

Federal Telehealth Policy: Guaranteeing Equitable Access Post-Pandemic

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OVERVIEW

Today, more than 1,300 community health centers (CHCs) in California provide high-quality comprehensive care to over 7.2 million people each year. For decades, community health centers have provided care to everyone, regardless of their ability to pay, their immigration status, or their individual circumstances. Community health centers provide the full spectrum of care, from primary care to dental to behavioral health care and a variety of enabling and wraparound services.

THE PROBLEM

When statewide shutdowns began in March 2020, California's CHCs quickly transitioned much of their provision of care to a virtual model to ensure that their patients continued to receive vital care while limiting the risk of staff and community spread of COVID-19. At the peak of the pandemic before vaccines were available, California CHCs were utilizing telehealth, both video and telephonic visits, for over 60% of their patient care. While safe reopening has brought this volume down, much has been learned. Many patients prefer telehealth, and telehealth appointments result in far fewer missed visits. Surveys conducted by the California Health Care Foundation reported a significant demand shift among Medi-Cal patients to utilizing telehealth and telephone visits. Specifically, the survey found that most patients would like the option of a telephone or video visit and would likely choose a phone or video visit over an in-person visit whenever possible.¹ Telehealth has the potential to be the great equalizer, eliminating long-standing barriers to care like transportation, childcare, and work schedules.

As the result of health center-led advocacy efforts, the California Legislature, working with the Newsom Administration, made the important decision to allow all Public Health Emergency (PHE) flexibilities for telehealth, including audio-only modalities, to continue for their Medicaid program through end of 2022.

Additionally, California committed to, and already launched, a new stakeholder process at the state's

Medicaid agency to design the telehealth policies starting in 2023. California has committed to maintain payment parity for all modalities, eliminate site limitations for patients and providers, and create more allowances on establishing patient relationships. While this is tremendously promising, federal leadership will be critical to supporting these policies and encouraging state Medicaid agencies across the country to do everything in their authority to support future telehealth innovation.

THE SOLUTION

To guarantee these innovations also continue in the Medicare program post-pandemic and can be utilized as part of the long road to an equitable recovery, federal action is needed. With many Medicare telehealth flexibilities set to expire at the end of the PHE, it is crucial that the following policies be continued and ultimately made permanent to ensure equitable access to telehealth:

- Recognize health centers as distant site providers;
- Remove originating site restrictions to allow for care regardless of the patient location;
- Ensure payment at the FQHC Prospective Payment System (PPS) rate; and
- Permit health centers to continue providing audio-only telehealth visits for patients.

There are a number of current bills that would address these priorities. They include the CONNECT for Health Act (H.R. 2903/S. 1512), the Protecting Access to Post-COVID-19 Telehealth Act (H.R. 366), and the HEALTH Act (H.R. 4437).

In addition to these initiatives, the National Association of Community Health Centers (NACHC) is also strongly advocating that any policy effort continues to build on the recent CY 2022 Medicare Physician Fee Schedule Final Rule published by CMS that expanded protections for FQHC mental health services provided via telehealth.

FOR MORE INFORMATION

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¹ California Health Care Foundation, *Listening to Californians with Low Incomes: Health Care Access, Experiences, and Concerns Since the COVID-19*

Pandemic. Oct 2020. <https://www.chcf.org/wp-content/uploads/2020/10/ListeningCaliforniansLowIncomes.pdf>.