



July 20, 2020

The Honorable Greg Abbott
Office of the Governor
PO Box 12428
Austin, TX 78711-2428
Delivered via Email

Dear Governor Abbott:

On behalf of the Texas Medical Association and the undersigned state specialty societies, we are writing to respectfully request approval for Texas Medicaid to extend its COVID-19-related telemedicine and regulatory flexibilities for at least three months.

Among other reforms, current Medicaid waivers allow physicians to readily provide an array of services via telemedicine, thus ensuring patients retain access to preventive, primary, and specialty care throughout the pandemic; postpone time-consuming paperwork and prior authorizations that detract from patient care; and eliminate office-based copayments for children enrolled in the Children's Health Insurance Program (CHIP), meaning low-income families will not need to choose between taking their child to the doctor and another essential service.

Currently, the Texas Health and Human Services Commission (HHSC) extends most of its waivers on a month-to-month basis, making it very difficult for physicians to plan ahead. This is particularly problematic for telemedicine-related flexibilities, where physicians cannot schedule patients beyond a 30-day period much less anticipate patient volume and staffing needs because they don't know if the service will still be payable. Physicians also do not know whether patients enrolled in CHIP will continue to have coverage. All practices operate on small financial margins but Medicaid/CHIP practices even more so. Thus, the inability to plan beyond a month at a time inadvertently contributes to the precarious financial condition of many practices.

Throughout the pandemic, HHSC has worked collaboratively with our organizations to ease regulatory barriers that may otherwise have interfered with physicians' ability to safely provide care. With the virus still spreading, it is vitally important that HHSC be given the ability not only to maintain current flexibilities but also to authorize their use for a longer period of time.

We understand that extending Texas Medicaid's COVID-19 related-telemedicine and other regulatory flexibilities depends largely on whether the U.S. secretary of health and human services decides to renew the current national public health emergency, which will expire on July 25 without action. However, all

indications are that the secretary will do so. When that happens, we urge Texas to swiftly extend Medicaid's COVID-19 flexibilities for three months.

In particular, we support extending the following flexibilities for three months, with opportunity for ongoing extension:

- Medicaid telemedicine and telehealth waivers, including continuing use of telephone (audio)-only telemedicine/health coverage and authority to provide virtual well-child visits for children over age 24 months;
- Suspension of Medicaid revalidation requirements;
- Elimination of cost-sharing for children enrolled in CHIP; and
- Automatic extension of eligibility renewals for children whose CHIP coverage will expire while the federal public health emergency is in effect.

Thank you for your continued efforts to stanch the spread of COVID-19, including your recent extension of the state's disaster declaration, actions to expand statewide testing and hospital capacity, and promoting the importance for all Texans to practice the three "W's" of good public health – wear a mask, wash hands frequently, and watch their distance.

Sincerely,

Diana L. Fite, MD
President, Texas Medical Association

Tammy Camp, MD
President, Texas Pediatric Society

Javier D. "Jake" Margo Jr., MD
President, Texas Academy of Family Physicians

John Thoppil, MD
President, Texas Association of Obstetricians and Gynecologists

Eugene Toy, MD
Chair, American College of Obstetricians and Gynecologists

Amanda La Violette, MD, MPH
President, American College of Physicians Services, Texas Chapter

cc: Phil Wilson, Acting Executive Commissioner, HHSC
Michelle Alletto, Chief Programs and Services Officer, HHSC
Stephanie Stephens, State Medicaid Director