

117TH CONGRESS
2D SESSION

H. R. 8489

To amend title XVIII of the Social Security Act to extend certain telehealth services and requirements, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 26, 2022

Mr. SCHWEIKERT (for himself, Mrs. MILLER-MEEKS, and Mr. CARTER of Georgia) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, 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

A BILL

To amend title XVIII of the Social Security Act to extend certain telehealth services and requirements, 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 “Greater Access to Tele-
5 health Act”.

1 **SEC. 2. REMOVING GEOGRAPHIC REQUIREMENTS AND EX-**
2 **PANDING ORIGINATING SITES FOR TELE-**
3 **HEALTH SERVICES.**

4 Section 1834(m) of the Social Security Act (42
5 U.S.C. 1395m(m)) is amended—

6 (1) in paragraph (2)(B)(iii)—

7 (A) by striking “With” and inserting “In
8 the case that the emergency period described in
9 section 1135(g)(1)(B) ends before December
10 31, 2026, with”; and

11 (B) by striking “that are furnished during
12 the 151-day period beginning on the first day
13 after the end of the emergency period described
14 in section 1135(g)(1)(B)” and inserting “that
15 are furnished during the period beginning on
16 the first day after the end of such emergency
17 period and ending December 31, 2026”; and

18 (2) in paragraph (4)(C)(iii)—

19 (A) by striking “With” and inserting “In
20 the case that the emergency period described in
21 section 1135(g)(1)(B) ends before December
22 31, 2026, with”; and

23 (B) by striking “that are furnished during
24 the 151-day period beginning on the first day
25 after the end of the emergency period described
26 in section 1135(g)(1)(B)” and inserting “that

1 are furnished during the period beginning on
2 the first day after the end of such emergency
3 period and ending on December 31, 2026”.

4 **SEC. 3. EXPANDING PRACTITIONERS ELIGIBLE TO FUR-**
5 **NISH TELEHEALTH SERVICES.**

6 Section 1834(m)(4)(E) of the Social Security Act (42
7 U.S.C. 1395m(m)(4)(E)) is amended by striking “and, for
8 the 151-day period beginning on the first day after the
9 end of the emergency period described in section
10 1135(g)(1)(B)” and inserting “and, in the case that the
11 emergency period described in section 1135(g)(1)(B) ends
12 before December 31, 2026, for the period beginning on
13 the first day after the end of such emergency period and
14 ending on December 31, 2026”.

15 **SEC. 4. EXTENDING TELEHEALTH SERVICES FOR FEDER-**
16 **ALLY QUALIFIED HEALTH CENTERS AND**
17 **RURAL HEALTH CLINICS.**

18 Section 1834(m)(8)(A) of the Social Security Act (42
19 U.S.C. 1395m(m)(8)(A)) is amended by striking “during
20 the 151-day period beginning on the first day after the
21 end of such emergency period” and inserting “in the case
22 that such emergency period ends before December 31,
23 2026, during the period beginning on the first day after
24 the end of such emergency period and ending on December
25 31, 2026”.

1 **SEC. 5. DELAYING THE IN-PERSON REQUIREMENTS UNDER**
 2 **MEDICARE FOR MENTAL HEALTH SERVICES**
 3 **FURNISHED THROUGH TELEHEALTH AND**
 4 **TELECOMMUNICATIONS TECHNOLOGY.**

5 (a) DELAY IN REQUIREMENTS FOR MENTAL
 6 HEALTH SERVICES FURNISHED THROUGH TELE-
 7 HEALTH.—Section 1834(m)(7)(B)(i) of the Social Secu-
 8 rity Act (42 U.S.C. 1395m(m)(7)(B)(i)) is amended, in
 9 the matter preceding subclause (I), by striking “on or
 10 after the day that is the 152nd day after the end of the
 11 period at the end of the emergency sentence described in
 12 section 1135(g)(1)(B))” and inserting “on or after Janu-
 13 ary 1, 2027 (or, if later, the first day after the end of
 14 the emergency period described in section
 15 1135(g)(1)(B))”.

16 (b) MENTAL HEALTH VISITS FURNISHED BY RURAL
 17 HEALTH CLINICS.—Section 1834(y) of the Social Security
 18 Act (42 U.S.C. 1395m(y)) is amended—

19 (1) in the heading, by striking “TO HOSPICE
 20 PATIENTS”; and

21 (2) in paragraph (2), by striking “prior to the
 22 day that is the 152nd day after the end of the emer-
 23 gency period described in section 1135(g)(1)(B))”
 24 and inserting “prior to January 1, 2027 (or, if later,
 25 the first day after the end of the emergency period
 26 described in section 1135(g)(1)(B))”.

1 (c) MENTAL HEALTH VISITS FURNISHED BY FEDER-
2 ALLY QUALIFIED HEALTH CENTERS.—Section
3 1834(o)(4) of the Social Security Act (42 U.S.C.
4 1395m(o)(4)) is amended—

5 (1) in the heading, by striking “TO HOSPICE
6 PATIENTS”; and

7 (2) in subparagraph (B), by striking “prior to
8 the day that is the 152nd day after the end of the
9 emergency period described in section
10 1135(g)(1)(B))” and inserting “prior to January 1,
11 2027 (or, if later, the first day after the end of the
12 emergency period described in section
13 1135(g)(1)(B))”.

14 **SEC. 6. ALLOWING FOR THE FURNISHING OF AUDIO-ONLY**
15 **TELEHEALTH SERVICES.**

16 Section 1834(m)(9) of the Social Security Act (42
17 U.S.C. 1395m(m)(9)) is amended by striking “The Sec-
18 retary shall continue to provide coverage and payment
19 under this part for telehealth services identified in para-
20 graph (4)(F)(i) as of the date of the enactment of this
21 paragraph that are furnished via an audio-only tele-
22 communications system during the 151-day period begin-
23 ning on the first day after the end of the emergency period
24 described in section 1135(g)(1)(B))” and inserting “In the
25 case that the emergency period described in section

1 1135(g)(1)(B) ends before December 31, 2026, the Sec-
 2 retary shall continue to provide coverage and payment
 3 under this part for telehealth services identified in para-
 4 graph (4)(F)(i) that are furnished via an audio-only com-
 5 munications system during the period beginning on the
 6 first day after the end of such emergency period and end-
 7 ing on December 31, 2026”.

8 **SEC. 7. USE OF TELEHEALTH TO CONDUCT FACE-TO-FACE**
 9 **ENCOUNTER PRIOR TO RECERTIFICATION OF**
 10 **ELIGIBILITY FOR HOSPICE CARE DURING**
 11 **EMERGENCY PERIOD.**

12 Section 1814(a)(7)(D)(i)(II) of the Social Security
 13 Act (42 U.S.C. 1395f(a)(7)(D)(i)(II)) is amended by
 14 striking “and during the 151-day period beginning on the
 15 first day after the end of such emergency period” and in-
 16 serting “and, in the case that such emergency period ends
 17 before December 31, 2026, during the period beginning
 18 on the first day after the end of such emergency period
 19 described in such section 1135(g)(1)(B) and ending on
 20 December 31, 2026”.

21 **SEC. 8. EXTENSION OF SAFE HARBOR FOR ABSENCE OF DE-**
 22 **DUCTIBLE FOR TELEHEALTH.**

23 Section 223(c)(2)(E) of the Internal Revenue Code
 24 of 1986 is amended by striking “and before January 1,
 25 2023,” and inserting “and before January 1, 2027,”.

1 **SEC. 9. FUNDING FROM MEDICARE IMPROVEMENT FUND.**

2 Section 1898(b)(1) of the Social Security Act (42
3 U.S.C. 1395jjj(b)(1)) is amended by striking
4 “\$7,500,000,000” and inserting “\$0”.

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