

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 6364
OFFERED BY M . _____**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Medicare Telehealth
3 Privacy Act”.

**4 SEC. 2. MAINTAINING CERTAIN TELEHEALTH FLEXIBILI-
5 TIES RELATING TO PROVIDER PRIVACY
6 UNDER THE MEDICARE PROGRAM.**

7 Section 1834(m) of the Social Security Act (42
8 U.S.C. 1395m(m)) is amended by adding at the end the
9 following new paragraph:

10 “(10) ENSURING PHYSICIAN AND PRACTI-
11 TIONER PRIVACY.—

12 “(A) IN GENERAL.—For 2024 and subse-
13 quent years, in the case of a physician or prac-
14 titioner who elects to furnish telehealth services
15 at a distant site that is the home of such physi-
16 cian or practitioner, if the Secretary requires
17 such physician or practitioner to include the ad-
18 dress of such home on any enrollment form of

1 such physician or practitioner under this title
2 (or requires such physician or practitioner to
3 bill for such services using such address), the
4 Secretary may not make such address available
5 to the public in any manner.

6 “(B) BILLING FOR INFREQUENT FUR-
7 NISHING OF TELEHEALTH SERVICES FROM THE
8 HOME.—For 2025 and subsequent years, in the
9 case of a physician or practitioner who infre-
10 quently furnishes (as specified by the Secretary)
11 telehealth services at a distant site that is the
12 home of such physician or practitioner, the Sec-
13 retary shall allow such physician or practitioner
14 to—

15 “(i) submit a claim for a telehealth
16 service furnished from such a distant site
17 using a mechanism established by the Sec-
18 retary (such as a place of service code or
19 modifier) that designates that such service
20 was furnished at such a distant site; and

21 “(ii) report only the zip code rather
22 than the street address of such a home.

23 “(C) EDUCATION AND OUTREACH.—Not
24 later than January 1, 2025, the Secretary shall
25 use existing communications mechanisms to in-

1 form physicians and practitioners described in
2 subparagraph (B) of the application of such
3 subparagraph.”.

