



March 18, 2020

Leader Mitch McConnell

Majority Leader, US Senate
317 Russell Senate Office Building
Washington, DC 20510

Speaker Nancy Pelosi

Speaker of the US House of Representatives
1236 Longworth House Office Building
Washington, DC 20510

Minority Leader Chuck Schumer

House Minority Leader, US Senate
322 Hart Senate Office Building
Washington, D.C. 20510

Minority Leader Kevin McCarthy

Minority Leader, US House of Representatives
2468 Rayburn House Office Building
Washington, DC 20515

From: The Coalition to Transform Advanced Care (C-TAC)

RE: COVID-19 Funding Legislation Provisions

Dear Senators McConnell & Schumer and Representatives Pelosi & McCarthy,

On behalf of the Coalition to Transform Advanced Care (C-TAC), thank you for your leadership during this unprecedented challenge our country is facing. As a non-profit, non-partisan coalition of diverse organizations dedicated to improving the quality of life for individuals with serious illness and their families, C-TAC and our members work every day on behalf of those who are most vulnerable to the severe health-related impacts of COVID-19. We collectively stand ready to support your efforts to mitigate the pandemic.

As Congress considers legislation to address the coronavirus emergency, we urge you to include a comprehensive funding strategy to ensure that healthcare and social service systems and providers are viable and directly supported for preparedness and response. This includes ensuring that patients, families, and communities impacted by the outbreak have adequate and timely access to compassionate palliative, hospice, and home-based primary care that will be necessary to address the pain, symptom, and stress management challenges of those impacted by the virus. In order to fully attend to the physical, mental, emotional, and spiritual suffering wrought by an emergency pandemic of this scale, we need to ensure impacted patients and families have the opportunity to benefit from palliative interventions¹. As a way to achieve this important COVID-19 response goal, we offer the **following recommendations:**

Expanding Telehealth:

- Expand telehealth waivers included under the recently passed *Coronavirus Preparedness and Response Supplemental Appropriations Act* ([Division B, Section 102 of P.L. 116-123](#)) to include hospice and home health agencies and to permit use of audio-only telephonic interactions based on technology available to patient.

¹ [Palliating a Pandemic: "All Patients Must Be Cared For](#)



- Allow the face-to-face recertification requirement to be delivered via telehealth until the emergency is over (*Section 1814(a)(7)(D)(i) of the Social Security Act (42 U.S.C. 1395f(a)(7)(D)(i)*)

Reducing Administrative Burdens on Hospice:

- Waive the 5% level of volunteer activity requirement.
- Congress should instruct CMS to pause all hospice audit activity for the duration of the emergency.

Enhancing Coverage of Advance Care Planning Services.

- Waive patient cost-sharing and deductibility of Medicare Advance Care Planning services (CPT codes 99497 & 99498)
- Include clinical social workers as eligible providers that are able to bill for Medicare Advance Care Planning services

Advance care planning support tools.

- Require the Secretary of HHS to develop standards for including completed advance care planning documents within a patient's electronic health record.

Increasing Public Awareness of Serious Illness Care and Advance Care Planning

- Appropriate at least \$50 million and authorize the Secretary of HHS to award grants to qualified organizations to:
 - Develop educational materials and resources for the general public and the healthcare provider community that address advance care planning, the range of services designed for individuals facing serious illness, and training and professional development for clinicians who care for people with advanced serious illness.
 - Develop and implement a national public educational campaign on the above topics.

Supporting a Robust and Well-Trained Serious Illness Care Workforce

- Authorize Nurse Practitioners (NPs) to provide the initial certification of patients for hospice care, in addition to their current ability to recertify patients and serve as attending providers.
- Update the *National Health Service Corps* program to include palliative care medicine as an eligible primary care service, which would officially recognize palliative care as a subspecialty of public health services (*Provider Training in Palliative Care Act – S. 1921*)
- Enact the *Palliative Care and Hospice Education and Training Act (H.R. 647/ S. 2080)*, which would bolster the palliative care and hospice workforce through a number of training, education, and research opportunities.

Expand Access to Home-Based Primary Care

- Amend title XVIII of the Social Security Act to provide for an extension of the Independence at Home (IAH) demonstration program (1866E of the Medicare Act) for at least an additional three years. The IAH demonstration program is one of the most successful Center for Medicare and Medicaid Innovation (CMMI) demonstrations to date, and utilizes a home-based primary care



(HBPC) model to serve complex, frail elders in their homes (*Independence at Home Demonstration Act of 2019 – H.R. 3644*)

Expand Access to Medicare Home Health Services

- Allow advanced practice registered nurses and physician assistants to order Medicare home health care (*Home Health Care Planning Improvement Act of 2019 - H.R. 2150/S. 296*) -
- Waive the homebound requirement for Medicare home health coverage.

Support Family Caregivers

- Provide additional resources to the aging network of community-based services agencies through the Administration on Aging authorized by the Older Americans Act. These should include nutrition, supportive services, caregiver supports, and long-term care ombudsman services.
- Provide working family caregivers with a tax credit up to \$3,000 to assist with out-of-pocket expenses related to caregiving (*Credit for Caring Act – H.R. 2730/S. 1443*)

Increase Funding for Critical Personal Protective Equipment (PPE) for Front-Line Health Care Providers:

- Increased funding will enable providers to access personal protective equipment (PPE) due to the global shortage and increased demand.
- Promote COVID-19 serological testing to identify those health care workers or community members who have developed immunity to be able to care for patients again.

Thank you again for your commitment and work on behalf of all Americans as we face this extraordinary challenge together.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jon Broyles', is positioned below the word 'Sincerely,'.

Jon Broyles
Executive Director

cc:

Chairman & Ranking Member, Senate Committee on Finance
Senator Chuck Grassley, Chairman
Senator Ron Wyden, Ranking Member

Chairman & Ranking Member, Senate Committee on Health, Education, Labor, and Pensions
Senator Lamar Alexander, Chairman
Senator Patty Murray, Ranking Member

Chairman & Vice Chairman, Senate Committee on Appropriations



Senator Richard Shelby, Chairman
Senator Patrick Leahy, Vice Chairman

Chairman & Ranking Member, Senate Committee on Appropriations, Subcommittee on Labor, Health and Human Services, Education, and Related Agencies

Senator Roy Blount, Chairman
Senator Patty Murray, Ranking Member

Chairman & Ranking Member, Senate Special Committee on Aging

Senator Susan Collins, Chairman
Senator Bob Casey, Ranking Member

Chairman & Ranking Member, House Committee on Ways and Means

Representative Richard Neal, Chairman
Representative Kevin Brady, Ranking Member

Chairman & Ranking Member, House Committee on Energy and Commerce

Representative Frank Pallone, Chairman
Representative Greg Walden, Ranking Member

Chairman & Ranking Member, House Committee on Education and Labor

Representative Bobby Scott, Chairman
Representative Virginia Foxx, Ranking Member

Chairman & Ranking Member, House Committee on Appropriations

Representative Nita Lowey, Chairman
Representative Kay Granger, Ranking Member