



February 8, 2021

The Honorable Kimberly Poore Moser
Chairwoman, Kentucky House Health and Family Services Committee
Kentucky House of Representatives
702 Capital Ave., Annex Room 315
Frankfort, KY 40601

The Honorable Melinda Gibbons Prunty
Vice-Chairwoman, Kentucky House Health and Family Services Committee
Kentucky House of Representatives
702 Capital Ave., Annex Room 373A
Frankfort, KY 40601

RE: ATA AMENDMENTS TO LANGUAGE PROPOSED IN HOUSE BILL 140

Madame Chair Moser and Madame Vice-Chair Prunty:

On behalf of the American Telemedicine Association (ATA) and the over 400 organizations we represent, I am writing you to support and suggest amendments to House Bill 140.

The ATA is the only national organization whose mission revolves solely around the advancement of telehealth. Our utmost priority is ensuring that Americans have the ability to receive affordable, high-quality health care when and where they need it. The expansion of telehealth infrastructure around the country eases strain on the overburdened health care system, enabling it to provide care for millions more patients every year in an efficient and effective manner. 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.

The expanded use of telehealth to respond to the COVID-19 pandemic has provided additional evidence to demonstrate that, when used appropriately, telemedicine and the use of safe and efficient technologies to deliver virtual care to patients improves health care quality and outcomes while reducing the cost of that care. Providers are increasingly relying on both synchronous and asynchronous technologies - including audio-only, store-and-forward, and remote patient monitoring technologies - to push care out of the hospital or doctor's office and into the home, where providers can continually monitor, collect and analyze a patient's physiologic data on a real-time basis to create a care management plan. As patients and consumers seek more convenient and affordable ways to access health care, state policy should not pick winners and losers in terms of the technological modalities appropriate for telehealth but should rely on the discretion and expertise of licensed professionals to determine which technologies are sufficient to meet the standard of care for the condition presented by the patient.



The ATA appreciates the legislature's inclusion of both synchronous and asynchronous technologies in its revised insurance-related and public health-related definitions of telehealth, and we want to emphasize our commitment to promoting consistent, technology-neutral language in policies regarding telehealth across the Code - including in state practice Code sections. As patients and consumers seek more convenient and affordable ways to access healthcare, state policy and regulatory boards should not mandate that providers use certain types of technology or modalities to deliver virtual care, should not establish rules that require in-person examinations to establish a practitioner-patient relationship, nor should they hold telehealth practitioners to a different standard of care than traditional practitioners. The healthcare standards are the same; the only difference is the modality in which the services are delivered. We encourage you and your colleagues to adopt policies that empower providers to utilize an assortment of technologies and allow for flexibility regarding future technological innovations.

The ATA thanks you for your interest in telehealth and your leadership in commissioning a study regarding telehealth in Kentucky. We urge you and your colleagues to consider the potential effects of several aspects of this bill on Kentucky residents' ability to have quick and safe access to their much-needed health care services throughout the global health crisis. Please do not hesitate to let us know how we can be helpful to your efforts to advance common-sense telehealth policy in Kentucky. If you have any questions or would like to further discuss the telehealth industry's perspective, please contact me at kzebley@americantelemed.org.

Kind regards,

A handwritten signature in black ink, appearing to read "Kyle Zebley", is written over a light gray circular watermark that contains the text "AMERICAN TELEMEDICINE ASSOCIATION".

Kyle Zebley
Public Policy Director
American Telemedicine Association