

February 11, 2020

The Honorable Paul G. Pinsky
Chairman
Committee on Education, Health, and Welfare
Maryland State Senate
2 West Miller Senate Office Building
11 Bladen Street
Annapolis, Maryland 21401

Re: Large Employer Support for Telehealth Measures in Senate Bill 402

Dear Chairman Pinsky:

On behalf of The ERISA Industry Committee (ERIC), thank you for accepting testimony from interested stakeholders as you consider Senate Bill 402. We are writing to express our strong support for the telehealth provisions in S.B. 402, specifically the provisions that define telehealth in a technology-neutral way, and to urge the Committee on Education, Health, and Welfare to report out the bill favorably as soon as possible.

ERIC is the only national association that advocates exclusively for large employers on health, retirement, and compensation public policies at the federal, state, and local levels. We speak in one voice for our member companies on their benefit and compensation interests, including those with employees and retirees in Maryland. Maryland policymakers are likely to engage with an ERIC member company when they drive a car or fill it with gas, use a cell phone or a computer, visit a bank or hotel, fly on an airplane, watch TV, benefit from our national defense, go shopping, receive or send a package, use cosmetics, or enjoy a soft drink.

Our member companies offer comprehensive health benefits to employees, their families, and often retirees, too. On average, large employers pay around 85 percent of health care costs on behalf of their beneficiaries – that would be a gold or platinum plan if bought on a state health care exchange. There are about 181 million Americans who get health care through their job, and over 110 million of them are in self-insured plans like those offered by ERIC member companies.

As plan sponsors, our member companies strive to provide the best health care possible to their employees, retirees, and families at an affordable cost. ERIC seeks to enhance our member companies' ability to provide high-quality, affordable health care, and we recognize the significant opportunity provided by telehealth to modernize health care delivery and improve access to quality medical care for workers and their dependents. Telehealth minimizes the time spent attending a health care provider visit, making telehealth a great value to working

parents, caregivers, and others struggling to balance work and family demands. It also provides access to care for rural and urban underserved populations, retirees, the elderly, disabled employees, and those with language barriers, chronic conditions, or transportation barriers that may otherwise not have access to care.

Large, multistate employers need consistent telehealth policies around the country so that their employees and families can enjoy the same company benefits regardless of the state in which they live or work. It is imperative that employers' funds to pay benefits are used to maximize value for patients, and not diverted to administrative and compliance burdens stemming from a myriad of disparate and potentially conflicting state rules and regulations.

ERIC member companies want their employees to have the care they need – when and how they need it. Telehealth offers many unique benefits that are appreciated by employees, retirees, and their families because it allows access to health care that is provided at an affordable, cost-effective rate.

ERIC supports S.B. 402, including the provisions that define telehealth in a technology-neutral way, amending the current code to ease the process of providing telehealth services. ERIC champions technology-neutral requirements in telemedicine legislation and regulations because restrictive requirements create a barrier to access.

Under the July 22, 2019 rule passed by the Maryland Board of Physicians, telehealth interactions are mandated to use video and audio for the initial visit. S.B. 402 would remove that requirement and allow for video and/or audio to be used. ERIC commends this amendment for eliminating this restrictive requirement. We believe restrictive technology requirements only serve to prevent new forms of telemedicine technology, which are ever evolving, from being quickly implemented. Patients should not be prevented from using telemedicine solely because they lack the capability to communicate with a provider via video.

ERIC appreciates the opportunity to weigh-in on this very important legislation. We are happy to provide any additional input as the Committee moves the bill forward.

Sincerely,



James P. Gelfand