



March 6, 2023

The Honorable Zack Stephenson
Chair, Commerce Finance and Policy Committee
Minnesota House of Representatives
Room 10, State Office Building
100 Rev. Dr. Martin Luther King Jr. Blvd.
Saint Paul, MN 55155

The Honorable Carlie Kotyza-Witthuhn
Vice Chair, Commerce Finance and Policy Committee
Minnesota House of Representatives
Room 10, State Office Building
100 Rev. Dr. Martin Luther King Jr. Blvd.
Saint Paul, MN 55155

RE: ATA ACTION SUPPORT OF HF 1706

Dear Chair Stephenson, Vice Chair Kotyza-Witthuhn, and members of the House Commerce and Finance Policy Committee,

On behalf of ATA Action, I am writing you to comment and express our support for House File 1706.

ATA Action, the American Telemedicine Association's affiliated trade association focused on advocacy, advances policy to ensure all individuals have permanent access to telehealth services across the care continuum. ATA Action supports the enactment of state and federal telehealth policies to secure telehealth access for all Americans, including those in rural and underserved communities. ATA Action recognizes that telehealth and virtual care have the potential to truly transform the health care delivery system – by improving patient outcomes, enhancing safety and effectiveness of care, addressing health disparities, and reducing costs – if only allowed to flourish.

HF 1706 will protect an important step forward for Minnesota's telehealth policy. The bill removes the sunset date for which certain audio-only communication is included under the definition of telehealth for coverage and reimbursement purposes. This will ensure that mental health and substance use disorder patients who have come to rely on audio-only modalities of healthcare will not have their care interrupted and continues extended access to high-quality healthcare for Minnesota patients.

ATA Action supports the adoption of technology-neutral telemedicine policies that enable practitioners to utilize synchronous, (real-time) audio-visual or audio-only, and asynchronous (non-real-time) technologies in the delivery of care. ATA Action maintains that policy makers should not restrict the modalities which practitioners may use when providing care to patients, permitting licensed health care professionals to determine which technologies are sufficient to meet the standard of care for the condition presented by the patient. ATA Action is pleased to see the Legislature permanently include audio-only modalities in the definition of telehealth. This will be especially beneficial for citizens without reliable internet access, due to broadband or personal technological limitations.

ATA ACTION

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Telehealth Policy to Transform Healthcare

ATA Action does have concerns with the stipulation that audio-only is only included in the definition of telehealth for scheduled appointments that meet the standard of care. The inclusion of the scheduled appointment requirement in the bill is arbitrary given the emergency and crisis situation exception included in Sec. 3. Minnesota Statutes 2022, section 62A.673, subdivision 6(c) and the fact that this requirement is not included for any other telehealth modalities. If the standard of care is met, regardless of if the appointment is scheduled or not, then the care should be covered.

Additionally, while the permanent inclusion of audio-only telehealth modalities in the definition of telehealth is a step forward, telemonitoring services are still excluded from the definition. ATA Action encourages the committee to consider including telemonitoring services for mental health and substance use disorder patients in the definition of telehealth to further extend access to high quality care of Minnesota patients.

As far as the rate of reimbursement for telehealth services is concerned, ATA Action maintains that state policymakers should set rational guidelines that are both fair to the provider of such services and reflect the cost savings offered to the health care system by the effective use of telehealth technologies.

Thank you for your support for telehealth. We encourage you and your colleagues to support this legislation and consider other actions that will permanently expand access to telehealth care in Minnesota. Please let us know if there is anything that we can do to assist you in your efforts to adopt practical telehealth policy in Minnesota. If you have any questions or would like to engage in additional discussion regarding the telehealth industry's perspective, please contact me at kzebley@ataaction.org.

Kind regards,

A handwritten signature in black ink, appearing to read "Kyle Zebley".

Kyle Zebley
Executive Director
ATA Action

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