

1 (2) REIMBURSEMENTS.—The amendment made
2 by subsection (c) shall apply to expenses incurred
3 after December 31, 2019.

4 **SEC. 3703. INCREASING MEDICARE TELEHEALTH FLEXI-**
5 **BILITIES DURING EMERGENCY PERIOD.**

6 Section 1135 of the Social Security Act (42 U.S.C.
7 1320b–5) is amended—

8 (1) in subsection (b)(8), by striking “to an indi-
9 vidual by a qualified provider (as defined in sub-
10 section (g)(3))” and all that follows through the pe-
11 riod and inserting “, the requirements of section
12 1834(m).”; and

13 (2) in subsection (g), by striking paragraph (3).

14 **SEC. 3704. ENHANCING MEDICARE TELEHEALTH SERVICES**
15 **FOR FEDERALLY QUALIFIED HEALTH CEN-**
16 **TERS AND RURAL HEALTH CLINICS DURING**
17 **EMERGENCY PERIOD.**

18 Section 1834(m) of the Social Security Act (42
19 U.S.C. 1395m(m)) is amended—

20 (1) in the first sentence of paragraph (1), by
21 striking “The Secretary” and inserting “Subject to
22 paragraph (8), the Secretary”;

23 (2) in paragraph (2)(A), by striking “The Sec-
24 retary” and inserting “Subject to paragraph (8), the
25 Secretary”;

1 (3) in paragraph (4)—

2 (A) in subparagraph (A), by striking “The
3 term” and inserting “Subject to paragraph (8),
4 the term”; and

5 (B) in subparagraph (F)(i), by striking
6 “The term” and inserting “Subject to para-
7 graph (8), the term”; and

8 (4) by adding at the end the following new
9 paragraph:

10 “(8) ENHANCING TELEHEALTH SERVICES FOR
11 FEDERALLY QUALIFIED HEALTH CENTERS AND
12 RURAL HEALTH CLINICS DURING EMERGENCY PE-
13 RIOD.—

14 “(A) IN GENERAL.—During the emergency
15 period described in section 1135(g)(1)(B)—

16 “(i) the Secretary shall pay for tele-
17 health services that are furnished via a
18 telecommunications system by a Federally
19 qualified health center or a rural health
20 clinic to an eligible telehealth individual en-
21 rolled under this part notwithstanding that
22 the Federally qualified health center or
23 rural clinic providing the telehealth service
24 is not at the same location as the bene-
25 ficiary;

1 “(ii) the amount of payment to a Fed-
2 erally qualified health center or rural
3 health clinic that serves as a distant site
4 for such a telehealth service shall be deter-
5 mined under subparagraph (B); and

6 “(iii) for purposes of this subsection—

7 “(I) the term ‘distant site’ in-
8 cludes a Federally qualified health
9 center or rural health clinic that fur-
10 nishes a telehealth service to an eligi-
11 ble telehealth individual; and

12 “(II) the term ‘telehealth serv-
13 ices’ includes a rural health clinic
14 service or Federally qualified health
15 center service that is furnished using
16 telehealth to the extent that payment
17 codes corresponding to services identi-
18 fied by the Secretary under clause (i)
19 or (ii) of paragraph (4)(F) are listed
20 on the corresponding claim for such
21 rural health clinic service or Federally
22 qualified health center service.

23 “(B) SPECIAL PAYMENT RULE.—

24 “(i) IN GENERAL.—The Secretary
25 shall develop and implement payment

1 methods that apply under this subsection
2 to a Federally qualified health center or
3 rural health clinic that serves as a distant
4 site that furnishes a telehealth service to
5 an eligible telehealth individual during
6 such emergency period. Such payment
7 methods shall be based on payment rates
8 that are similar to the national average
9 payment rates for comparable telehealth
10 services under the physician fee schedule
11 under section 1848. Notwithstanding any
12 other provision of law, the Secretary may
13 implement such payment methods through
14 program instruction or otherwise.

15 “(ii) EXCLUSION FROM FQHC PPS
16 CALCULATION AND RHC AIR CALCULA-
17 TION.—Costs associated with telehealth
18 services shall not be used to determine the
19 amount of payment for Federally qualified
20 health center services under the prospec-
21 tive payment system under section 1834(o)
22 or for rural health clinic services under the
23 methodology for all-inclusive rates (estab-
24 lished by the Secretary) under section
25 1833(a)(3).”.