



Telehealth Policy to Transform Healthcare

July 28, 2022

Ms. Jennifer Stevens
Board President
West Virginia Board of Optometry
179 Summers Street, Suite 231
Charleston, WV 25301

RE: ATA Action Comment Letter on Proposed Optometric Telehealth Practice Rule

Ms. Stevens and Members of the Board of Optometry,

On behalf of the ATA Action I am writing to voice our concerns with the proposed optometric telehealth rules.

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.

ATA Action is concerned about Section 3.4 of the proposed rules regarding the in-person optometrist visit requirements for “established patients.” The rule would only allow this requirement to be suspended in certain circumstances identified by the Board, such as life or sight threatening emergencies. This limitation was not included in the legislature’s passage of HB 2024 and the Board should not promulgate rules that place additional limit on patients seeking care from their healthcare providers. Licensed medical professionals should have the flexibility and authority to suspend the 12-month requirement using their professional expertise and discretion as long as the standard of care for the patient’s condition is maintained. This issue is of even greater importance for patients living in rural areas who may not have convenient access to an optometrist. Due to these restrictions, it is likely that many patients will ultimately forgo care altogether.

ATA Action urges thoughtful consideration on this issue. We believe that it is essential for West Virginians to have access to high-quality, affordable health care as efficiently and equitably as possible. We urge you and your colleagues to consider the changes as proposed in this letter. Please let us know how we can be helpful in your efforts to further telehealth in West Virginia. If you have any questions or would like to discuss further the telehealth industry’s perspective, please contact me at kzebley@ataaction.org.

Kind regards,

A handwritten signature in black ink, appearing to read "Kyle Zebley".

Kyle Zebley
Executive Director
ATA Action

ATA ACTION

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