

118TH CONGRESS
2D SESSION

H. R. 7711

To amend title XVIII of the Social Security Act to make permanent certain telehealth flexibilities under the Medicare program.

IN THE HOUSE OF REPRESENTATIVES

MARCH 19, 2024

Mrs. DINGELL (for herself and Mr. BERGMAN) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title XVIII of the Social Security Act to make permanent certain telehealth flexibilities under the Medicare program.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Advancing Access to
5 Telehealth Act”.

1 **SEC. 2. MAKING PERMANENT CERTAIN TELEHEALTH**
2 **FLEXIBILITIES UNDER MEDICARE.**

3 (a) **EXPANDED ACCESS TO TELEHEALTH SERV-**
4 **ICES.**—Section 1834(m) of the Social Security Act (42
5 U.S.C. 1395m(m)) is amended—

6 (1) in paragraph (2)(B)(iii), by striking “In the
7 case that” and all that follows through “ending De-
8 cember 31, 2024,” and inserting “With respect to
9 telehealth services that are furnished on or after the
10 first day of the emergency period described in sec-
11 tion 1135(g)(1)(B),”; and

12 (2) in paragraph (4)(C)(iii), by striking “In the
13 case that” and all that follows through “ending on
14 December 31, 2024,” and inserting “With respect to
15 telehealth services that are furnished on or after the
16 first day of the emergency period described in sec-
17 tion 1135(g)(1)(B),”.

18 (b) **EXPANSION OF PRACTITIONERS ELIGIBLE TO**
19 **FURNISH TELEHEALTH SERVICES.**—Section
20 1834(m)(4)(E) of the Social Security Act (42 U.S.C.
21 1395m(m)(4)(E)) is amended by striking “in the case
22 that” and all that follows through “ending on December
23 31, 2024,” and inserting “beginning on the first day of
24 the emergency period described in section
25 1135(g)(1)(B),”.

1 (c) EXTENSION OF TELEHEALTH SERVICES FUR-
2 NISHED BY FEDERALLY QUALIFIED HEALTH CENTERS
3 AND RURAL HEALTH CLINICS.—Section 1834(m)(8)(A)
4 of the Social Security Act (42 U.S.C. 1395m(m)(8)(A))
5 is amended by striking “During the emergency” and all
6 that follows through “ending on December 31, 2024” and
7 inserting “Beginning on the first day of the emergency
8 period described in section 1135(g)(1)(B)”.

9 (d) TREATMENT OF TELEHEALTH SERVICES FUR-
10 NISHED USING AUDIO-ONLY TELECOMMUNICATIONS
11 TECHNOLOGY.—Section 1834(m)(9) of the Social Secu-
12 rity Act (42 U.S.C. 1395m(m)(9)) is amended—

13 (1) by striking “In the case that” and all that
14 follows through “the Secretary shall continue to”
15 and inserting “The Secretary shall”;

16 (2) by striking “identified in paragraph
17 (4)(F)(i) as of the date of the enactment of this
18 paragraph”; and

19 (3) by striking “during the period” and all that
20 follows through the period at the end and inserting
21 “on or after the first day of the emergency period
22 described in section 1135(g)(1)(B).”.

23 (e) ELIMINATION OF IN-PERSON REQUIREMENTS
24 UNDER MEDICARE FOR CERTAIN SERVICES FURNISHED
25 THROUGH TELEHEALTH.—

1 (1) HOME DIALYSIS MONTHLY ESRD-RELATED
2 VISIT; STROKE TELEHEALTH SERVICES; SUBSTANCE
3 USE DISORDER SERVICES AND MENTAL HEALTH
4 SERVICES.—

5 (A) IN GENERAL.—Section 1834(m) of the
6 Social Security Act (42 U.S.C. 1395m(m)) is
7 amended by striking paragraphs (5) through
8 (7) and redesignating paragraphs (8) and (9)
9 as paragraphs (5) and (6), accordingly.

10 (B) CONFORMING CHANGES.—Section
11 1834(m) of the Social Security Act (42 U.S.C.
12 1395m(m)) is amended—

13 (i) in paragraph (1), by striking
14 “Subject to paragraphs (8) and (9)” and
15 inserting “Subject to paragraphs (5) and
16 (6)”;

17 (ii) in paragraph (2)—

18 (I) in subparagraph (A), by strik-
19 ing “Subject to paragraph (8)” and
20 inserting “Subject to paragraph (5)”;
21 and

22 (II) in subparagraph (B), by
23 striking “and paragraph (6)(C)”;

24 (iii) in paragraph (4)—

1 (I) in subparagraph (A), by strik-
2 ing “Subject to paragraph (8)” and
3 inserting “Subject to paragraph (5)”;
4 (II) in subparagraph (C)—
5 (aa) in clause (i), by striking
6 “and paragraphs (5), (6), and
7 (7)”; and
8 (bb) in clause (ii)(X), by
9 striking “or telehealth services
10 described in paragraph (7)”;
11 (III) in subparagraph (F), by
12 striking “Subject to paragraph (8)”
13 and inserting “Subject to paragraph
14 (5)”.

15 (2) MENTAL HEALTH VISITS FURNISHED BY
16 FEDERALLY QUALIFIED HEALTH CENTERS.—Section
17 1834(o)(4)(B) of the Social Security Act (42 U.S.C.
18 1395m(o)(4)(B)) is amended by striking “prior to”
19 and all that follows through “described in section
20 1135(g)(1)(B)”.

21 (3) MENTAL HEALTH VISITS FURNISHED BY
22 RURAL HEALTH CLINICS.—Section 1834(y)(2) of the
23 Social Security Act (42 U.S.C. 1395m(y)(2)) is

1 amended by striking “prior to” and all that follows
2 through “described in section 1135(g)(1)(B)”.

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