RE: CMS Should Make Virtual Supervision Flexibility Permanent

Dear Administrator Verma:

On behalf of the undersigned health systems and professional organizations, we request that the Centers for Medicare & Medicaid Services (CMS) make permanent the current temporary regulatory flexibility allowing physicians to provide direct supervision of clinical staff virtually, using real-time audio/video technology.

During the COVID-19 public health emergency, in order to accommodate provision of telehealth services, CMS has relaxed its rule requiring physicians to provide “direct supervision” of auxiliary personnel. Pursuant to the temporary regulatory flexibility, physicians may provide “virtual supervision” of auxiliary personnel. Physicians should be empowered to supervise clinical staff virtually, at their discretion, regardless of whether there is a declared public health emergency.

By allowing physicians and auxiliary personnel to provide services from two separate locations, this flexibility supports the expansion of telehealth services and protects frontline workers by allowing appropriate social distancing.

The rapid shift to telehealth services during COVID-19 has illustrated the value of telehealth long-term, particularly for patients with mobility issues and those in rural and/or medically underserved areas. Therefore, we ask that CMS permanently allow direct supervision to be provided virtually in order to meet the growing demand for telehealth services, which will likely extend beyond the COVID-19 pandemic.

Thank you for your consideration. Please let me know if we can provide any additional information.

Sincerely,

ASHP (American Society of Health-System Pharmacists)  
American Academy of Family Physicians  
American Academy of Neurology  
American Association of Neurological Surgeons  
American College of Emergency Physicians  
American College of Physicians  
Association of Community Cancer Centers  
Association of Diabetes Care & Education Specialists  
College of Neurological Surgeons  
Society of Interventional Radiology  
Advocate Aurora Health (Illinois and Wisconsin)  
Alps Pharmacy (Missouri)  
Arizona Pharmacy Association  
Arnold and Marie Schwartz College of Pharmacy (New York)  
Ascension (Missouri)  
Auburn University Harrison School of Pharmacy (Alabama)
Avera Health (South Dakota)
Bronson Healthcare Group (Michigan)
California Society of Health-System Pharmacists
Centura Health (Colorado and Kansas)
Colegio de Farmaceuticos of P.R. (Puerto Rico)
Colorado Pharmacists Society
Community Hospitals and Wellness Centers (Ohio)
Cone Health (North Carolina)
Connecticut Society of Health-System Pharmacy
Desert Pharmacy (California)
Florida Society of Health-System Pharmacy
Georgia Society of Health-System Pharmacists
Hawaii Pacific Health
Hawaii Pharmacists' Association
HonorHealth (Arizona)
Howard University College of Pharmacy (Washington, DC)
Idaho Society of Health-System Pharmacists
Illinois Council of Health-System Pharmacists
Indiana Society of Health-System Pharmacists
Indiana University Health
Inova Health System (Virginia)
Intermountain Healthcare (Utah)
Iowa Pharmacy Association
The Johns Hopkins Health System (Maryland)
Kansas Council of Health-System Pharmacy
Kentucky Society of Health-Systems Pharmacists
LifePoint Health (Tennessee)
Long Island University Student Society of Health-System Pharmacists (New York)
Louisiana Society of Health-System Pharmacists
Madison Medical Center (Missouri)
Maryland Society of Health-System Pharmacy
Massachusetts Society of Health-System Pharmacists
Memorial Hospital at Gulfport (Mississippi)
Methodist Health System (Texas)
Michigan Pharmacists Association
Michigan Society of Health-System Pharmacists
Minnesota Society of Health-System Pharmacists
Missouri Society of Health-System Pharmacists
Montana Pharmacy Association
Mount Sinai Health System (New York)
MUSC Health (South Carolina)
Nevada Society of Health-System Pharmacists
New Hampshire Society of Health-System Pharmacists
New Jersey Society of Health-System Pharmacists
New Mexico Society of Health-System Pharmacists
New York Presbyterian Hospital (New York)
North Dakota Society of Health-System Pharmacists
Ohio Society of Health-System Pharmacists
OhioHealth
Oregon Society of Health-System Pharmacists
OSF Healthcare (Illinois)
Pennsylvania Society of Health-System Pharmacists
Pharmacy Society of Wisconsin
Pioneers Memorial Healthcare District (California)
Providence St. Joseph Health
Purdue University Student Society of Health-System Pharmacists (Indiana)
Rhode Island Society of Health-System Pharmacists
Saint Luke's Health System (Kansas and Missouri)
Sanford Health (South Dakota)
South Dakota Society of Health-System Pharmacists
Tampa General Medical Group (Florida)
Tennessee Society of Health-System Pharmacists
Texas Society of Health-System Pharmacists
University of Maryland School of Pharmacy and the UMB eHealth Center
University of North Carolina Eshelman School of Pharmacy Asheville Campus
University of North Carolina Hospital
University of Virginia Health System
Utah Society of Health-System Pharmacists
UW Health (Wisconsin)
UW Medicine (Washington)
Virginia Mason Medical Center (Washington)
Virginia Society of Health-System Pharmacists
Washington State Pharmacy Association
Welia Health (Minnesota)
Wyoming County Community Health System (New York)
Yale New Haven Health (Connecticut)