



February 24, 2022

The Honorable Fred S. Martin
Chair, Idaho Senate Health and Welfare Committee
Idaho State Senate
700 West Jefferson Street
Boise, Idaho 83702

RE: ATA ACTION SUPPORT FOR SENATE BILL 1328

Dear Chairman Martin,

On behalf of ATA Action, I am writing to express our support for Senate Bill 1328.

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.

In March 2020, Idaho Governor Brad Little waived several regulations related to telehealth in an effort to provide maximum flexibility for health care providers to treat patients during the COVID-19 public health emergency. Governor Little subsequently made those waivers permanent through an executive order in June 2020. Several of those rules focused on expanding telehealth platforms to improve access to care, particularly for rural citizens.

As a way to further expand patient choice when it comes to accessing care, Senator Peter Riggs recently introduced Senate Bill 1328. The bill would expand the definition of telehealth to permit providers to treat patients through asynchronous platforms and would enable providers to establish provider-patient relationships via asynchronous interactions.

ATA Action applauds this effort to enact technology-neutral statute in Idaho. Our organization believes that so long as the provider delivering telehealth services determines, in his or her professional opinion, that the technologies being used to render care are sufficient to meet the standard of care for the condition presented by the patient, that provider should be able to use whichever technologies he or she wishes – whether they be synchronous or asynchronous modalities – to establish professional relationships with and deliver high-quality care to patients. Asynchronous telehealth technologies empower patients and providers to communicate and exchange important health information when it is convenient for them, not just in real time. It

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allows providers to meet patients at the time and place that works best for them, granting them far more flexibility and choice. The legislation maintains existing patient safety safeguards by requiring adherence to the standard of care.

Senate Bill 1328 also helps address the rural-urban digital divide, as those in urban areas have more expeditious access to in-person care and faster Internet speeds required for video telehealth visits. Across Idaho, over 300,000 people do not have access to the broadband necessary to utilize audiovisual modalities reliably. Permitting providers to use asynchronous technologies would greatly expand access to these technologically underserved communities. Additionally, asynchronous telehealth also helps patients to overcome shame and stigma when seeking treatment for certain conditions. Finally, this bill would help relieve health care provider burnout and burdens while maintaining the standard of care.

Since the start of the pandemic, a majority of states have moved to permit asynchronous technologies for telehealth services permanently. Many Idahoans, especially those in rural and other medically underserved communities, need the Legislature to act. We urge you to move forward with Senate Bill 1328 to give Idahoans the opportunity to meet with their health care providers in a manner that is most convenient for them and expand their access to high-quality, affordable care. Please let us know if there is anything that we can do to assist you in your efforts to adopt practical telemedicine policy in Idaho. If you have any questions or would like to engage in additional discussion regarding the telemedicine industry's perspective, please contact me at kzebley@ataaction.org.

Kind regards,

A handwritten signature in black ink, appearing to read "Kyle Zebley", is written over a light gray circular stamp.

Kyle Zebley
Executive Director
ATA Action