

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 9457
OFFERED BY MRS. HAYES OF CONNECTICUT**

Add at the end the following:

1 **SEC. 3. PROHIBITING HEALTH CARE PROVIDERS AND FA-**
2 **CILITIES FROM IMPOSING CERTAIN FACILITY**
3 **FEEES FOR TELEHEALTH.**

4 (a) IN GENERAL.—Subtitle B of title I of the Em-
5 ployee Retirement Income Security Act of 1974 (29
6 U.S.C. 1021 et seq.) is amended by adding at the end
7 the following new part:

8 **“PART 9—BILLING REQUIREMENTS FOR HEALTH**
9 **CARE FACILITIES AND PROVIDERS**

10 **“SEC. 901. LIMITATION ON TELEHEALTH FACILITY FEES.**

11 “A health care facility may not bill a separate facility
12 fee when a health care provider who provided telehealth
13 services is authorized to bill independently for the profes-
14 sional services rendered.”.

15 (b) ENFORCEMENT.—Section 502 of the Employee
16 Retirement Income Security Act of 1974 (29 U.S.C. 1132)
17 is amended—

18 (1) in subsection (a)(6), by striking “or (9)”
19 and inserting “(9), or (13)”; and

