



March 28, 2022

The Honorable David Bentz  
Chair, Delaware House Health & Human Development Committee  
Delaware House of Representatives  
411 Legislative Ave.  
Dover, DE 19901

The Honorable Melissa Minor-Brown  
Vice Chair, Delaware House Health & Human Development Committee  
Delaware House of Representatives  
411 Legislative Ave.  
Dover, DE 19901

**RE: ATA ACTION SUPPORT FOR HOUSE BILL 334**

Dear Chair Bentz and Vice Chair Minor-Brown,

On behalf of ATA Action, I am writing you to express our support for House Bill 334 relating to telehealth.

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.

House Bill 334 would serve as a rational expansion of Delaware's telehealth policy. The proposed legislation would permit health care providers who are licensed in states other than Delaware to deliver health care services by telehealth and telemedicine so long as a provider-patient relationship has been established. This provider-patient relationship may be established via telehealth technologies.

ATA Action applauds the legislature for seeking to expand access to telehealth by permitting out-of-state providers to deliver virtual care to established patients as provided in the legislation. Our organization believes that patients should be able to receive telehealth services from their preferred providers – regardless of that provider's physical location – so long as the providers are licensed and in good standing in their home states, are utilizing the appropriate technology to uphold the established standard of care, and can still be held accountable by the appropriate

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Delaware boards and state agencies should any issues arise from treatment of Delaware patients. By permitting out-of-state health care providers who maintain good standing in their own states to practice into the state, Delaware patients will have the opportunity to connect with qualified health care providers whenever and wherever their need for care arises. Policies which enable out-of-state providers to practice at the top of their licenses and deliver high-quality health care via telehealth remove arbitrary geographical barriers that limit patients' access to the health care services they want, need, and deserve.

Making these amendments to allow out-of-state providers to practice telehealth in Delaware is consistent with national public policy since the onset of the COVID-19 pandemic. Governors and legislatures across the country quickly responded to the spread of COVID-19 by providing licensure flexibilities that allowed out-of-state providers who were licensed and in good standing in their home states to practice without having to navigate the often-burdensome licensure requirements of other states. This public policy experiment was met with great success, as patients with non-emergent conditions and behavioral health issues were given the opportunity to receive timely care via telehealth technologies. In response to these flexibilities, our member organizations leveraged their technology platforms and provider networks to increase the supply of health care professionals dramatically to meet surges in demand, ultimately serving millions of Americans who would otherwise never have received care. Notably, there was not an increase in patient complaints nor reported harm to patients from the implementation of this policy nationwide.

Given the overwhelmingly positive outcomes of this public policy initiative during the pandemic, ATA Action believes that the time is now to make these out-of-state licensure flexibilities a permanent fixture through state legislation. House Bill 334 presents an opportunity to do so. Simply put, this is an opportunity for Delaware to lead the nation and provide solutions for complex problems that are affecting Delaware residents every day.

Thank you for your support for telehealth. We encourage you and your colleagues to pass House Bill 334 in the interest of expanding Delaware 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 telehealth policy in Delaware. If you have any questions or would like to engage in additional discussion regarding the telehealth 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", written in a cursive style.

Kyle Zebley  
Executive Director  
ATA Action

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