



ATA Policy FAQs

When is the federal COVID-19 Public Health Emergency ending?

The COVID-19 [public health emergency \(PHE\)](#) must be renewed every 90 days. The PHE was most recently extended effective [July 15, 2022](#), until October 13, 2022. The Administration promised to provide at least a 60-day notice before ending the PHE. If there is a notice, it would be on or before August 14th.

What happens to the telehealth flexibilities post-PHE?

This depends on the flexibility. Many flexibilities will require congressional action to be made permanent, while others can be addressed at regulatory levels. Please see our [Permanence Chart](#) for a summary of those flexibilities.

Many of the Medicare flexibilities that require congressional action were extended for approximately five months post-PHE in the Consolidated Appropriations Act ([H.R.2471](#)), or “omnibus,” enacted into law in March 2022. Before the end of this five-month period, Congress may act to implement another temporary extension or permanent solutions.

What telehealth flexibilities were included in the omnibus?

- Medicare telehealth flexibilities including flexibility around:
 - Originating site location
 - Eligible practitioners, including for Federally Qualified Health Centers and Rural Health Clinics
 - Audio-only services
 - The new in-person requirement for telemental health services
- Additionally, the safe harbor to allow first dollar coverage for telehealth services in HDHP-HSAs was reinstated through the end of 2022. For more information, please see the [ATA's press release here](#).

What telehealth bills does the ATA support at the federal level?

Please check out the [ATA's 117th Congressional Legislative Tracker](#) as well as our summary of [Top Legislative Priorities](#).

What is the state of COVID public health emergency declarations in the states?

Close to 35 states have ended their COVID-19 public health emergency declarations. Absent renewals, most of the remaining PHE declarations are set to expire before August.

As with federal declarations, most state public health emergencies are in force for a finite period, usually several months, and must be renewed to continue. In some states, the state of emergency must actively be lifted.

See here for details: [States' COVID-19 Public Health Emergency Declarations and Mask Requirements - The National Academy for State Health Policy \(nashp.org\)](#).



ATA Policy FAQs continued

How has licensure been impacted during state of emergency declarations?

State public health emergency declarations gave many governors the authority to relax certain licensing requirements—for instance, to permit medical providers to work within their borders without obtaining additional licensure from that state or to allow retired practitioners with expired licenses to resume practicing.

As most states of emergencies come to an end, many states are in the process of exploring and enacting permanent legislation to make it easier for providers to practice across state lines. For example, Arizona and Florida have permanently implemented licensure registration programs for out-of-state telehealth practitioners. Other states are opting to follow the national pre-pandemic trend of enacting interstate compacts that allow their health professionals to practice across state lines or making limited exceptions for continuity of care for patients temporarily out of state.

For more information, check out the [ATA's 2022 State Legislative Tracker](#).

Where can I find each state's current telehealth laws and regulations?

The [Center for Connected Health Policy](#) is a great resource to use when comparing current state telehealth laws and regulations.

What is the ATA doing about it?

- Educating ATA members through [monthly policy webinars](#)
- Convening the [ATA Government Relations SIG](#) members to discuss the latest policy developments in the states and in Washington, DC
- Launching [ATA Action](#) earlier this year to effectively advocate and lobby for positive telehealth policy in state capitals and in Washington, DC

How Can I Get Involved?

Become a member of the [American Telemedicine Association](#) and/or [ATA Action](#), the ATA's affiliated trade association focused on advocacy.

Have more questions?

Email us at info@americantelemed.org.