



March 28, 2022

The Honorable Virginia Lyons
Chair, Vermont Senate Committee on Health and Welfare
Vermont State Senate
115 State Street
Montpelier, VT 05633

The Honorable Ruth Hardy
Vice Chair, Vermont Senate Committee on Health and Welfare
Vermont State Senate
115 State Street
Montpelier, VT 05633

RE: ATA ACTION SUPPORT FOR HOUSE BILL 655

Dear Chair Lyons and Vice Chair Hardy,

On behalf of ATA Action, I am writing you to express our support for House Bill 655 relating to telehealth.

ATA Action, the American Telemedicine Association's affiliated trade association focused on advocacy, advances policy to ensure all individuals have permanent access to telehealth services across the care continuum. ATA Action supports the enactment of state and federal telehealth coverage and fair payment policies to secure telehealth access for all Americans, including those in rural and underserved communities. ATA Action recognizes that telehealth and virtual care have the potential to truly transform the health care delivery system – by improving patient outcomes, enhancing safety and effectiveness of care, addressing health disparities, and reducing costs – if only allowed to flourish.

House Bill 655 would serve as a rational expansion of Vermont's telehealth policy. The proposed legislation would enact a regulatory system that would allow out-of-state providers to become licensed or registered to deliver telehealth services to Vermont residents. The telehealth license would be valid for two years and would allow out-of-state providers to care for no more than 20 unique Vermont patients or clients. The telehealth registration would be valid for 120 days and would enable providers licensed in other jurisdictions to deliver telehealth services to 10 or fewer Vermont patients or clients.

ATA Action applauds the Legislature for seeking to expand access to telehealth by permitting out-of-state providers to attain a telehealth license or registration. Such opportunities will facilitate interactions between Vermont patients and providers located outside the state more effectively than ever before, a benefit that will help ease the demand for high-quality health care that has affected Vermont residents since the onset of the pandemic. By permitting out-of-state health care providers who maintain good standing in their own states to practice into the state, Vermont patients will have the opportunity to connect with qualified health care providers whenever and wherever their need for care arises.

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Making these amendments to allow out-of-state providers to practice telehealth in Vermont would be in line with national public policy since the onset of the COVID-19 pandemic. Governors and legislatures across the country quickly responded to the spread of COVID-19 by providing licensure flexibilities that allowed out-of-state providers who were licensed and in good standing in their home states to practice without having to navigate the often-burdensome licensure requirements of other states. This public policy experiment was met with great success, as patients with non-emergent conditions and behavioral health issues were given the opportunity to receive timely care via telehealth technologies. In response to these flexibilities, our member organizations leveraged their technology platforms and provider networks to increase the supply of health care professionals dramatically to meet surges in demand, ultimately serving millions of Americans who would otherwise never have received care. Notably, there was not an increase in patient complaints nor reported harm to patients from the implementation of these policies nationwide.

While we are generally supportive of the provisions in House Bill 655, ATA Action suggests that the Legislature enables providers who are licensed to practice telehealth in Vermont to care for as many patients as possible, not just 20 unique patients over the two-year period during which the license is valid. Our organization believes that patients should be able to receive telehealth services from their preferred providers – regardless of that provider’s physical location – so long as the providers are licensed and in good standing in their home states, are utilizing the appropriate technology to uphold the established standard of care, and can still be held accountable by the appropriate Vermont boards and state agencies should any issues arise from treatment of Vermont patients. Policies which enable out-of-state providers to practice at the top of their licenses and deliver high-quality health care via telehealth remove arbitrary geographical barriers that limit patient access to health care services. If a provider is licensed to practice telehealth in Vermont, then we believe that this provider should be able to deliver care within the scope of that license to as many patients as he or she wishes.

Thank you for your support for telehealth. We encourage you and your colleagues to pass House Bill 655 and consider our amendments in the interest of expanding Vermont patients’ access to affordable, high-quality care. Please let us know if there is anything that we can do to assist you in your efforts to adopt practical telehealth policy in Vermont. If you have any questions or would like to engage in additional discussion regarding the telehealth industry’s perspective, please contact me at kzebley@ataaction.org.

Kind regards,

A handwritten signature in black ink, appearing to read "Kyle Zebley", written in a cursive style.

Kyle Zebley
Executive Director
ATA Action

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