

118TH CONGRESS
1ST SESSION

S. 2880

To amend title XVIII of the Social Security Act to expand the scope of practitioners eligible for payment for telehealth services under the Medicare program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 21, 2023

Mr. DAINES (for himself, Ms. SMITH, Ms. MURKOWSKI, Ms. ROSEN, and Mr. MORAN) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend title XVIII of the Social Security Act to expand the scope of practitioners eligible for payment for telehealth services under the Medicare program, and for other purposes.

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 “Expanded Telehealth
5 Access Act”.

1 **SEC. 2. EXPANDING THE SCOPE OF PRACTITIONERS ELIGI-**
2 **BLE FOR PAYMENT FOR TELEHEALTH SERV-**
3 **ICES UNDER MEDICARE.**

4 Section 1834(m) of the Social Security Act (42
5 U.S.C. 1395m(m)) is amended—

6 (1) in paragraph (2)(A), by inserting the fol-
7 lowing before the period: “(or, in the case of a tele-
8 health service furnished on or after the date of en-
9 actment of the Expanded Telehealth Access Act by
10 a therapy or therapist assistant described in sub-
11 clause (II) or (III) of paragraph (4)(E)(ii), the Sec-
12 retary shall pay with respect to such service fur-
13 nished by such assistant the amount that would have
14 been paid under this title with respect to such serv-
15 ice furnished by such assistant had such service been
16 furnished without the use of a telecommunications
17 system)”; and

18 (2) in paragraph (4), by striking subparagraph
19 (E) and inserting the following:

20 “(E) PRACTITIONER DESCRIBED.—The
21 term ‘practitioner’ means any of the following:

22 “(i) A practitioner described in section
23 1842(b)(18)(C).

24 “(ii) With respect to telehealth serv-
25 ices furnished on or after the date of en-

1 actment of the Expanded Telehealth Ac-
2 cess Act—

3 “(I) a qualified audiologist (as
4 defined in section 1861(ll)(4)(B));

5 “(II) an occupational therapist
6 and occupational therapy assistant
7 under the supervision of an occupa-
8 tional therapist;

9 “(III) a physical therapist and
10 physical therapist assistant under the
11 supervision of a physical therapist;

12 “(IV) a qualified speech-language
13 pathologist (as defined in section
14 1861(ll)(4)(A));

15 “(V) a facility or other entity de-
16 scribed in paragraph (8) or (9) of sec-
17 tion 1833(a) that furnishes a tele-
18 health therapy service; and

19 “(VI) any additional provider of
20 services or supplier, as specified by
21 the Secretary, that is participating in
22 the program under this title and fur-
23 nishes a telehealth service.”.

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