

Congress Extends Telehealth Waivers

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On December 20, 2024, as part of its stopgap government funding legislation (the “Continuing Resolution”), Congress issued an important extension of telehealth waivers and flexibilities currently in place for the next two years through December 31, 2026.

The Continuing Resolution also includes the following measures relevant to the telehealth market segment:

- Patients' homes will continue to serve as eligible Originating Sites for all telehealth services.
- All Medicare-enrolled providers will continue to be eligible providers for the purpose of providing telehealth services.
- There will continue to be no geographic limitations on where the patient or the eligible provider is physically located within the United States during a telehealth service.
- Rural Health Clinics (RHCs) and Federally Qualified Health Centers (FQHCs) will continue to serve as eligible Distant Sites for non-behavioral health telehealth services.
- Providers may continue to use audio-only technology to provide reimbursable telehealth services.
- Hospice providers may continue to use audio-visual telehealth technologies to conduct face-to-face encounters to recertify hospice care eligibility.

Additionally, the Continuing Resolution further delays the requirement that Medicare beneficiaries have an in-person visit with their behavioral health provider within six months of their initial telehealth appointment.

This CR is indicative of the continued evolution of telehealth services, the trajectory of which accelerated dramatically during the COVID-19 Public Health Emergency. It has become clear that legislators believe telehealth services to be an integral aspect of the U.S. healthcare delivery system. The challenge in the future will be figuring out which industry segments (i.e., behavioral health, rural health access, remote monitoring) will benefit the most from making these rules permanent.