

117TH CONGRESS
1ST SESSION

H. R. 4748

To direct the Secretary of Health and Human Services to revise HIPAA regulations to ensure patient access to telehealth services.

IN THE HOUSE OF REPRESENTATIVES

JULY 28, 2021

Mr. CAWTHORN (for himself and Mr. DUNCAN) introduced the following bill;
which was referred to the Committee on Energy and Commerce

A BILL

To direct the Secretary of Health and Human Services to revise HIPAA regulations to ensure patient access to telehealth services.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Helping Every Amer-
5 ican Link To Healthcare Act of 2021” or the “HEALTH
6 Act of 2021”.

7 **SEC. 2. REVISION OF HIPAA REGULATIONS TO ENSURE PA-**
8 **TIENT ACCESS TO TELEHEALTH SERVICES.**

9 (a) IN GENERAL.—The Secretary of Health and
10 Human Services (in this section referred to as the “Sec-

1 retary”) shall revise the HIPAA privacy regulation (as de-
2 fined in section 1180(b)(3) of the Social Security Act (42
3 U.S.C. 1320d–9(b)(3))) to ensure that, with respect to
4 services furnished by a health care provider via telehealth
5 during the 7-year period beginning on the last day of the
6 emergency period described in section 1135(g)(1)(B) of
7 such Act (42 U.S.C. 1320b–5(g)(1)(B)), such provider
8 may so furnish such services using any non-public facing
9 audio or video communication product (as such term is
10 used for purposes of the notice entitled “Notification of
11 Enforcement Discretion for Telehealth Remote Commu-
12 nications During the COVID-19 Nationwide Public
13 Health Emergency” as published by the Office of Civil
14 Rights of the Department of Health and Human Serv-
15 ices).

16 (b) EXTENSION OF POLICY.—The Secretary may ex-
17 tend the 7-year period described in subsection (a) for such
18 duration as determined appropriate by the Secretary if the
19 Secretary finds, after a review of telehealth services fur-
20 nished during such period, that such extension is appro-
21 priate.

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