



February 13, 2024

The Honorable Paul Bailey
Chair, Senate Commerce and Labor Committee
Tennessee General Assembly
425 Rep. John Lewis Way N.
Suite 736 Cordell Hull Bldg.
Nashville, TN 37243
sen.paul.bailey@capitol.tn.gov

The Honorable Art Swann
Vice-Chair, Senate Commerce and Labor Committee
Tennessee General Assembly
425 Rep. John Lewis Way N.
Suite 748 Cordell Hull Bldg.
Nashville, TN 37243
sen.art.swann@capitol.tn.gov

The Honorable Frank Niceley
2nd Vice-Chair, Senate Commerce and Labor Committee
Tennessee General Assembly
425 Rep. John Lewis Way N.
Suite 712 Cordell Hull Bldg.
Nashville, TN 37243
sen.frank.niceley@capitol.tn.gov

RE: ATA ACTION SUPPORT FOR SENATE BILL 1881

Dear Chair Bailey, Vice-Chairs Swann and Niceley and members of the Commerce and Labor Committee,

On behalf of ATA Action, I am writing you to express our support for Senate Bill 1881 relating to established requirements for telehealth visits.

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.

Senate Bill 1881 serves as a logical step forward for telehealth care in Tennessee by removing the requirement for a provider, practice group or health system to provide evidence of an in-person patient encounter within the 16 months prior to a telemedicine visit in order for the telemedicine visit to be eligible for insurance reimbursement. This requirement was already waived during the state of emergency

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declared by the governor during the outbreak of COVID-19 and it is reassuring to see the legislature move to reinstate this flexibility. By removing the in-person established relationship requirement for insurance reimbursement, SB 1881 will make it quicker and easier for Tennessee patients to receive the care they need through telehealth.

Finally, SB 1881 will resolve contrasting requirements between the insurance code and telehealth provisions in the Healing Arts Professions title, which allows for healthcare providers to establish a patient-provider relationship without an in-person patient encounter in the context of both telehealth and telemedicine.¹ Resolving this conflict will better align provider capabilities with patient expectations when paying for care they receive via telehealth and telemedicine.

Thank you for your support for telehealth. We encourage you to support this bill in the interest of easing access to affordable, high-quality telehealth 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 Tennessee. 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.

Kind regards,

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

Kyle Zebley
Executive Director
ATA Action

¹ TN ST § 63-1-155