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September 27, 2023

The Honorable Chiquita Brooks-LaSure  
Administrator  
Centers for Medicare & Medicaid Services  
7500 Security Boulevard  
Baltimore, MD 21244-1850

Dear Administrator Brooks-LaSure:

On behalf of AMGA, I am writing to express our serious concerns regarding the upcoming changes to the Centers for Medicare & Medicaid Services (CMS) provider enrollment requirements pertaining to telehealth services.

As part of its response to the COVID-19 Public Health Emergency (PHE), the Centers for Medicare & Medicaid Services (CMS) revised its provider enrollment requirements to allow practitioners to deliver telehealth services from their home without reporting their home address on their Medicare provider enrollment. These providers were able to report and bill for telehealth services using the address of their currently enrolled location. However, in recent sub-regulatory guidance,<sup>1</sup> CMS states that effective January 1, 2024, providers offering telehealth services from their homes will be required to disclose their home addresses as part of their Medicare enrollment.

Our concerns are twofold. First, CMS's guidance does not fully acknowledge the significant shift in care delivery brought about by the COVID-19 PHE. While many AMGA members traditionally provide telehealth services from healthcare facilities, it is increasingly common for clinicians to work from their homes, especially on a part-time or periodic basis. It is crucial to recognize that the billing for these services is closely tied to the facility where the remainder of the care team operates. We believe that CMS's guidance lacks nuance and fails to distinguish between practitioners who exclusively provide telehealth services from home (if home is their sole practice location) and practitioners who deliver telehealth services from home on a part-time or periodic basis. This lack of clarity poses a significant risk of inadvertent non-compliance and the unintended exposure of home addresses to the public.

Secondly, and equally concerning, is the issue of privacy and safety. AMGA strongly maintains that Medicare providers should not be compelled to share their personal information, especially when it relates to their home addresses. In an environment in which violence against healthcare professionals has markedly increased, the safety and privacy of physicians must be paramount.

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<sup>1</sup> <https://www.cms.gov/files/document/physicians-and-other-clinicians-cms-flexibilities-fight-covid-19.pdf>

AMGA strongly urges CMS to reconsider and clarify its provider enrollment policy effective January 1, 2024. We kindly request that CMS address this matter by issuing guidance or a formal advisory opinion that addresses our concerns and provides a path forward that ensures both the continued success of telehealth services and the safety and privacy of our healthcare professionals.

We appreciate your attention to this critical matter, and we look forward to a resolution that safeguards the interests of both healthcare providers and the patients they serve. If you have any questions or require further information, please do not hesitate to contact Darryl M. Drevna, Senior Director of Regulatory Affairs, at [ddrevna@amga.org](mailto:ddrevna@amga.org) or 703.838.0033 ext. 339.

Sincerely,

A handwritten signature in cursive script that reads "Jerry Penso".

Jerry Penso, M.D., M.B.A.  
President and Chief Executive Officer, AMGA

