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April 22nd, 2020

The Honorable Tom Wolf
Governor of Pennsylvania
Room 225 Main Capitol Building
Harrisburg, PA 17120

Dear Governor Wolf:

We write with hope that you will use your constitutional power to veto Senate Bill 857. We understand the importance of telemedicine during this pandemic, but we cannot risk enacting a law that would do more harm than good.

This bill prohibits the use of telemedicine to prescribe drugs on the US FDA Risk Evaluation and Mitigation Strategy (REMS) list. Senate Bill 857's Section 4105 (C) describes Limitations on Treatment which arbitrarily prohibit Pennsylvania health care providers from using telemedicine for provision of care – delivery or administration – of any medication or health care service required to be delivered or administered in a health care clinic, medical facility, physician's office, hospital or ambulatory surgical facility on this list as of July 1, 2019. Senate Bill 857's standards may be stricter than REMS requirements, and most importantly, including a date in the legislation would limit usage even if the medicine is taken off the list. This is a very real concern: As drug improvements, testing capabilities, and care delivery improve, these medications may be safe to provide via telemedicine, but prohibited in Pennsylvania.

The REMS list currently lists 58 medications, including both suboxone and buprenorphine, two key drugs in providing medically-assisted treatment that is crucial in combating the opioid crisis. Limiting a patient struggling with substance abuse from getting proper treatment is not good policy. In addition, this list includes mifepristone which is used to provide reproductive healthcare for those without access. This provision could severely limit women's healthcare.

We are grateful that both the Pennsylvania Department of Human Resources and the Federal government took appropriate action to allow telemedicine in a safe and measured approach during the current pandemic. While Senate Bill 857 is compromise legislation agreed to by many stakeholders, all providers and insurers are not in agreement with the base standards to ensure payment for telemedicine. Senate Bill 857 does not require specific payment rates for telemedicine and includes

definitions for technology that are narrower than what the federal government is allowing within Medicare during the COVID-19 pandemic.

In short, this legislation is neither necessary, nor sufficient to meet Pennsylvania's needs now or in the future. Post-pandemic, CMS director Seema Verma has expressed her belief that federal regulations may change around telemedicine. Now is not the time to enact state statutes when the ground may be changing under our feet.

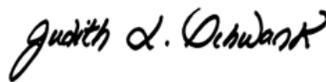
The Women's Health Caucus members are very pleased that telemedicine regulations have been relaxed and that telehealth is already available during the pandemic. We should not enact a bad law that would have ramifications for years to come. Our immediate focus should be containing Covid-19.

Thank you taking time to review this matter. We are confident that you will make the best decisions for Pennsylvania and that you will veto Senate Bill 857.

Sincerely,



Rep. Daley
148th District
Women's Health Caucus, Chair



Sen. Schwank
11th District
Women's Health Caucus, Chair



Rep. Cephas
192nd District
Women's Health Caucus, Vice
Chair