

118TH CONGRESS
1ST SESSION

H. R. 3875

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

JUNE 6, 2023

Ms. SHERRILL (for herself, Mrs. HARSHBARGER, Ms. BLUNT ROCHESTER, Mr. CARSON, Mr. VALADAO, Mrs. KIGGANS of Virginia, Mr. POCAN, Mr. THOMPSON of Pennsylvania, Mr. MANN, Ms. PINGREE, Mr. CARBAJAL, Mr. VEASEY, Ms. PEREZ, Ms. WILD, Mr. STANTON, Mr. BACON, Mr. ALLRED, and Mr. GOTTHEIMER) 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 (2)—

8 (A) by inserting before “located at a dis-
9 tant site” the following “(or, in the case of an
10 occupational therapy assistant described in
11 paragraph (4)(E)(ii)(II) or a physical therapist
12 assistant described in paragraph (4)(E)(ii)(III),
13 shall pay with respect to such assistant)”; and

14 (B) by inserting “(or, in the case of an oc-
15 cupational therapy assistant described in para-
16 graph (4)(E)(ii)(II) or a physical therapist as-
17 sistant described in paragraph (4)(E)(ii)(III),
18 the amount that would have been paid under
19 this title with respect to such assistant)” after
20 “would have been paid under this title”;

21 (2) in paragraph (3)(B), by inserting “de-
22 scribed in subparagraph (C) of such section” after
23 “practitioners”; and

24 (3) in paragraph (4), by amending subpara-
25 graph (E) to read as follows:

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

3 “(i) A practitioner described in section
4 1842(b)(18)(C).

5 “(ii) With respect to services fur-
6 nished on or after the date of enactment of
7 the Expanded Telehealth Access Act, a li-
8 censed—

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

11 “(II) occupational therapist and
12 occupational therapy assistant under
13 the supervision of an occupational
14 therapist;

15 “(III) physical therapist and
16 physical therapist assistant under the
17 supervision of a physical therapist;

18 “(IV) qualified speech-language
19 pathologist (as defined in section
20 1861(ll)(4)(A));

21 “(V) facility described in para-
22 graph (8) or (9) of section 1833(a)
23 that furnishes telehealth therapy serv-
24 ices; and

1 “(VI) any additional health care
2 provider, as specified by the Sec-
3 retary, who participates under this
4 title and furnishes a service that is in-
5 cluded as a telehealth service under
6 this subsection.”.

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