



April 12, 2019

Representative Mike Thompson
406 Cannon House Office Building
Washington, DC 20515

Representative Peter Welch
2187 Rayburn House Office Building
Washington, DC 20515

via Telehealth.RFI@mail.house.gov

Re: Request for Information regarding Comprehensive Telehealth Legislation in the 116th Congress

Dear Representatives Thompson, Welch and Members of the Congressional Telehealth Caucus,

Thank you for the opportunity to respond to your request for recommendations regarding comprehensive telehealth legislation in the 116th Congress. We appreciate the work the Congressional Telehealth Caucus has done to expand access to vital, cost-efficient telehealth and remote monitoring services across the country.

The National Association of ACOs (NAACOS) is the largest association of accountable care organizations (ACOs), representing more than 5 million beneficiary lives through 330 Medicare Shared Savings Program (MSSP), Next Generation Model, and commercial ACOs. NAACOS is an ACO member-led and member-owned nonprofit working on behalf of ACOs across the nation to improve the quality of Medicare, population health, outcomes, and healthcare cost efficiency. Our members want to see an effective, coordinated, patient-centric care process.

The ACO model is a market-based solution to fragmented and costly care that empowers local physicians, hospitals, and other providers to work together and take responsibility for improving quality, enhancing patient experience, and reducing waste. The number of ACOs in Medicare has grown considerably in recent years and included nearly 650 ACOs in 2018, covering 12.3 million beneficiaries. ACOs have been instrumental in the shift to value-based care and utilize cost-saving tools like telehealth to better reach their patient populations.

We wish to thank the Caucus for your work in the 115th Congress and, specifically, the significant time invested in the CONNECT (Creating Opportunities Now for Necessary and Effective Care Technologies) for Health Act of 2017, parts of which were enacted by Congress as part of the Bipartisan Budget Act of 2018 (BBA). Section 50324 of the BBA allows ACOs participating in a two-sided risk tracks to expand the use of telehealth by lifting certain geographic and site-of-care statutory restrictions. The enactment of BBA Section 50324 will be critical for ACOs as they seek to fulfill their mission of advancing higher quality, lower cost care for Medicare beneficiaries.

We recommend the Caucus consider extending BBA Section 50342 to provide ACOs participating in *one-sided* risk tracks the same flexibilities to utilize telehealth as is permitted for two-sided risk track ACOs. Specifically, we recommend that Congress allow the home setting to satisfy the originating site requirement and that Congress waive the geographic limitation for the provision of telehealth services under Section 1834(m) of the Social Security Act.

In 2018, more than 80 percent of Medicare ACOs were in one-sided risk models, so the benefits of Section 50324 could be greatly expanded by allowing one-sided risk ACOs to reach patients via telehealth technologies. Like two-sided risk ACOs, one-sided risk ACOs are incentivized to lower costs and could use expanded telehealth modalities to do so if not constrained by the current statutory restrictions.

Further, under new Medicare ACO program rules that start July 1, 2019, the Centers for Medicare & Medicaid Services has reduced the number of years that new, one-sided risk ACOs have to move to two-sided risk from six years to two years (or three years in certain circumstances). Given this new, expedited timeline, ACOs could be persuaded to enter this voluntary program if they have access to tools like telehealth to best manage patient care and cost before taking on financial risk.

Thank you for the opportunity to provide feedback to the Caucus regarding comprehensive telehealth legislation in the 116th Congress. Please contact NAACOS staff at advocacy@naacos.com if you have any questions about our comments.

Sincerely,



Clif Gaus, CEO

CC: Representative David Schweikert
Representative Bill Johnson
Senator Brian Schatz
Senator Roger Wicker
Senator John Thune
Senator Ben Cardin
Senator Mark Warner
Senator Cindy Hyde-Smith