117TH CONGRESS
1ST SESSION
H. R. 2168

To amend title XVIII of the Social Security Act to expand the scope of practitioners eligible for payment for telehealth services under the Medicare program, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

MARCH 23, 2021

Ms. SHERRILL (for herself, Mr. MCKINLEY, Mr. MORELLE, Mr. FITZPATRICK, Mr. SIRES, Ms. TENNEY, Mrs. BEATTY, Mr. RODNEY DAVIS of Illinois, Mr. RUSH, Mr. YOUNG, Ms. BARRAGÁN, Mr. TONKO, Ms. BLUNT ROCHESTER, Mr. BISHOP of Georgia, Mr. CARSON, and Mr. O'HALLERAN) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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A BILL

To amend title XVIII of the Social Security Act to expand the scope of practitioners eligible for payment for telehealth services under the Medicare program, and for other purposes.

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 "Expanded Telehealth

5 Access Act".

SEC. 2. EXPANDING THE SCOPE OF PRACTITIONERS ELIGI-BLE FOR PAYMENT FOR TELEHEALTH SERV-ICES UNDER MEDICARE.

1 (a) TELEHEALTH PROVIDER PARITY.—Section

5 1834(m) of the Social Security Act (42 U.S.C. 1395m(m))

6 is amended—

7   (1) in paragraph (1)—

8   (A) by striking "described in section

9   1842(b)(18)(C)" and inserting "as described in

10   paragraph (4)(E))"; and

11   (B) by striking "individual physician or

12   practitioner" and inserting "individual physi-

13   cian or practitioner described in paragraph

14   (4)(E)";

15   (2) in paragraph (2)—

16   (A) by striking "practitioner" each place it

17   appears and inserting "practitioner as described

18   in paragraph (4)(E)" each such place;

19   (B) by inserting before "located at a dis-

20   tant site" the following "(or, in the case of an

21   occupational therapy assistant described in

22   paragraph (4)(E)(ii)(II) or a physical therapist

23   assistant described in paragraph (4)(E)(ii)(III),

24   shall pay with respect to such assistant)"; and

25   (C) by inserting "(or, in the case of an oc-

26   cupational therapy assistant described in para-

3

1 graph (4)(E)(ii)(II) or a physical therapist as-

2 sistant described in paragraph (4)(E)(ii)(III),

3 the amount that would have been paid under

4 this title with respect to such assistant)'' after

5 "would have been paid under this title'';

6 (3) in paragraph (3)—

7 (A) in subparagraph (A), by striking "or

8 practitioner'' and inserting "or practitioner de-

9 scribed in paragraph (4)(E)''; and

10 (B) in subparagraph (B), by inserting "de-

11 scribed in subparagraph (C) of such section''

12 after "practitioners''; and

13 (4) in paragraph (4)—

14 (A) in each of subparagraphs (A) and (C),

15 by inserting "described in paragraph (4)(E)''

16 after "practitioner''; and

17 (B) by amending subparagraph (E) to read

18 as follows:

19 "(E) PRACTITIONER DESCRIBED.—The

20 term 'practitioner' means any of the following:

21 "(i) A practitioner described in section

22 1842(b)(18)(C).

23 "(ii) With respect to services fur-

24 nished on or after the date of enactment of

1 the Expanded Telehealth Access Act, a li-

2 censed—

3   "(I) qualified audiologist (as de-

4   fined in section 1861(ll)(4)(B);

5   "(II) occupational therapist and

6   occupational therapy assistant under

7   the supervision of an occupational

8   therapist;

9   "(III) physical therapist and

10   physical therapist assistant under the

11   supervision of a physical therapist;

12   "(IV) qualified speech-language

13   pathologist (as defined in section

14   1861(ll)(4)(A));

15   "(V) facility described in para-

16   graph (8) or (9) of section 1833(a)

17   that furnishes telehealth therapy serv-

18   ices; and

19   "(VI) any additional health care

20   provider, as specified by the Sec-

21   retary, who participates under this

22   title and furnishes a service that is in-

23   cluded as a telehealth service under

24   this subsection.".

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