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March 16, 2020

The Honorable Alex Azar
Secretary
Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

Ms. Seema Verma
Administrator
Centers for Medicare & Medicaid Services
7500 Security Boulevard
Baltimore, MD 21244-1850

Dear Mr. Secretary and Madam Administrator:

I am writing in response to the President's declaration of a national emergency due to the 2019 Novel Coronavirus Disease (COVID-19). As the Department of Health and Human Services and its agencies work to respond to this public health crisis, AMGA's members will be on the frontlines of screening and treating patients in their communities, as our members include more than 440 multispecialty medical groups and integrated delivery systems, which represent about 175,000 physicians who care for one in three Americans. I am confident that we will stem the spread of this disease. However, to do so, it is crucial that patients are cared for in the most appropriate setting, which in many cases will be in their own homes. As you craft the regulatory guidance in response to COVID-19, it is important not to restrict any new flexibilities or waivers to those needing care related to the novel coronavirus, but to every patient, so that they may adhere to the fullest possible extent to the "social distancing" standards recommended by the Centers for Disease Control and Prevention.

AMGA's members are working to adhere to the most appropriate protocols. To that end, requiring any patient to travel to a healthcare facility for a concern, be it COVID-19 related or not, is counterproductive to the goal of keeping patients and their families safe in their homes. Simply stated, only those patients who require in-person care should visit their physician's office or other healthcare facility. Patients who can be treated appropriately with telehealth should be encouraged to avail themselves of this technology.

Telehealth waivers need to allow all patients be monitored and treated from home. This is particularly important and appropriate for non-COVID-19 patients who have a chronic disease. Care via telehealth will allow providers to conduct appropriate surveillance and monitoring of such patients. Not only does this keep a vulnerable population self-isolated, it helps to ensure

supplies of personal protective equipment are available for situations in which an in-person visit is required.

I encourage the Centers for Medicare & Medicaid Services (CMS) to waive the otherwise applicable requirements so that AMGA members can treat any Medicare patient via telehealth, regardless of their location or COVID-19 status. This will minimize the potential for exposure to both patients and providers, who will still be able to deliver the high quality care Medicare patients expect from their care teams.

The President's declaration, along with Congress' efforts in passage of H.R. 6074, indicate the seriousness of the situation and a desire to ensure our providers have the flexibility they need to care for our fellow Americans. Proper use of telehealth can help all of us reach our shared goal of preventing further spread of COVID-19.

Thank you for your prompt attention to this situation. If AMGA or its members can be of service during this public health emergency, please do not hesitate contact Darryl M. Drevna, AMGA's senior director of regulatory affairs at 703.838.0033 ext. 339 or at ddrevna@amga.org.

Sincerely,

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

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