



AMERICANS FOR PROSPERITY



AMERICAN COMMITMENT



THE AMERICAN CONSERVATIVE UNION



May 12, 2020

The Honorable Nancy Pelosi  
Speaker of the House  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Mitch McConnell  
Majority Leader  
U.S. Senate  
Washington, DC 20510

The Honorable Kevin McCarthy  
Minority Leader  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Charles E. Schumer  
Minority Leader  
U.S. Senate  
Washington, DC 20510

Dear Speaker Pelosi, Leader McConnell, Leader McCarthy, and Leader Schumer,

On behalf of the undersigned organizations, we urge you to take immediate legislative steps to make permanent the changes to the Centers for Medicare & Medicaid (CMS) regulations listed below, which have saved countless lives during the COVID-19 crisis.

This crisis has exposed a tragic reality: America's health care system often stands in the way of doctors, nurses, and medical researchers helping people. It is magnifying the harms of well-meaning but misguided policies that until now had remained largely unseen, but which led to critical shortages of health care professionals, medical equipment, and other necessities.

The following temporary changes have enabled more patients to be seen, tested, and treated. They should be made permanent.

- **Telehealth.** Telehealth is a perfect tool for social distancing because it keeps people at home, helping to stop the spread of the coronavirus and saving lives. Under the administration's emergency waivers, Medicare can pay for office, hospital, and other visits furnished via telehealth across the country for all beneficiaries. It also allows providers to forward videos and images to other doctors, known as "store and forward." Telehealth has proven very popular with Medicare beneficiaries, with one CMS data analyst reporting telehealth visits for Medicare beneficiaries went from about 10,000 a week to 300,000 as of the last week in March.
- **Professional Licensing.** In response to hospitals in hard hit areas resorting to retirees and medical students to fill gaps, CMS relaxed a variety of guidelines regulating how physicians, nurse practitioners, and occupational therapists can do their jobs. Under the relaxed guidance, clinicians can now practice at the top of their licenses and across state



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lines. Automatic licensing recognition would be a godsend for patients and could help to ease local physician and nurse shortages.

- **Physician Supervision.** Cutting out non-essential physician supervision and signoff requirements – for example, a requirement that mandates that a physician (as opposed to a nurse or physician assistant) must physically order home health services, sign the patient’s plan of care, and/or re-certify that the patient is eligible for services – can be counterproductive in a critical situation like a viral pandemic.
- **Patient Privacy.** The Department of Health and Human Services’ current policy allows for more software platforms to be used in provider-patient communication (e.g. Skype and FaceTime), which would be otherwise prohibited by HIPAA. This is helping more patients get access to effective tracing, testing, and treatment.

These waivers are saving people’s lives right now and they will save people’s lives in the next crisis, too. It is impossible to know when that next crisis will hit or what it will bring, but by making these waivers into permanent reforms, you can help the country start preparing for it now.

Thank you for your consideration. We look forward to working with you to ensure every American can access high-quality health care, both during this current crisis and after it has passed.

Sincerely,

**Americans for Prosperity**

*Brent Wm. Gardner, Chief Government Affairs Officer*

**ALEC Action**

*Michael Bowman, President*

**American Commitment**

*Phil Kerpen, President*

**American Conservative Union**

*Michi Iljazi, Director of Government Affairs*

**American Consumer Institute**

*Krisztina Pusok, Ph.D., Director of Policy and Research*

**Americans for Tax Reform**

*Grover Norquist, President*

**Buckeye Institute**

*Robert Alt, President & CEO*

**Campaign for Liberty**

*Norm Singleton, President*

**Center for a Free Economy**

*Ryan Ellis, President*

**Center for Freedom and Prosperity**

*Andrew F. Quinlan, President*

**Center for Individual Freedom**

*Jeff Mazzella, President*

**Council for Citizens Against Government Waste**

*Tom Schatz, President*

**Club for Growth**

*David McIntosh, President*

**Competitive Enterprise Institute**

*Gregory Conko, Senior Fellow*

**Consumer Action for a Strong Economy**

*Matthew Kandrach, President*

**Consumer Choice Center**

*Yaël Ossowski, Deputy Director*

**Council for Affordable Health Coverage**

*Joel White, President*

**Digital Liberty**

*Katie McAuliffe, Executive Director*



**Faith and Freedom Coalition**

*Timothy Head, Executive Director*

**FreedomWorks**

*Adam Brandon, President*

**Frontiers of Freedom**

*George Landrith, President*

**Galen Institute**

*Grace-Marie Turner, President*

**Goldwater Institute**

*Naomi Lopez, Director of Healthcare Policy*

**Goodman Institute for Public Policy**

**Research**

*John C. Goodman, President and CEO*

**The Heartland Institute**

*James Taylor, President*

**The HSA Coalition**

*Daniel Perrin, President*

**Independent Women's Forum**

*Carrie L. Lukas, President*

**Independent Women's Voice**

*Heather R. Higgins, CEO*

**Institute for Liberty**

*Andrew Langer, President*

**Less Government**

*Seton Motley, President*

**National Taxpayers Union**

*Brandon Arnold, Executive Vice President*

**Secure America's Future Economy**

*William Whipple III, President*

**Small Business & Entrepreneurship Council**

*Karen Kerrigan, President & CEO*

**Taxpayers Protection Alliance**

*David Williams, President*

**Tea Party Patriots Action**

*Jenny Beth Martin, Chairman*

**60 Plus Association**

*James L. Martin, Founder and Chairman*