

January 5, 2020

Ms. Chiquita Brooks-LaSure
Biden Transition Team
Team Lead for the Department of Health and Human Services Agency Review Team
1401 Constitution Avenue, N.W.
Washington, D.C., 20230

RE: Making CMS Virtual Supervision Flexibility Permanent

Dear Ms. Brooks-LaSure:

On behalf of the undersigned health systems and professional organizations, we ask that you make permanent the current temporary regulatory flexibility provided the Centers for Medicare & Medicaid Services (CMS) by 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)	Ascension
American Academy of Neurology	Avera Health
American Association of Neurological Surgeons	Baptist Health
American College of Emergency Physicians	Bon Secours Mercy Health
Association of Community of Cancer Centers	Bryan Health
Association of Diabetes Care & Education Specialists	California Society of Health-System Pharmacists
College of Neurological Surgeons	Centura Health
Alabama Society of Health-System Pharmacists	Colegio de Farmaceuticos of Puerto Rico
Arizona Pharmacy Association	Colorado Pharmacists Society

Cone Health
Connecticut Society of Health-System Pharmacists
Deaconess Health System
Desert Pharmacy
Georgia Society of Health-System Pharmacists
Hawaii Pharmacists Association
Howard University College of Pharmacy
Idaho Society of Health-System Pharmacists
Illinois Council of Health-System Pharmacists
Indiana Society of Health-System Pharmacists
Indiana University Health
Iowa Pharmacy Association
Jefferson Health
Kansas Council of Health-System Pharmacy
Legacy Health
Maryland Society of Health-System Pharmacists
Massachusetts Society of Health-System Pharmacists
Methodist Health System
Michigan Society of Health-System Pharmacists
Mississippi Society of Health-System Pharmacists
Missouri Society of Health-System Pharmacists
Mount Sinai Health System
Minnesota Society of Health-System Pharmacists
Nebraska Pharmacists Association
New Jersey Society of Health-System Pharmacists
New York State Council of Health-System Pharmacists

North Carolina Association of Pharmacists
North Dakota Society of Health-System Pharmacists
Ohio Society of Health-System Pharmacists
Oregon Society of Health-System Pharmacists
OSF Healthcare
Pharmacy Society of Wisconsin
Pioneers Memorial Healthcare District
Providence St. Joseph Health
Saint Luke's Health System
Sanford Health
South Dakota Society of Health-System Pharmacists
Tennessee Pharmacists Association
Texas Society of Health-System Pharmacists
Trinity Health
UC San Diego Health
UNC Eshelman School of Pharmacy
UnityPoint Health
University of North Carolina Hospital
University of Utah Health
Utah Society of Health-System Pharmacists
UVA Health
UW Medicine
Virginia Mason Medical Center
Washington State Pharmacy Association
Yale New Haven Health

Cc: HHS Agency Review Team