



February 23, 2022

The Honorable Paul Bailey  
Chair, Tennessee Senate Commerce and Labor Committee  
Tennessee State Senate  
Cordell Hull Building  
425 Rep. John Lewis Way N., Suite 736  
Nashville, TN 37243

The Honorable Art Swann  
1<sup>st</sup> Vice-Chair, Tennessee Senate Commerce and Labor Committee  
Tennessee State Senate  
Cordell Hull Building  
425 Rep. John Lewis Way N., Suite 748  
Nashville, TN 37243

The Honorable Frank Niceley  
2<sup>nd</sup> Vice-Chair, Tennessee Senate Commerce and Labor Committee  
Tennessee State Senate  
Cordell Hull Building  
425 Rep. John Lewis Way N., Suite 712  
Nashville, TN 37243

**RE: ATA ACTION COMMENTS ON SENATE BILL 2453**

Dear Chair Bailey and Vice-Chairs Swann and Niceley:

On behalf of ATA Action, I am writing you to comment on Senate Bill 2453.

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 – including teledentistry 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.

Senate Bill 2453 would toll during states of emergency the requirement for an in-person encounter between a healthcare services provider, the healthcare services provider's practice group, or the healthcare system and the patient within 16 months prior to interactive provider-based telemedicine visits.

**ATA ACTION**

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ATA Action believes that this bill would represent a step in the right direction for provider-based telemedicine policy in Tennessee. Throughout the pandemic, telemedicine technologies have enabled patients and providers to interact more efficiently and conveniently than ever before – often from the comfort and safety of their own homes. Tolling the in-person requirement will make it much easier for patients to stay connected with their preferred providers, as patients will no longer have to travel long distances or take time off from work in order to receive the high-quality care they deserve. Such a provision will benefit most pertinently rural and underserved communities that do not have easy access to brick-and-mortar health care offices.

Instead of tolling this requirement during states of emergency, our organization suggests eliminating this in-person requirement for provider-based telemedicine altogether. ATA Action maintains that providers should be able to utilize whichever telemedicine technologies they wish in the process of establishing a patient-provider relationship and rendering care so long as those technologies are sufficient to meet the standard of care for the condition presented by the patient. Placing temporal restrictions on the ability of provider-based telemedicine providers to consult with patients virtually serves as an arbitrary barrier to patient care and makes it more difficult for Tennesseans to access the care they need. Provider discretion together with patient choice should govern when and how often a patient should receive in-person care.

We encourage the Legislature to consider our suggestions and pass this bill in the interest of ensuring that all Tennesseans have access to the care they need and deserve. Thank you for your support of telemedicine, and please do not hesitate to let us know how we can be helpful to your efforts to advance common-sense telemedicine policy in Tennessee. If you have any questions or would like to discuss the telehealth industry's perspective further, 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 grey circular watermark.

Kyle Zebley  
Executive Director  
ATA Action

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