

117TH CONGRESS
1ST SESSION

H. R. 2168

To amend title XVIII of the Social Security Act to expand the scope of practitioners eligible for payment for telehealth services under the Medicare program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 23, 2021

Ms. SHERRILL (for herself, Mr. MCKINLEY, Mr. MORELLE, Mr. FITZPATRICK, Mr. SIRES, Ms. TENNEY, Mrs. BEATTY, Mr. RODNEY DAVIS of Illinois, Mr. RUSH, Mr. YOUNG, Ms. BARRAGÁN, Mr. TONKO, Ms. BLUNT ROCHESTER, Mr. BISHOP of Georgia, Mr. CARSON, and Mr. O'HALLERAN) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title XVIII of the Social Security Act to expand the scope of practitioners eligible for payment for telehealth services under the Medicare program, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Expanded Telehealth
5 Access Act”.

1 **SEC. 2. EXPANDING THE SCOPE OF PRACTITIONERS ELIGI-**
2 **BLE FOR PAYMENT FOR TELEHEALTH SERV-**
3 **ICES UNDER MEDICARE.**

4 (a) **TELEHEALTH PROVIDER PARITY.**—Section
5 1834(m) of the Social Security Act (42 U.S.C. 1395m(m))
6 is amended—

7 (1) in paragraph (1)—

8 (A) by striking “described in section
9 1842(b)(18)(C)” and inserting “as described in
10 paragraph (4)(E)”; and

11 (B) by striking “individual physician or
12 practitioner” and inserting “individual physi-
13 cian or practitioner described in paragraph
14 (4)(E)”;

15 (2) in paragraph (2)—

16 (A) by striking “practitioner” each place it
17 appears and inserting “practitioner as described
18 in paragraph (4)(E)” each such place;

19 (B) by inserting before “located at a dis-
20 tant site” the following “(or, in the case of an
21 occupational therapy assistant described in
22 paragraph (4)(E)(ii)(II) or a physical therapist
23 assistant described in paragraph (4)(E)(ii)(III),
24 shall pay with respect to such assistant)”; and

25 (C) by inserting “(or, in the case of an oc-
26 cupational therapy assistant described in para-

1 graph (4)(E)(ii)(II) or a physical therapist as-
2 sistant described in paragraph (4)(E)(ii)(III),
3 the amount that would have been paid under
4 this title with respect to such assistant)” after
5 “would have been paid under this title”;

6 (3) in paragraph (3)—

7 (A) in subparagraph (A), by striking “or
8 practitioner” and inserting “or practitioner de-
9 scribed in paragraph (4)(E)”;

10 (B) in subparagraph (B), by inserting “de-
11 scribed in subparagraph (C) of such section”
12 after “practitioners”;

13 (4) in paragraph (4)—

14 (A) in each of subparagraphs (A) and (C),
15 by inserting “described in paragraph (4)(E)”
16 after “practitioner”;

17 (B) by amending subparagraph (E) to read
18 as follows:

19 “(E) PRACTITIONER DESCRIBED.—The
20 term ‘practitioner’ means any of the following:

21 “(i) A practitioner described in section
22 1842(b)(18)(C).

23 “(ii) With respect to services fur-
24 nished on or after the date of enactment of

1 the Expanded Telehealth Access Act, a li-
2 censed—

3 “(I) qualified audiologist (as de-
4 fined in section 1861(ll)(4)(B);

5 “(II) occupational therapist and
6 occupational therapy assistant under
7 the supervision of an occupational
8 therapist;

9 “(III) physical therapist and
10 physical therapist assistant under the
11 supervision of a physical therapist;

12 “(IV) qualified speech-language
13 pathologist (as defined in section
14 1861(ll)(4)(A));

15 “(V) facility described in para-
16 graph (8) or (9) of section 1833(a)
17 that furnishes telehealth therapy serv-
18 ices; and

19 “(VI) any additional health care
20 provider, as specified by the Sec-
21 retary, who participates under this
22 title and furnishes a service that is in-
23 cluded as a telehealth service under
24 this subsection.”.

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