



February 24, 2021

The Honorable Fred S. Martin
Chair, Idaho Senate Health and Welfare Committee
Idaho State Senate
700 W. Jefferson St.
Boise, ID 83702

The Honorable Peter Riggs
Vice Chair, Idaho Senate Health and Welfare Committee
Idaho State Senate
700 W. Jefferson St.
Boise, ID 83702

RE: ATA COMMENTS ON SENATE BILL 1126

Dear Chair Martin and Vice Chair Riggs,

I am writing you today on behalf of the American Telemedicine Association (ATA) and the over 400 organizations we represent, offering suggestions on language proposed in Senate Bill 1126.

The ATA is the only organization dedicated solely to the advancement of telehealth in the United States. Our mission is to provide Americans with high-quality, affordable health care at any place and any time. The use of telehealth services helps to ease the burden placed on the nation's health care infrastructure, allowing the system to deliver services to millions more patients efficiently and effectively. The ATA represents a diverse and expansive coalition of technology solution providers and payers, as well as partner organizations and alliances, working together to promote the implementation of telehealth across the country, endorse responsible telehealth policy, encourage government and market normalization, and deliver education and resources designed to further the integration of virtual care through the use of various innovative technologies.

Senate Bill 1126 makes several changes to Idaho's state telehealth policy. The ATA commends the legislature for its efforts to expand access to telehealth in Idaho. By allowing patients to receive virtual care without a prior in-person evaluation when appropriate and permitting providers to prescribe much-needed medications to their patients via virtual care technologies, Idaho will expand patient access to quality health care. The use of technologies in the delivery of health care services throughout the COVID-19 pandemic has provided further evidence to demonstrate that, when used appropriately, virtual care technologies provide patients with a safe and convenient means of interacting with their providers in the process of receiving high-quality, affordable health care.

While the ATA applauds the legislature's efforts to permit the establishment of provider-patient relationships virtually, we urge you to consider technology-neutral language in telehealth-related policies. According to BroadbandNow, an organization that measures internet coverage and reliability across the United States, over 300,000 Idaho residents do not have consistent access to the bandwidth necessary to



operate synchronous modalities, like as technologies that allow for real-time, audio-visual interactions. In neglecting to permit the use of asynchronous modalities in the establishment of provider-patient relationships, the legislature makes receiving virtual care services more difficult for unserved and underserved Idaho residents who do not have access to the high-speed internet necessary to utilize synchronous technologies. The ATA recommends that the legislature adopt the language that is suggested in Senate Bill 1127 (regarding the establishment of a provider-patient relationship using virtual care technologies) to reflect these comments. This suggested language is consistent with the amended language in SB 1126 regarding the “evaluation and treatment” of a patient pursuant to the establishment of a valid provider-patient relationship. You will note that language allows for a patient evaluation via virtual care in a manner sufficient to diagnose and treat a patient without further limitation on technology. That same “sufficient” technology should be statutorily acceptable to establish a valid provider-patient relationship

Again, we thank you for your interest in and support for telehealth. We urge the Idaho legislature to pass Senate Bill 1126 with our recommended amendments. In the context of the ongoing pandemic, it is critical that we codify policies that will make it easier for Idaho residents to access affordable, quality care from the safety of their homes.

Please do not hesitate to let us know how we can be helpful to your efforts to advance rational and effective telehealth policy in Idaho. If you have any questions or would like to know more about the telehealth industry’s perspective, please contact kzebley@americantelemed.org.

Kind regards,

A handwritten signature in black ink that reads "Kyle Zebley".

Kyle Zebley
Public Policy Director
American Telemedicine Association