



February 7, 2022

The Honorable Jeb Bradley  
Chairman, New Hampshire Senate Health and Human Services Committee  
New Hampshire State Senate  
107 N. Main St., Room 302  
Concord, NH 03301

The Honorable James Gray  
Vice Chairman, New Hampshire Senate Health and Human Services Committee  
New Hampshire State Senate  
107 N. Main St., Room 302  
Concord, NH 03301

**RE: ATA SUPPORT FOR SENATE BILL 390**

Dear Chairman Bradley and Vice Chairman Gray,

On behalf of ATA Action, I am writing you to express our strong support for Senate Bill 390 relating to telemedicine.

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 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.

Senate Bill 390 serves as a rational expansion of New Hampshire's state telemedicine policy. The proposed legislation revises the definitions of telemedicine and telehealth to include synchronous and asynchronous interactions explicitly. The bill also enables providers to establish provider-patient relationships via telemedicine examinations.

ATA Action applauds the Legislature for establishing a technology-neutral definition of telemedicine. Our organization believes that licensed practitioners should be able to utilize the full range of available telemedicine technologies while delivering virtual care so long as the technologies being used are appropriate to meet the standard of care for the condition presented by the patient. Amending the definition of telemedicine to include synchronous and asynchronous technologies explicitly will ensure that New Hampshire providers can use the wide assortment of appropriate telemedicine technologies that are already available while opening the door for the use of future innovations in the delivery of virtual care.

**ATA ACTION**

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Our organization also commends the Legislature for enabling providers to establish provider-patient relationships via telemedicine examinations. We believe that so long as the practitioner obtains the patient's consent for the use of telemedicine services, verifies the patient's identity, and discloses his or her own identity and credentials, he or she should be able to use synchronous or asynchronous technologies to establish a provider-patient relationship. If passed as currently written, New Hampshire providers would be able to establish professional relationships with each other using synchronous or asynchronous technologies so long as the modality used were sufficient to meet the standard of care, making it much easier for New Hampshire patients to connect with their providers and receive the care they need. Such a provision would benefit most pertinently rural and underserved communities, as many individuals in these communities do not have access to the high-speed broadband capabilities necessary to operate real-time audiovisual technologies.

Thank you for your support for telemedicine. We encourage you and your colleagues to pass Senate Bill 390 in the interest of expanding New Hampshire patients' access to affordable, high-quality 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 New Hampshire. 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](mailto:kzebley@ataaction.org).

Kind regards,

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

Kyle Zebley  
Executive Director  
ATA Action