



ERIC The ERISA Industry Committee

The Only National Association Advocating Solely for the Employee Benefit and Compensation Interests of America's Largest Employers

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Annette Guarisco Fildes, President & CEO

December 30, 2015

Regulatory Specialist Rhonda West
Delaware Department of Insurance
841 Silver Lake Boulevard
Dover, DE 19904

Sent via electronic mail to rhonda.west@state.de.us

Dear Ms. West,

We are pleased that the Delaware Department of Insurance (Department) has issued proposed regulations that recognize the potential benefits of telehealth and welcome the opportunity to share our enthusiasm and support for leveraging telehealth to increase access to healthcare. On behalf of The ERISA Industry Committee (ERIC), we want to thank you for thoughtfully developing your regulations to maximize the benefits of telehealth, and to express large employers' interests on this issue.

As the only national trade association advocating solely for the employee benefit and compensation interests of America's largest employers, ERIC speaks in one voice for large employers on public policy issues relating to employee benefits. Our members have workers in every state across the country, including many Delawareans.

ERIC's members are committed to, and known for, providing high-quality, affordable health care to millions of workers and their families. ERIC has a strong interest in proposals that affect its members' ability to deliver cost-effective benefits. ERIC's members devote considerable time and resources to their benefit plan design, balancing the provision of high-quality, affordable health care with the need to contain costs for these programs.

Our members need consistent telehealth policies around the country so that their workers and their families can enjoy the same company benefits regardless of the state in which they live or work. It is imperative that funds to pay benefits are maximized and not diverted to administrative and compliance burdens stemming from a myriad of disparate and potentially conflicting state rules and regulations.

In addition to improved access to health care, employers support telehealth for these reasons:

- **Accessibility. Flexibility. Without barriers.** Telehealth gives employees and their families access to health care 24 hours a day, seven days a week, whether at home, in transit, or at work, without regard to standard office hours and proximity to a health care provider.
- **Benefits for rural, urban, and working families.** Telehealth has long been seen as a means for providing access to care for rural populations. Urban underserved populations, retirees, the elderly, disabled employees, and those with language barriers, chronic conditions, or transportation barriers also stand to benefit from increased access to care, as well as working parents and others struggling to balance work and family demands.

- **Increased workforce satisfaction.** The response from employees who have used telehealth services is very positive. Employees want to minimize the time spent attending to their health needs, or that of loved ones, and appreciate the opportunity to reach a health care professional at times and locations that are convenient to them. They like the service and want it to continue.
- **Connection to workplace clinics, rural health centers and employer wellness initiatives.** Telehealth services can complement employer workplace clinics as well as rural health centers. Telehealth also supports wellness initiatives that employers offer to further employee health and wellbeing.
- **Cost-effective care.** Employees, retirees, and their families need access to health care that they can utilize because it is provided at an affordable, cost-effective rate.

To maximize the benefits of telehealth, ERIC believes that laws must be appropriately flexible to allow for modernization of the health care delivery system. We support policies that increase access to telehealth by adopting technology-neutral telehealth definitions; allowing care to be provided to a patient wherever he or she is located at the time of the telehealth visit; and avoiding additional requirements on telehealth visits that are not required for in-person visits. We do not support policies that require reimbursement at the same rate for in-person and telemedicine visits. Requiring reimbursement parity between in-person and telehealth services imposes an unnecessary and inflexible mandate on payers. Telehealth is a modern mode of health care delivery that increases access to care at a cost-effective rate. If cost-savings are achieved through telehealth, ERIC believes that those savings should be reflected in the cost and reimbursement rates of telehealth services.

We understand that the Department must act within the bounds of the law, and are pleased that the Department's proposed regulations support access to telehealth without imposing additional restrictions and requirements on this health care delivery tool. ERIC appreciates that the Department's proposed regulations include language that is technology-neutral and a definition of originating sites that allows for care to be provided to patients wherever they may be at the time telehealth services are provided. We hope to see policies in the future that allow for flexibility in reimbursement and coverage rates that reflect all of the benefits of telehealth, including potential cost-savings.

Thank you for considering large employers' interests as you finalize your telehealth regulations. ERIC is pleased to represent large employers with the goal of ensuring telehealth benefits are accessible for millions of workers, retirees, and their families. We welcome additional questions and opportunities to contribute to your rulemaking process.

Sincerely,



Annette Guarisco Fildes
President & CEO