualified HDHP with first dollar telehealth coverage live in ZIP codes where the median income is below \$75,000 annually. The current, bipartisan flexibility continues to enable important expansions of access to care for working class individuals and families.

With the current safe harbor set to expire on December 31st of this year, we ask that you support legislative action to ensure that American families maintain access to critical health care services on a pre-deductible basis. Many of us lead or support bipartisan legislation which would avert this, including the Telehealth Expansion Act (S. 1001 / H.R. 1843) and the Primary and Virtual Care Affordability Act (H.R. 7681). H.R. 1843 passed out of the Ways and Means Committee on a bipartisan basis and would make the successful telehealth flexibility initially provided under Section 3701 of the CARES Act permanent. H.R. 7681 would extend the telehealth safe harbor and would also allow HDHP first-dollar coverage for in-person primary care services. These policies ultimately lower the cost of health care by avoiding unnecessary hospital and emergency room visits, preventing disease progression, and effectively managing chronic conditions.

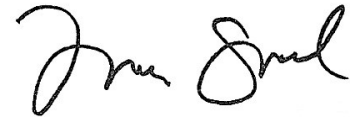
We appreciate your consideration of this important, bipartisan legislation and your continued commitment to ensuring access to telehealth and virtual care for all Americans.

Sincerely,



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Susie Lee  
Member of Congress



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Michelle Steel  
Member of Congress



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Bradley Scott Schneider  
Member of Congress



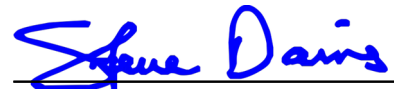
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Adrian Smith  
Member of Congress



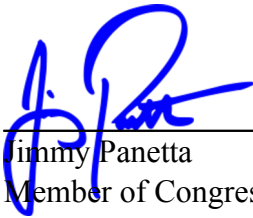
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Catherine Cortez Masto  
United States Senator



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Steve Daines  
United States Senator



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Jimmy Panetta  
Member of Congress



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Terri A. Sewell  
Member of Congress



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Gerald E. Connolly  
Member of Congress



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Ami Bera, M.D.  
Member of Congress



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Henry Cuellar  
Member of Congress



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Donald G. Davis  
Member of Congress



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Susan Wild  
Member of Congress

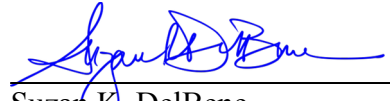


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Dina Titus  
Member of Congress



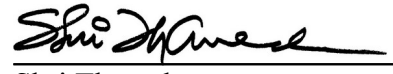
Greg Landsman  
Member of Congress



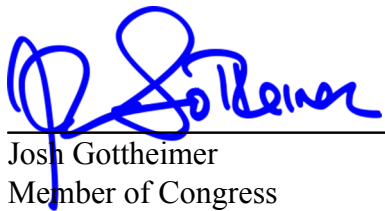
Suzan K. DelBene  
Member of Congress



Mary Sattler Peltola  
Member of Congress



Shri Thanedar  
Member of Congress



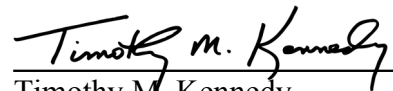
Josh Gottheimer  
Member of Congress



Darren Soto  
Member of Congress



Salud Carbajal  
Member of Congress



Timothy M. Kennedy  
Member of Congress



Nicole Malliotakis  
Member of Congress



Juan Ciscomani  
Member of Congress



Brian Fitzpatrick  
Member of Congress



David G. Valadao  
Member of Congress



August Pfluger  
Member of Congress



Don Bacon  
Member of Congress



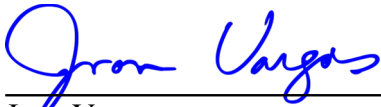
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Randy Feenstra  
Member of Congress



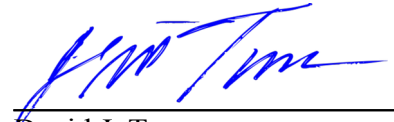
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Darin LaHood  
Member of Congress



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Juan Vargas  
Member of Congress




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David J. Trone  
Member of Congress



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John Garamendi  
Member of Congress



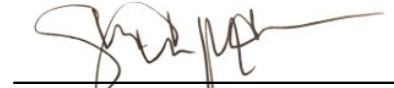
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Troy Carter  
Member of Congress



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Madeleine Dean  
Member of Congress



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Sheila Cherfilus-McCormick  
Member of Congress



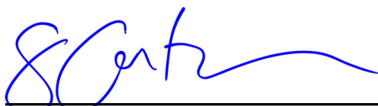
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Robert B. Aderholt  
Member of Congress



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Marilyn Strickland  
Member of Congress



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Sean Casten  
Member of Congress