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April 7, 2020

The Honorable Alex Azar II Secretary

US Department of Health & Human Services

Hubert H. Humphrey Building 200 Independence Ave, SW Washington, DC 20201

The Honorable Seema Verma Administrator

Centers for Medicare & Medicaid Services Hubert H. Humphrey Building

200 Independence Ave, S.W Washington DC, 202021

RE: Expansion of Psychotherapy Services to Medicare Beneficiaries

Dear Secretary Azar and Administrator Verma:

The Clinical Social Work Association strongly urges the Centers for Medicare & Medicaid Services (CMS) to immediately expand telehealth access for Medicare recipients to include audio-only telemental health services. During this public health emergency, telehealth can play a critical role in providing mental health services, such as psychotherapy. No Medicare recipient should be denied access to mental health treatment, as many are now because telephone sessions are not covered.

Current CMS regulations only reimburse telehealth services conducted through “communications equipment that includes, at a minimum, audio and video equipment permitting two-way-real-time interactive communications” (42 C.F.R. §410.78(a)(3)). It is our understanding that Sec. 3703 of the recently passed Coronavirus Aid, Relief, and Economic Security Act provides authority to waive this requirement by the Secretary of the U.S. Department of Health & Human Services during a public health emergency.

Though CMS did issue guidance on March 30th that grants providers the ability to evaluate patients by audio-only communications, this guidance does not allow for the use of audio-only communications for licensed clinical social workers to provide psychotherapy services under CPT codes 90791, 90832, 90834, 90837, 90846, and 90847.

According to a May 2019 Federal Communications Commission report, between 21.3 million and 42 million Americans lack broadband access. This includes many Medicare beneficiaries. Due to this lack of access, expanding telehealth access to include audio-only telehealth services, could immediately help these vulnerable people.

As you know, the Centers for Disease Control and Prevention (CDC) has recommended that those age 60 and older avoid crowds, and that those in a community with an outbreak stay home as much as possible. However, this can exacerbate social isolation and loneliness, which can lead to serious mental health problems. CSWA does not want physical distancing to prevent social connectedness, the lack of which promotes physical distress, anxiety, depression, and increased risk of fatality.

Our patients rely on the emotional connectedness they have with their LCSWs and many are suffering because they have been unable to maintain contact during the required physical distancing. CSWA asks you to relieve this suffering by allowing LCSWs to provide psychotherapy through coverage of audio only treatment.

They need your help to relieve the increased emotional distress that has been inflicted on them by this pandemic. Please cover telephonic psychotherapy sessions for the good of these vulnerable people. CSWA is happy to speak with you further about the serious threat that lack of audio only treatment represents to the well-being of our patients, Medicare beneficiaries.

Sincerely,

Britni Brown, LCSW, President

Clinical Social Work Association

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