June/July XX, 2020

Seema Verma
Administrator
U.S. Centers for Medicare & Medicaid Services
7500 Security Boulevard
Baltimore, MD 21244

RE: CMS Should Make Virtual Supervision Flexibility Permanent

Dear Administrator Verma:

On behalf of the undersigned 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)