C-TAC Policy & Advocacy: Actions Taken During the COVID-19 Pandemic
Last edited: July 22, 2020

Legislative Advocacy

- **March 18, 2020:** C-TAC sent letter to Congressional leadership to the following committees and Members of Congress
  - Read letter here
    - **Key Recommendations**
      - Access to personal protective equipment (PPE) for healthcare workers
      - Promoting access to palliative care and hospice services
      - Access to needed medications
      - Increase workforce
      - Promotion of telehealth flexibilities
      - Durable Medical Equipment (DME) and Oxygen
      - Promotion of Advance Care Planning
    - The third bill includes the following pieces that C-TAC supported, and we believe will support people living with serious illness
      - New flexibilities for Hospice recertification
      - Direct aid Funding to produce and distribute essential supplies
      - Support for nursing homes; and more

- **April 3, 2020:** C-TAC sent a second letter to Congressional leadership as they crafted new legislation in response to the COVID-19 pandemic – Read letter here
  - **Key Recommendations**
    - Waive patient cost-sharing and deductibility of Medicare Advance Care Planning Services
    - Include clinical social workers and registered nurses in the definition of eligible practitioners who can bill for Medicare Advance Care Planning services
    - Ensure that advance care planning documentation executed validly in one state are honored in other states
Include palliative care as an eligible primary care service under the National Health Service Corps program, which would officially recognize palliative care as a subspecialty of public health services.

Regulatory Advocacy

- **March 20, 2020**: C-TAC sent a letter to leaders at the U.S. Department of Health and Human Services (HHS) and Centers for Medicare & Medicaid Services, as they developed regulations in response to the COVID-19 pandemic. – [Read letter here](#)
  - **Key Recommendations**:
    - Expanding Telehealth
    - Reducing Administrative Burdens on Hospice
    - Enhancing Coverage of Advance Care Planning Services; Increasing Public Awareness of Serious Illness Care and Advance Care Planning Services
    - Supporting a Robust and Well-trained Serious Illness Care Workforce; Expand Access to Home-Based Primary Care
    - Expand Access to Medicare Home Health Services
    - Support for Family Caregivers
    - Increase Funding for Critical Personal Protective Equipment (PPE) for Front-line Health Care Providers
  - Further, we will be analyzing the third coronavirus bill just passed to see if there are areas where we believe that the Administration needs our support or guidance in implementing the programs

- **April 22, 2020**: C-TAC sent a second letter to HHS and CMS leadership, providing recommended regulations designed to support those with serious illness during the COVID-19 pandemic. – [Read letter here](#)
  - **Key Recommendations**
    - Covering audio-only advance care planning conversations
    - Reconsidering the *Flexibility in Patient Self Determination Act* (Advance Directives) waiver which allows hospitals to disregard advance care planning (ACP) with patients and families
Note: CMS released a new set of waivers on April 30th, designed to create more flexibility for the health care system to respond to the COVID-19 pandemic. Many of these waivers had direct implications for the serious illness population and aligned with our recommendations above.

- Specifically, CMS broadened the list of telehealth services that can be delivered using audio-only technology. ACP is now one the services which can be delivered by audio-only technology, which has been a key priority for C-TAC and was one of the main regulatory recommendations cited in our recent letter.
- Read our full recap to learn more about the waivers.

June 1, 2020: C-TAC submitted comments in response to an interim rule proposed by CMS in response to the COVID-19 pandemic. – Read comments here

- Key Responses:
  - We reinforced support for recent changes to expand telehealth access
  - We recommended collecting data on the impact of these changes to determine which measures should become permanent. To read our comments, click here.

July 7, 2020: C-TAC responded to the second interim rule proposed by CMS in response to the COVID-19 pandemic. – Read comments here

- Key Responses:
  - We expressed support for the flexibilities included in this interim rule which enable providers to care for those with serious illness during the COVID-19 pandemic.
  - We support the waiver allowing for telehealth services to be provided through audio-only technology and advocated for making the provision permanent.