

June 5, 2023

The Honorable Virginia Foxx  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Robert C. Scott  
U.S. House of Representatives  
Washington, DC 20515

Dear Chairwomen Foxx and Ranking Member Scott,

The HR Policy Association and the American Health Policy Institute applaud your work on implementing bipartisan legislation to enable employers to continue to provide telehealth to certain groups of employees as they have during the COVID pandemic. We urge you to approve the *Telehealth Benefit Expansion for Workers Act of 2023* ([H.R. 824](#)). Federal agency guidance that allows telehealth benefits to be offered as an excepted benefit, like dental and vision coverage, is set to expire at the end of the year. Without this bill, employers will no longer be able to offer telehealth benefits to millions of part-time and seasonal employees.

The HR Policy Association is the leading organization representing the chief human resource officers of over 375 of the largest employers in the United States. Collectively, their companies provide health care coverage to over 20 million employees and dependents in the United States. The American Health Policy Institute, which was created by the Association, serves to examine the challenges employers face in providing health care to their employees and recommends policy solutions to promote the provision of affordable, high-quality, employer-based health care.

Under current *Affordable Care Act* rules, employers cannot extend telehealth benefits to several classes of employees including part-time and seasonal employees without penalty. However, in 2020, DOL, HHS and Treasury announced they would not enforce penalties against employers who wanted to offer telehealth services to employees who were not eligible for the employer-sponsored health plan. This important non-enforcement policy ends at the end of 2023. Amending the excepted benefit and eligibility classifications under federal law will allow telehealth to be treated like any other add-on benefit and will enable employers to continue to provide access to telehealth services for all employees.

We welcome any opportunity to further discuss the advantages of telehealth benefits and urge you to advance H.R. 824.

Sincerely,



Margaret Faso  
Director, Health Care Research and Policy  
HR Policy Association, American Health Policy Institute