

116TH CONGRESS
2D SESSION

H. R. 9035

To amend title XVIII of the Social Security Act to expand accessibility to certain telehealth services under the Medicare program.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 18, 2020

Mr. SMITH of Missouri (for himself and Mr. CÁRDENAS) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title XVIII of the Social Security Act to expand accessibility to certain telehealth services under the Medicare program.

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 “Permanency for Audio-
5 Only Telehealth Act”.

1 **SEC. 2. EXPANDING ACCESSIBILITY TO CERTAIN TELE-**
2 **HEALTH SERVICES UNDER THE MEDICARE**
3 **PROGRAM.**

4 (a) USE OF AUDIO-ONLY TELECOMMUNICATIONS
5 SYSTEMS FOR CERTAIN SERVICES.—Section 1834(m)(4)
6 of the Social Security Act (42 U.S.C. 1395m(m)(4)) is
7 amended by adding at the end the following new subpara-
8 graph:

9 “(G) TELECOMMUNICATIONS SYSTEM.—

10 “(i) IN GENERAL.—The term ‘tele-
11 communications system’ includes, in the
12 case of the furnishing of a specified tele-
13 health service (as defined in clause (ii)), a
14 communications system consisting only of
15 audio capabilities.

16 “(ii) SPECIFIED TELEHEALTH SERV-
17 ICE.—For purposes of clause (i), the term
18 ‘specified telehealth service’ means a tele-
19 health service consisting of—

20 “(I) evaluation and management
21 services;

22 “(II) mental and behavioral
23 health services;

24 “(III) substance use disorder
25 services; or

1 “(IV) any other service specified
2 by the Secretary.”.

3 (b) REMOVING GEOGRAPHIC RESTRICTIONS AND EX-
4 PANDING THE USE OF THE HOME AS AN ORIGINATING
5 SITE FOR CERTAIN TELEHEALTH SERVICES.—Section
6 1834(m)(7) of the Social Security Act (42 U.S.C.
7 1395m(m)(7)) is amended—

8 (1) in the header, by striking “SUBSTANCE USE
9 DISORDER” and inserting “CERTAIN”;

10 (2) by striking “with respect to telehealth serv-
11 ices” and inserting the following: “with respect to—
12 “(A) telehealth services”;

13 (3) by striking the period at the end and insert-
14 ing “; or”; and

15 (4) by adding at the end the following new sub-
16 paragraph:

17 “(B) telehealth services consisting of eval-
18 uation and management services or mental and
19 behavioral health services furnished on or after
20 the date of the enactment of this subparagraph
21 to an eligible telehealth individual at an origi-
22 nating site described in paragraph
23 (4)(C)(ii)(X).”.

○