

March 20, 2020

The Honorable Mitch McConnell  
Senate Majority Leader  
United States Senate  
Washington, D.C. 20510

The Honorable Charles Schumer  
Senate Democratic Leader  
United States Senate  
Washington, D.C. 20510

Dear Leaders McConnell and Schumer:

We thank you for your work to ensure a robust response to the COVID-19 pandemic. We write to express our strong support for S. 3539, a bill recently introduced by Senator Daines, which amends the Internal Revenue Code of 1986 to allow employers and health plans to cover telehealth services pre-deductible in Health Savings Account-eligible high deductible health plans during this health care crisis. We urge you to include this bill in the next COVID-19 vehicle that Congress advances.

We appreciate the work already done by Congress and the Administration to ensure Americans have access to virtual care during this emergency, when access to care and treatment is more important than ever. Virtual visits and remote monitoring ease the burden on in-person facilities and help limit the spread of the virus by allowing people to receive care remotely without exposing themselves unnecessarily. It also allows those with pre-existing conditions – which make them more vulnerable to the coronavirus – to stay in the safety of their homes.

While significant emergency changes have been made to other programs, one area for which we need additional flexibility pertains to Health Savings Account-eligible high-deductible health plans (HDHP-HSA). We sincerely appreciate Treasury and Internal Revenue Service guidance 2020-15, which provided flexibility for testing and treatment of COVID-19 without a deductible, and we believe it is critical to expand upon this guidance and allow telehealth pre-deductible in all instances (rather than just testing and treatment pertaining to COVID-19). According to the Employee Benefits Research Institute, enrollment in these health plans was estimated to be between 21.4 and 33.7 million. That's nearly 3 in 10 employees in 2017, and a larger group than is enrolled in the entire Medicare Advantage market.

We strongly support your bill, which would allow employers and health plans to cover important telehealth benefits pre-deductible and we strongly urge inclusion of your bill in the next COVID-19 legislative package.

The following organizations look forward to working with you to advance and pass this important legislation.

Sincerely,

Alliance for Connected Care  
AMGA  
American Academy of PAs  
American Bankers Association Health Savings Account Council  
Americas Health Insurance Plans  
American Benefits Council  
American Health Policy Institute  
American Osteopathic Association  
American Telemedicine Association  
Beyond Type 1  
Blue Cross Blue Shield Association  
Business Group on Health  
Compassion & Choices  
Connected Health Initiative  
Corporate Health Care Coalition  
Council for Affordable Health Coverage  
eHealth Initiative and Foundation  
The ERISA Industry Committee  
Health Innovation Alliance  
Healthcare Leadership Council  
HR Policy Association  
National Association of Health Underwriters  
The National Health IT Collaborative for the Underserved  
National Retail Federation  
Public Sector HealthCare Roundtable  
Retail Industry Leaders Association  
Smarter Health Care Coalition  
The Society for Human Resource Management  
The University of Michigan Center for Value-Based Insurance Design