Congress Introduces Bills to Extend Telehealth Flexibilities



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A series of bills have been introduced in the United States House of Representatives that would extend or make permanent certain changes to Medicare telehealth rules that were adopted in response to the COVID-19 pandemic. The first bill, which was introduced on April 29, 2024, would permanently permit rural health clinics and federally qualified health centers to provide services via telemedicine. The second bill, which was introduced on April 30, 2024, would permanently expand the categories of healthcare provides who may bill Medicare for telehealth services, including occupational therapists, physical therapists, speech pathologists and audiologists.

Most recently, on May 16, 2024, the Subcommittee on Health of the House Committee on Energy and Commerce advanced a bill, entitled the Telehealth Modernization Act of 2024, which would extend certain telehealth flexibilities under Medicare that are currently set to expire at the end of 2024 through 2026, extend Medicare's hospital-at-home program, and allow audio-only telehealth services. The bill would also empower the Secretary of Health and Human Services to expand the types of healthcare provides who may provide telehealth services.

Regardless of which of these bills, if any, are ultimately adopted, practitioners would still be bound by the telehealth statutes and regulations of the state where they practice, including those governing permitted telehealth modalities (video, two way audio, etc.) and the types of practitioners who may provide telehealth services.

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