

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO COMMITTEE PRINT
OFFERED BY M R. WALBERG**

Strike section 21005 and insert the following new section:

**1 SEC. 21005. PROVIDING FOR THE TREATMENT OF CERTAIN
2 TELEHEALTH SERVICES AS EXCEPTED BENE-
3 FITS.**

4 (a) IN GENERAL.—Section 733(c)(2) of the Em-
5 ployee Retirement Income Security Act of 1974 (29
6 U.S.C. 1191b(c)(2)) is amended—

7 (1) by redesignating subparagraph (C) as sub-
8 paragraph (D); and

9 (2) by inserting after subparagraph (B) the fol-
10 lowing new subparagraph:

11 “(C) Telehealth or other remote care serv-
12 ices furnished via an electronic communications
13 system, information technology, or secure real-
14 time communications system (including via by
15 text, SMS, instant message, two-way audio con-
16 ference, or two-way video conference), or via
17 store-and-forward technology, for the purpose
18 of medical diagnosis, consultation, or treatment,

1 but only if such services are paid for entirely by
2 the employer or other group health plan spon-
3 sor.”.

4 (b) EFFECTIVE DATE.—The amendments made by
5 subsection (a) shall apply with respect to plan years begin-
6 ning on or after the date of the enactment of this Act.

