



March 6, 2026

The Honorable Scott Bessent
Secretary & Acting IRS Commissioner
Internal Revenue Service
Department of Treasury
1111 Constitution Avenue, NW
Washington, DC 20224

**RE: Expanded Availability of Health Savings Accounts under the One, Big, Beautiful Bill Act (OBBBA)
(Notice 2026-5)**

Dear Secretary Bessent:

The Alliance for Connected Care thanks the Department of the Treasury and the Internal Revenue Service (IRS) for providing guidance on the permanent ability for over 32 million Americans to receive telehealth and other remote care services before meeting their High-Deductible Health Plan (HDHP) deductible and remaining eligible to contribute to a tax-advantaged Health Savings Account (HSA).

This guidance represents the culmination of years of advocacy by the Alliance and our partners to deliver a durable solution for patients, employers, and health plans. As you know, the Alliance began advocating for these changes well in advance of the temporary legislative flexibility created by the 2020 CARES Act and has met with the IRS several times on this important issue. The safe harbor created by the CARES Act experienced short-term expirations, which created confusion and unexpected out-of-pocket costs for patients and employers alike. We are pleased to finally have permanent statutory authority and guidance allowing the provision of these services.

While the Alliance has no major concerns with the telehealth guidance at this time, we encourage the Department to consider the perspective of employers and providers offering Direct Primary Care Service Agreements to ensure patients can continue accessing these, digital and in-person, pre-deductible. This would track with Congressional intent for first-dollar coverage. Additionally, we offer ourselves as a resource for the agency as it finalizes this policy and any related policies on telehealth services. We have also been working to [educate](#) the broader stakeholder community about this important change for both telehealth and direct primary care services, which often include telehealth. For the approximately 76 percent of employers who have sought permanence for this provision, Notice 2026-05 finally enables confident, long-term benefit plan design. We appreciate that the guidance creates certainty for the lapse period beginning December 31, 2024, when Congress failed to include an extension in its end-of-year funding package. More broadly, the permanent safe harbor ensures that the more than 32 million Americans enrolled in HDHP-HSA plans can access telehealth services (including primary care, mental health care, and chronic disease management) without first satisfying a deductible.

The Alliance encourages the IRS and the Treasury Department to continue working in close coordination with the Departments of Labor and Health and Human Services to ensure coordinated implementation



across all relevant regulatory frameworks. We welcome any additional subregulatory guidance that addresses remaining questions from employers and plan administrators, and we stand ready to assist with stakeholder engagement as that work proceeds. Thank you for your leadership and your commitment to policies that expand access to care and modernize health care delivery for millions of Americans. Please contact rikki.cheung@connectwithcare.org with any questions or to schedule a meeting on these important topics.

Sincerely,

A handwritten signature in black ink that reads "Christopher Adamec". The signature is written in a cursive, slightly slanted style.

Chris Adamec
Executive Director