

116TH CONGRESS
1ST SESSION

S. 2408

To amend the Public Health Service Act to establish a national telehealth program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 31, 2019

Mrs. BLACKBURN (for herself and Mr. CRAMER) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Public Health Service Act to establish a national telehealth 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 “Telehealth Across
5 State Lines Act of 2019”.

6 **SEC. 2. NATIONAL TELEHEALTH PROGRAM.**

7 Subpart I of part D of title III of the Public Health
8 Service Act (42 U.S.C. 254b et seq.) is amended by adding
9 at the end the following:

1 **“SEC. 330N. NATIONAL TELEHEALTH PROGRAM.**

2 “(a) UNIFORM NATIONAL BEST PRACTICES.—

3 “(1) IN GENERAL.—The Secretary shall, in con-
4 sultation with a range of stakeholders including the
5 entities listed in paragraph (3), issue guidance on
6 uniform best practices for the provision of telehealth
7 across State lines.

8 “(2) OBJECTIVE.—The objective of the best
9 practices issued under paragraph (1) shall be to, not
10 later than 5 years after the date of enactment of
11 this section, provide high-quality telehealth in rural
12 areas across the United States.

13 “(3) CONSULTATION.—The entities listed in
14 this paragraph include—

15 “(A) technology experts;

16 “(B) data security experts;

17 “(C) primary care providers;

18 “(D) specialist providers;

19 “(E) mental health providers;

20 “(F) academic medical centers;

21 “(G) Federally qualified health centers, as
22 defined in section 1861(aa) of the Social Secu-
23 rity Act;

24 “(H) State, local, or tribal health depart-
25 ments;

26 “(I) critical access hospitals; and

1 “(J) any Federal agency with expertise in
2 the provision of telecommunications or tele-
3 health.

4 “(4) REPORTS.—The Secretary shall, not less
5 than once every year beginning 1 year after the date
6 of enactment of this section and ending on the date
7 on which the guidance under paragraph (1) is
8 issued, report to the Committee on Health, Edu-
9 cation, Labor, and Pensions of the Senate and the
10 Committee on Energy and Commerce of the House
11 of Representatives on the progress of such guidance.

12 “(b) GRANT PROGRAM.—

13 “(1) IN GENERAL.—The Secretary shall for
14 each of fiscal years 2020 through 2024 award
15 grants to eligible entities described in paragraph (2)
16 for the expansion of telehealth programs to rural
17 areas.

18 “(2) ELIGIBLE ENTITY.—To be eligible to re-
19 ceive a grant under this subsection, an entity shall—

20 “(A) demonstrate that it is operating, on
21 the date on which the entity submits an appli-
22 cation under subparagraph (B), an effective
23 telehealth program (as determined in accord-
24 ance with criteria established by the Secretary);
25 and

1 “(B) submit an application to the Sec-
2 retary at such time, in such manner, and con-
3 taining such information as the Secretary may
4 reasonably require, including a plan to expand
5 the telehealth program operated by the entity to
6 rural areas.

7 “(3) STUDY.—Not later than 3 years after the
8 date of enactment of this section, the Secretary
9 shall—

10 “(A) complete a study on the grant pro-
11 gram under this subsection, including the suc-
12 cesses and challenges of the program, lessons
13 the Secretary has learned with respect to the
14 program, and best practices for telehealth pro-
15 grams; and

16 “(B) submit a report on such study to the
17 Committee on Health, Education, Labor, and
18 Pensions of the Senate and the Committee on
19 Energy and Commerce of the House of Rep-
20 resentatives.

21 “(4) AUTHORIZATION OF APPROPRIATIONS.—
22 There is authorized to be appropriated to carry out
23 this subsection, \$20,000,000 for each of fiscal years
24 2020 through 2024.

1 “(c) DEFINITION OF RURAL AREA.—In this section,
 2 the term ‘rural area’ has the meaning given the term in
 3 section 330J(e).”.

4 **SEC. 3. CENTER FOR MEDICARE AND MEDICAID INNOVA-**
 5 **TION (CMMI) MODEL TO INCENTIVIZE THE**
 6 **ADOPTION OF TELEHEALTH IN ORDER TO IN-**
 7 **CREASE ACCESS TO CARE IN RURAL AREAS.**

8 Section 1115A(b)(2)(B) of the Social Security Act
 9 (42 U.S.C. 1395a(b)(2)(B)) is amended by adding at the
 10 end the following new clause:

11 “(xxviii) Providing incentives under
 12 title XVIII to encourage the adoption of
 13 telehealth in order to increase access to
 14 care in rural areas.”.

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