

To: Senate Health & Welfare and House Health Care Committees
From: The Coalition of Health Care Provider Associations (list below)
Date: February 3, 2021
RE: Drafting Request 21-0729, Extending the Time-Limited Act 91 and Act 140 Provisions Related to COVID-19

The informal coalition of health care provider associations thanks the Senate Health & Welfare and House Health Care Committees for taking up the important issue of extending the time-limited Act 91 and Act 140 provisions related to COVID-19. Extending these deadlines is a top priority for our organizations, allowing us to continue to serve Vermont patients while allowing flexibility to respond to the ever-changing demands of the pandemic. We have had a chance to review Drafting Request 21-0729, Draft 1.2, presented to the Senate Health & Welfare Committee yesterday and support this draft.

In summary, we support the deadlines for all sections included in Draft 1.2 other than 8(c) to be extended 3 months beyond the end of the declared public health emergency, or alternatively until March 2022. We support Section (8)(c) regarding audio-only telehealth services being extended until January 1, 2024.

Requesting all be extended 3 months past the end of the declared public health emergency (or to March 2022):

- Sec. 1: AHS modify rules to protect access/financial viability of providers (3/31/21)
- Sec. 3: Protections for employees of health care providers and facilities (3/31/21)
- Sec. 4: AHS health care & human services provider/staffing rules (3/31/21)
- Sec 6: Medicaid provider enrollment/health insurance provider credentialing (state/federal state of emergency)
- Sec 8(b): DFR rules regarding waiver of cost sharing; deductibles for prescription drugs
- Sec. 9: Early refill of maintenance medications (6/30/21)
- Sec. 10: Pharmacy may extend prescription that has no refills (6/30/21)
- Sec. 11: Prescription drug substitution with patient consent (3/31/21)
- Sec. 12: Prescriber can renew buprenorphine prescription w/out office visit (3/31/21)
- Sec. 13: AHS reimbursement for 24-hr services and bed-hold days (3/31/21)
- Sec. 17: OPR and BOM out-of-state health care professional deemed licensed (3/31/21)
- Sec. 18: OPR and BOM retired health care workers register/temporary licensing (3/31/21)

Sec. 20: OPR and BOM Directors can exercise power of regulatory boards (3/31/21)

Sec. 21: OPR and BOM issue orders (3/31/21)

Sec. 26: Telehealth - HIPAA and consent waivers (3/31/21)

Sec. 14 (of Act 140): OPR temporary licensure (3/31/21)

Sec. 15 (of Act 140): BOM temporary licensure (3/31/21)

Request extension to January 1, 2024, allowing DFR to extend reimbursement for audio-only telephone services to that point or until an alternative payment model is developed, consistent with [DFR Audio-Only Telephone Services Report, Section 7:](#)

Sec. 8(c): access to and reimbursement for telehealth, audio-only telephone and brief telecommunication services

Health Care Provider Association Coalition Members include:

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