



February 1, 2020

The Honorable Wayne H. Steinhauer
Chairman, South Dakota Senate Health and Human Services Committee
South Dakota State Senate
500 E Capitol Ave.
Pierre, SD 57501

The Honorable Erin Tobin
Vice-Chairwoman, South Dakota Senate Health and Human Services Committee
South Dakota State Senate
500 E Capitol Ave.
Pierre, SD 57501

RE: ATA SUPPORT FOR SENATE BILL 96

Dear Chairman Steinhauer and Madame Vice-Chair Tobin,

On behalf of the American Telemedicine Association (ATA) and the over 400 organizations we represent, I am writing to express our support for Senate Bill 96.

The ATA is the only national organization whose mission revolves solely around the advancement of telehealth in the United States. Our utmost priority is ensuring that Americans have the ability to receive affordable, first-rate 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.

Senate Bill 96 provides important additions to South Dakota's state telehealth policy that the ATA fully embraces. The bill revises the state's definition of telemedicine, abolishing restrictions on the use of audio-only telephones, electronic mail messages, text messages, mail services, facsimile transmissions, or any combinations thereof in the practice of telehealth. The proposed legislation also allows for the establishment of health provider-practitioner relationships virtually.

The ATA strongly supports the legislature's efforts to promote technology-neutral language in South Dakota. Regardless of the modality used to deliver care, the ATA believes that state policy should not mandate which technologies are more appropriate than others when telehealth services are provided so long as the standard of care is met. The benefits of establishing a technology-neutral telehealth landscape include removing barriers to access for citizens in rural areas, allowing patients and practitioners to



discuss diagnoses and treatments on their own time, and triaging patients with COVID-19 symptoms without requiring these individuals to enter a health care facility physically.

Additionally, the ATA supports the legislature's amendment to make clear a valid health provider-patient relationship can be established with the modalities approved for use in the practice of telehealth. The ATA maintains that the appropriate technologies utilized in the practice of telehealth should allow patients to establish relationships with health care professionals so long as the practitioner has obtained the patient's consent for the use of telehealth as an acceptable mode of delivering medical services and verified the patient's identity alongside the practitioner's revealing of his or her identity and credentials. In recognizing that patients and practitioners form relationships virtually, this proposed legislation will make it easier for South Dakotans to receive care from their preferred providers regardless of their physical location. In the context of the ongoing pandemic, it is essential that South Dakotans are able to access affordable, high-quality health care even when medical offices are closed. By allowing patients and practitioners to establish relationships using innovative technologies, the legislature will enable patients to get the high-quality care they need whenever and wherever they need it.

The ATA is confident that SB 96 will enhance access to affordable, quality health care across South Dakota. South Dakota's increasingly accommodating statutory telehealth framework will promote the further use of and innovation in telehealth technologies in the state, benefitting patients and practitioners alike by creating a patient-centered health care experience.

Again, we thank you for your advocacy on telehealth. We urge you and your colleagues to vote favorably on SB 96. Please let us know if there is anything we can do to help you advance common-sense telehealth policy in South Dakota. If you have any questions or would like engage in additional discussions surrounding 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 positioned above the typed name.

Kyle Zebley
Public Policy Director
American Telemedicine Association