



PATRICK TESTIN

STATE SENATOR

DATE: October 12th, 2023

RE: **Testimony on 2023 Senate Bill 476**
TO: The Senate Committee on Health
FROM: Senator Patrick Testin

Thank you Chairman Cabral-Guevara and members of the Senate Health Committee for giving me the opportunity to testify on Senate Bill 476.

Wisconsin has taken great steps to provide Medical Assistance recipients with greater access to health care from Wisconsin-licensed health care providers who treat patients via telehealth. This is a critical need, as Wisconsin continues to face historic health care provider shortages. By broadening the network of available licensed providers, this legislation will reduce wait times for Medical Assistance recipients to receive care. This, in turn, promotes successful health care outcomes.

Earlier this session, telehealth rules in Medicaid were finalized. Within the new rule, DHS permits health care providers who do not have a physical location in the state of Wisconsin to apply for certification as a Medical Assistance provider in order to treat Medical Assistance recipients via telehealth, so long as the provider holds a Wisconsin license and is in good standing with their respective licensing board.

This bill codifies the current administrative code into statute so Wisconsin-licensed health care providers and provider groups who are located outside have the power of statute behind them when attempting to enroll in the Medical Assistance program.

SB 476 is necessary in order to ensure the Wisconsin Medical Assistance program permanently modernizes provider and provider group enrollment rules to accommodate virtual care services.



ELLEN SCHUTT

STATE REPRESENTATIVE • 31ST ASSEMBLY DISTRICT

October 12, 2023

Testimony on Senate Bill 476

Thank you Chairwoman Cabral-Guevara and committee members for hearing Senate Bill 476 today. This bill codifies current administrative code to allow Wisconsin-licensed health care providers and provider groups who are located outside the state of Wisconsin and offer telehealth services to patients in state to be able to be reimbursed in the medical assistance program.

Earlier this session, telehealth rules in Medicaid were finalized. Within the new rule, Department of Health Services (DHS) permits health care providers who do not have a physical location in the state of Wisconsin to apply for certification as a medical assistance provider in order to treat Medical Assistance recipients via telehealth, as long as the provider holds a Wisconsin license and is in good standing with their respective licensing board.

Wisconsin has taken great steps to provide medical assistance recipients with greater access to health care from Wisconsin-licensed health care providers who treat patients via telehealth. This is a critical need, as Wisconsin continues to face historic health care provider shortages. By broadening the network of available licensed providers, this legislation will reduce wait times for medical assistance recipients to receive care. This promotes successful health care outcomes and reduces the possibility of patients developing emergency conditions or worsening chronic illnesses.

This bill prohibits DHS from requiring a health care provider or group that is licensed, certified, registered, or otherwise authorized to provide health care services in this state and that exclusively offers health care services in this state through telehealth to maintain a physical address or site in this state to be eligible for enrollment as a certified provider under the medical assistance program.

This change is necessary in order to ensure the Wisconsin medical assistance program permanently modernizes provider and provider group enrollment rules to accommodate virtual care services.

Thank you for your consideration of Senate Bill 476.



TO: Chairwoman Cabral-Guevara and members of the Senate Health Committee
FROM: Jordan See, Teladoc Health
RE: Support for SB 476
Date: October 12, 2023

Chairwoman Cabral-Guevara, and members of the Senate Health Committee, thank you very much for the opportunity to provide testimony in support of Senate Bill 476. My name is Jordan See; I am the Director of Government Affairs at Teladoc Health.

For those of you unfamiliar with Teladoc Health, we are the world's oldest and largest telehealth company. Today in Wisconsin, roughly 135,000 Wisconsin Medicaid beneficiaries are eligible for one of Teladoc Health's services, with 122 Wisconsin-licensed physicians in our Medicaid managed care provider group supporting Molina and the Group Health Collaborative of Eau Claire. It is important to note that all Teladoc Health providers are licensed by their respective professional licensing boards in Wisconsin. **In short, our providers are your providers.**

Until recently, some Wisconsin-licensed providers struggled to enroll as an in-state Medicaid provider because the administrative code would not acknowledge an out-of-state address of a provider as eligible to enroll. If a Wisconsin-licensed provider was using a technology platform to treat patients in Wisconsin and the platform was technically headquartered out of state, then Wisconsin Medicaid policy would require the Wisconsin-licensed provider to hold a valid license in that other state to enroll as a Medicaid provider in this state. This policy was not workable with the evolution of telemedicine. **When telehealth is used, it is considered to be rendered at the physical location of the patient – not the provider's location and certainly not the headquarters of the software the provider uses to conduct a virtual visit.**

The Department of Health Services agreed that the Medicaid policy needed to change and addressed it in their larger telehealth administrative rule-making which was approved by this committee earlier in the year. The rule ensured that providers who are licensed in Wisconsin, who regularly provide services to Wisconsin Medicaid beneficiaries through telehealth can do so regardless of the provider's location.

Senate Bill 476 would codify this administrative action by prohibiting DHS from requiring a health care provider or provider group consisting entirely of health care providers that are licensed, certified, registered, or otherwise authorized to provide health care services in Wisconsin and that exclusively offers health care services in this state through telehealth, to maintain a physical address or site in this state to be eligible for enrollment as a certified provider under the Medical Assistance program.

Similar language to what is being considered here this morning, has been introduced, passed, and signed into law during the 2023 Legislative Session in Virginia, Tennessee, Kentucky, and Indiana. Teladoc Health urges you to support Senate Bill 476 as a commonsense belts and suspenders measure that will save money, improve health outcomes, and mitigate provider shortages.

Chairwoman Cabral-Guevara and members of the Senate Health Committee, thank you for allowing me to testify today to share Teladoc Health's support for SB 476. I will be glad to answer any questions the Committee may have.