

August 11, 2021

Office of the Insurance Commissioner
PO Box 40260
Olympia, WA 98504

Dear Jane,

Thank you for the opportunity to comment on the audio-only telemedicine rulemaking (R 2021-06) stakeholder draft. These comments are from a new coalition of leading voluntary health organizations that work together to advocate for Washingtonians with chronic and rare conditions. We were supportive of ESHB 1196 as audio-only telemedicine (as well as telemedicine generally) has the tremendous potential to help consumers more easily access care.

Our comments on the stakeholder draft are brief. First, we appreciate the legislature's intent to define an originating site as the "home or any location determined by the individual receiving the service" in RCW 48.43.375 (3)(g). However, the ability of individuals to receive a telemedicine (including audio-only telemedicine) visit is often constrained by arcane provider licensing laws that prevent consumers from receiving care while they are out-of-state. This is a significant barrier for consumers who desire care while traveling outside of Washington, a situation which the legislature appears to try to accommodate. As you further define the originating site in the rules, we urge you to clarify the ability of a consumer to define the originating site, while also being reflective interstate compacts that increasingly allow providers to see consumers across state lines.

Second, we appreciate your protections for consumers who consent to being billed for audio-only telemedicine. Consumers who may have traditionally received these services without being billed need to know that they may no longer receive care for free. We urge you to provide some additional reasonable safeguards for consumers, such as the ability to retract their consent and provision of the written notification of the consent to the consumer.

Thank you for your consideration of these comments. If you have any questions, please contact me at jifreeburg@yahoo.com.

Sincerely,

Jim Freeburg

Coordinator, Coalition of patient advocacy groups