



September 9, 2020

Dear members of the House Health Committee:

On behalf of the undersigned organizations, we write to request that you take steps to maintain the wide range of regulatory waivers and other administrative flexibilities provided to the health care community as part of the commonwealth's response to the novel coronavirus (COVID-19) pandemic. Please support House Bill 2779, sponsored by Rep. Chris Quinn.

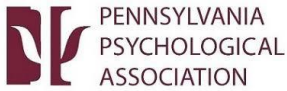
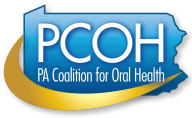
Below, we provide background information and outline a legislative proposal that will serve to ensure patient access to care over the next several months and identify regulatory red tape that should be eliminated indefinitely.

Background: As health care providers and practitioners work around the clock to prepare for and respond to COVID-19, declarations at both the federal and state level permitted administrative agencies to take steps—including the waiver of regulations—to respond to the emergency.

At the state level, these flexibilities included the following:

- **Telehealth Advancements**—Allowing for telephonic visits in the event that a patient does not have the means to connect via video, paying for the service at the same rate that would be paid for a similar in-person visit, and continuing to allow for non-traditional telehealth platforms
- **Facility Licensure**—Allowing health care providers the ability to streamline the process to provide services in other health care facilities and sites that would not otherwise be considered part of a health care facility
- **Workforce**—Expanding provider licensing to increase patient access to care, allowing supervisory requirements without changing scope to be flexible so that hospitals can shift practitioners within a facility to meet patient needs and permitting the provision of services through telehealth

Many regulatory waivers and administrative flexibilities that consumers and health care providers have come to rely upon will abruptly end, raising two significant concerns. The first concern is that the virus remains a threat, and failing to maintain the current waivers and flexibilities will make it more difficult for the health care community to respond effectively and efficiently.



The second is that consumers are now accustomed to these flexibilities—especially relating to telehealth—and the progress and momentum in this area and others will be squandered if they are allowed to lapse.

Legislative Proposal: We strongly believe that any return to pre-COVID practices should be made with caution and deliberation to avoid confusion and maintain a seamless transition, and that the General Assembly should take the necessary steps to consider what waivers are beneficial and should be maintained indefinitely.

To that end, we support a legislative proposal that includes the following elements:

- Any waivers or administrative flexibilities afforded to health care facilities or practitioners for the purpose of providing care will remain in place for one year
- Prior to the end of that one year period, the Joint State Government Commission shall prepare a report with the input of the health care community with recommendations on what waivers/flexibilities should remain in place permanently (e.g. Telehealth)
- Any waivers or administrative flexibilities adopted shall not be in violation of federal law or disqualify the commonwealth from receiving federal matching funds for Medicaid services

As the health care community contemplates delivering services in a way that can meet the demands of the “new normal”, we ask for your support to ensure that flexibilities remain in place for an appropriate period and that we seize the opportunity to retain those flexibilities and innovations that have proven effective and enhanced Pennsylvania’s health care delivery system. This legislative proposal would also allow Pennsylvania to align its policies with new flexibilities that may be provided at the federal level.

We believe we are presented with a unique opportunity to remain prepared to meet the challenges of the moment, while evaluating the best tools for improved delivery of health care to Pennsylvanians in the future.

Respectfully,

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| Healthcare Council of Western Pennsylvania | Pennsylvania Affiliate of American College of Nurse Midwives | Pennsylvania Psychological Association |
| Health Federation of Philadelphia | Pennsylvania Association of Nurse Anesthetists | Pennsylvania Society of Physician Assistants |
| LeadingAge PA | Pennsylvania Coalition for Oral Health | Rehabilitation and Community Providers Association |
| Pennsylvania Association for Behavioral Healthcare | Pennsylvania Coalition of Nurse Practitioners | Safety-Net Association of Pennsylvania |
| Pennsylvania Association of Community Health Centers | Pennsylvania Health Care Association | The Hospital and Healthsystem of Pennsylvania |