



November 30, 2021

The Honorable Ron Wyden  
Chairman  
Committee on Finance  
United States Senate  
Washington, DC 20510

The Honorable Richard Neal  
Chairman  
Committee on Ways and Means  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Mike Crapo  
Ranking Member  
Committee on Finance  
United States Senate  
Washington, DC 20510

The Honorable Kevin Brady  
Ranking Member  
Committee on Ways and Means  
U.S. House of Representatives  
Washington, DC 20515

Dear Chairman Wyden, Ranking Member Crapo, Chairman Neal and Ranking Member Brady:

On behalf of the millions of Americans for Prosperity and The LIBRE Initiative activists across the nation we urge you to take swift action to expand an important provision enacted under section 3701 of The Coronavirus Aid, Relief, and Economic Security (CARES) Act which temporarily allowed HSA-eligible high-deductible health plans to cover telehealth services. This provision is set to expire on December 31, 2021, and it is not tied to other flexibilities expiring at the end of the public health emergency.

Failure to expand or permanently enact this flexibility would result in tens of millions of Americans losing access to care, particularly those most vulnerable.

We applaud lawmakers' actions at the start of the COVID-19 pandemic to remove a series of harmful barriers on telehealth to expand health access and slow the spread of the virus. These flexibilities proved to be a godsend for millions of Americans, helped us navigate treacherous months of the pandemic, and brought millions safety and security.

Telehealth also reduces costs for patients while increasing their access to critical care. Our organizations [studied](#) the impact the pandemic-era rise of telehealth has had on health spending and utilization, finding that telehealth patients spent less and used fewer health services over time while health outcomes improved. This presents an invaluable opportunity for patients, providers, and employers to ensure individuals can continue to enjoy these life-saving flexibilities while lowering the cost of care and improve health outcomes.

A 2021 Employee Benefit Research Institute (EBRI) survey of employers found nearly all employers – well above 95% - adopted pre-deductible coverage for telehealth services under the CARES Act. 76% of employers support making the provision permanent.

Policymakers have introduced bipartisan legislation to expand or permanently waive the first dollar HSA requirement for telehealth including S.1704 and H.R.5981, The Telehealth Expansion Act of 2021 and H.R.5541, the Primary and Virtual Care Affordability Act. It is critical that Congress acts swiftly on proposals such as these to protect access to care for the millions of individuals counting on it.

Americans for Prosperity (AFP) and The LIBRE Initiative have long advocated for telehealth reforms that would expand access to care and give patients more personalized options that meet their unique health care needs. We look forward to working with lawmakers on proposals that would further permanently enact life-saving flexibilities put in place during the public health emergency, which is set to expire on January, 2022. We urge swift action to ensure life-saving choices for millions of Americans don't expire.

Thank you for your attention to this matter.

Sincerely,



Brent Wm. Gardner  
Chief Government Affairs Officer  
Americans for Prosperity



Daniel Garza  
President  
The LIBRE Initiative