

# Human Services Committee JOINT FAVORABLE REPORT

**Bill No.:** HB-6470

AN ACT CONCERNING HOME HEALTH, TELEHEALTH AND UTILIZATION

**Title:** REVIEW.

**Vote Date:** 3/18/2021

**Vote Action:** Joint Favorable Substitute

**PH Date:** 2/23/2021

**File No.:**

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## **SPONSORS OF BILL:**

Human Services Committee

## **REASONS FOR BILL:**

To make permanent certain Medicaid and Children's Health Insurance Program (CHIP) home health, telehealth, and utilization review policy changes that were temporarily implemented under the Governor's executive orders during the COVID-19 public health emergency. This bill seeks to make health care more accessible by allowing permanent access to video telehealth services, allowing nurse practitioners and physician assistants to issue orders for individuals to receive home health services. In addition, audio-only services would be covered when clinically appropriate, to the extent permissible under federal law. It would allow the Commissioner of Social Services to relax utilization review criteria and procedures for the Connecticut medical assistance program, and add behavior analysts and nurse-midwives to the list of approved telehealth providers. All of these provisions seek to improve health care access for people in Connecticut.

## **RESPONSE FROM ADMINISTRATION/AGENCY:**

Deidre Gifford, Commissioner, Department of Social Services, supports this bill for many reasons. Commissioner Gifford notes that federal Medicaid regulations recently changed to allow nurse practitioners and physician assistants to issue orders for individuals to receive health home services. DSS is in favor of implementing this permanently because it will improve access to home health services efficiently. Commissioner Gifford is in support of retaining the ability to choose to cover certain audio-only telephone services in Section 3 because it is a necessary step to improve access and equity to care. The Department is in support of section 5 because the authority to relax specific utilization review criteria is

important “to efficiently adapt the program to changing clinical practices and program structure, ensure sufficient access to services, and safeguard quality of services provided.”

## **NATURE AND SOURCES OF SUPPORT:**

50 Licensed Behavior Analysts submitted testimony in support of the bill. All of these testifiers support this bill as it adds Licensed Behavior Analysts to the list of approved telehealth providers. They support this addition because, throughout the pandemic, telehealth has become a standard method of service delivery and continues to be a widely applied modality within the behavior analytic community.

A majority of the testifiers support this bill because telehealth expands access to impactful, evidence-based, quality services, for a wide range of clients and their families. Telehealth has improved access to medically necessary services which may not otherwise be available due to location, transportation, health, or other variables. Some people included that telehealth has empowered caregivers because of increased participation and training. Others added that it allows providers to observe and analyze behaviors that may only be displayed at home. Others pointed out that telehealth allows for continued care, which is critical to continued progress. Without a telehealth option, many children would have a lapse in services which can be very damaging and even cause regression in abilities and behavior. Other supporting arguments included: telehealth allows for LBA’s to take on an increased number of clients without compromising quality of care, and it provides flexibility in timing to meet individual family needs.

27 additional individuals submitted testimony in support of the bill. They all support this bill because telehealth services increase access to care, and there is growing evidence demonstrating the efficacy of telehealth. Many testifiers mentioned the importance of audio-only sessions, as they allow providers to reach parents and children who do not have the technical capacity to connect via video, or simply are uncomfortable doing so. Many testifiers also commented that this bill is a vital step toward addressing the current crisis regarding mental health and addiction care in the state. To meet the increased need for mental health services, people must have access to flexible, high-quality telehealth. Others emphasize the importance of “audio-only telephone” communication as an option, as it ensures more equitable access to care. Many patients do not have access to the internet or audio-visual devices; without an audio-only option, a large portion of patients would be disenfranchised. A few testifiers mention that this bill addresses health disparities by removing barriers to care, through the ability of PAs and APRNs to order home health care. A handful of testifiers mentioned that telehealth contains costs for healthcare systems.

A collection of 20 groups and providers submitted testimony in support of the bill. They support this bill because telehealth increases access to care by connecting patients to a wide variety of vital services; “it helps ensure that options are available for patients to receive the right care, at the right place, at the right time.” Though the pandemic underscored the value of telehealth, it also demonstrated that it should remain an essential method for delivering healthcare services.

Michael Aronow, President, Connecticut Orthopaedic Society, requests language clarification to Section 1 (h) (i) and Section 2 (a) (b). The Society requests that the language is amended

to clarify that physician assistants would be authorized, under the supervision and direction of a physician to order home health services. They also request that language is amended “to clarify that for the first three years after having been issued a license pursuant to section 20-94a, an advanced practice registered nurse ordering home health services would need to collaborate with a physician licensed to practice medicine in this state.” Lastly, they request language is amended “to clarify that physician assistants and advanced practice registered nurses licensed in a state which borders Connecticut would be held to the same requirements as physician assistants and advanced practice registered nurses licensed in Connecticut.”

Lynn Evans supports this bill because telehealth has provided her life-saving services through this pandemic.

Sharri and Wyatt Lungarini, support this bill because of their personal experience witnessing the critical support their son received throughout the pandemic through telehealth.

Brunilda Ferraj, Director of Policy Research and Organizational Initiatives, CT Community Nonprofit Alliance supports the intent of the bill but believes it does not adequately protect and ensure continuity in care. First, The Alliance requests that language in Section 4 is amended to “require the DSS Commissioner to allow for audio-only service provision as long as it is permissible by federal law.” Second, they request the language from H.B 6272 regarding rate parity for telehealth and in-person services be added to this bill.

Kelly McConney Moore, Senior Policy Counsel, American Civil Liberties Union of Connecticut, supports this bill because “access to telehealth during a global pandemic is both a matter of racial equity and reproductive freedom.” Reducing spread, through limited contact, directly improves health outcomes for communities of color, who have been disproportionately impacted by COVID-19. Access to reproductive healthcare through telehealth ensures that time-sensitive and essential services are provided.

Pareesa Charmchi Goodwin, Executive Director, CT Oral Health Initiative, supports the bill and recommends adding licensed dentists and registered dental hygienists to the list of telehealth providers. Teledentistry is critical to assess urgent needs, which prevents unnecessary emergency room visits. It also brings care to difficult to reach populations.

#### **NATURE AND SOURCES OF OPPOSITION:**

None expressed

**Reported by: Gianna Vollano**

**Date: March 30, 2021**