June 17, 2020

The Honorable Lamar Alexander
Chairman
Senate HELP Committee
United States Senate
Washington, DC 20510

The Honorable Patty Murray
Ranking Member
Senate HELP Committee
United States Senate
Washington, DC 20510

RE: Strengthening Access to Telehealth Beyond the COVID-19 Public Health Emergency

Dear Chairman Alexander and Ranking Member Murray:

Thank you for your continued leadership in responding to the COVID-19 public health emergency. The American Academy of Allergy, Asthma & Immunology (AAAAI) appreciates the HELP Committee convening a hearing to examine telehealth, focusing on lessons learned from the COVID-19 pandemic, and for bringing awareness to these issues. We urge Congress to make permanent the new telehealth flexibilities provided by the Centers for Medicare and Medicaid Services (CMS) in response to the COVID-19 pandemic.

Established in 1943, AAAAI is a professional organization with more than 6,700 members in the United States, Canada and 72 other countries. This membership includes board certified allergist/immunologists, other medical specialists, allied health and related healthcare professionals – all with a special interest in the research and treatment of patients with allergic and immunological diseases.

AAAAI’s members treat a variety of patients that are at a disproportionally higher risk for serious and potentially life-threatening complications related to COVID-19, including those with compromised immune systems and asthma. AAAAI’s members are also uniquely qualified to diagnose and treat seasonal allergies. During this crisis, the ability for our members to utilize telehealth services to differentiate the symptoms of COVID-19 to seasonal allergies can serve as a critical tool in both keeping patients from necessary but potentially dangerous visits to their doctor and relieve the bandwidth issues expected at physician offices, urgent care centers, and emergency rooms across the country as the virus continues to spread.

AAAAI has sought to clarify and ensure reimbursement for telehealth and other vital health care services during this pandemic so that practicing allergy and immunology (A/I) physicians can continue to provide optimal patient care during these unprecedented times.
On May 6, AAAAI sent a letter to U.S. Department of Health and Human Services (HHS) Secretary Azar urging him to work with federal partners to promulgate a rulemaking that would make permanent the virtual care and telehealth flexibilities to the extent permitted by statute. AAAAI further urged HHS to seek new authorities from Congress where current law limits HHS’ authority to waive requirements after the end of the public health emergency. AAAAI also supports efforts to increase access to telemedicine services for patients with private insurance, as well as for Medicare and Medicaid patients.

CMS has provided numerous virtual care and telehealth flexibilities through two COVID-19 Interim Final Rules with Comment (IFCs) and approved section 1135 waivers. The overall A/I practitioner and patient experience with virtual care and telehealth services has been very positive. AAAAI members report increased patient uptake of telehealth and virtual technology platforms that are helping them diagnose, treat, and manage the care of Medicare and Medicaid patients with allergies, asthma, and other respiratory and immunologic diseases.

AAAAI urges Congress to make permanent the following virtual care and telehealth flexibilities:

- Added services to the Medicare telehealth list;
- An array of non-public-facing audio and video technologies;
- Access for both new and established patients;
- Access to telehealth and virtual care services, regardless of location;
- Equitable coverage at payment rates for similar office and outpatient E/M visits;
- Elimination of site-of-service payment differentials;
- Removal of frequency limitations;
- Flexibility regarding documentation of the level of service;
- Facilitating the ability of physicians to practice across state lines; and
- Physician supervision of in-office clinical staff using communications technologies, when appropriate.

Thank you for your leadership in protecting patients during this unique and difficult crisis. The AAAAI looks forward to working with you and your staff as issues related to allergies, asthma, and immunological disorders arise and would encourage you to contact Sheila Heitzig, JD, MNM, CAE, AAAAI Director of Practice and Policy, at (414) 272-6071 or sheitzig@aaaai.org if you have any questions.

Sincerely,

Mary Beth Fasano, MD, MSPH, FAAAAAI