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(Original Signature of Member)

116TH CONGRESS  
2D SESSION

**H. R.** \_\_\_\_\_

To amend the Public Health Service Act to advance telehealth by developing a plan for adoption and coordination by Federal agencies, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

Mr. GIANFORTE introduced the following bill; which was referred to the  
Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To amend the Public Health Service Act to advance telehealth by developing a plan for adoption and coordination by Federal agencies, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Telehealth  
5 Strategy and Data Advancement Act”.

1 **SEC. 2. RECOMMENDATIONS ON FRAMEWORK TO ADVANCE**  
2 **TELEHEALTH.**

3 (a) IN GENERAL.—Section 330I of the Public Health  
4 Service Act (42 U.S.C. 254c–14) is amended—

5 (1) in subsection (a)—

6 (A) in paragraph (1) to read as follows:

7 “(1) DIRECTOR.—The term ‘Director’ means  
8 the Director of the Office for the Advancement of  
9 Telehealth as established under subsection (c).”; and

10 (B) in paragraph (7), by inserting “Such  
11 term includes connected care.” after “health.”;

12 (2) in subsection (b), by striking “under section  
13 301” and inserting “under subsection (d)”;

14 (3) in subsection (c)—

15 (A) in paragraph (1)—

16 (i) by striking “Health Resources and  
17 Services Administration” and inserting  
18 “Office of the Secretary”; and

19 (ii) by inserting “(referred to in this  
20 section as the ‘Office’)” after “Telehealth”;  
21 and

22 (B) in paragraph (2), by striking “under  
23 section 301” and inserting “under subsection  
24 (d)”;

25 (4) in subsection (h), by striking “, in a publi-  
26 cation of the Health Resources and Services Admin-

1       istration,” and inserting “on a publicly accessible  
2       website of the Department of Health and Human  
3       Services, a”; and

4               (5) by striking subsection (s) and inserting the  
5       following:

6       “(s) PLAN AND RECOMMENDATIONS TO ADVANCE  
7       TELEHEALTH.—

8               “(1) IN GENERAL.—The Secretary shall—

9                       “(A) not later than one year after the date  
10                      of the enactment of this Act develop a plan for  
11                      the adoption, advancement, and coordination of  
12                      telehealth by Federal agencies;

13                     “(B) update every two years the plan de-  
14                     veloped under subparagraph (A) and make rec-  
15                     ommendations to improve access to telehealth,  
16                     coordination of telehealth by Federal agencies,  
17                     and health outcomes with respect to the use of  
18                     telehealth as a means to deliver health care  
19                     services as the Secretary determines to be ap-  
20                     propriate;

21                     “(C) standardize Federal telehealth grant  
22                     processes and data reporting to build a com-  
23                     prehensive evidence base in order to enable  
24                     high-quality and effective use of telehealth to  
25                     deliver health care services;

1           “(D) provide assistance to regional and na-  
2           tional entities to enable greater use of tele-  
3           health in health care delivery by individuals,  
4           health care providers, cities, and States;

5           “(E) provide Federal governance and over-  
6           sight of Federal expenditures on telehealth and  
7           broadband that facilitate the delivery of tele-  
8           health services; and

9           “(F) ensure information sharing, cross-  
10          Federal collaboration, and accountability across  
11          all Federal agencies.

12          “(2) RECOMMENDATIONS.—The plan under  
13          paragraph (1)(A) shall include recommendations to  
14          address each of the following:

15               “(A) Achieving a standardized application  
16               system for Federal telehealth grants across the  
17               Department of Health and Human Services, the  
18               Department of Agriculture, the Department of  
19               Defense, and other agencies as the Secretary  
20               determines to be appropriate.

21               “(B) Establishing a publicly available data-  
22               base of all telehealth grants across Federal  
23               agencies.

1           “(C) Establishing a standardized set of  
2 outcome measures with a focus on cost and  
3 quality of care delivered via telehealth.

4           “(D) Requiring recipients of Federal tele-  
5 health grants to report standardized outcomes  
6 measures.

7           “(E) Standardizing data collection and re-  
8 porting across recipients of Federal telehealth  
9 grants.

10           “(F) Developing a public repository for  
11 data reported for research purposes through the  
12 standardized set of outcome measures under  
13 subparagraph (C) by recipients of Federal tele-  
14 health grants.

15           “(G) Protecting information disclosed in  
16 subparagraph (F) by applying the provisions of  
17 the HIPAA privacy regulation (as defined in  
18 section 1180(b)(3) of the Social Security Act  
19 (42 U.S.C. 1320d-9)) to the entity receiving  
20 and disclosing such information in the same  
21 manner as such provisions would apply to such  
22 information if received or disclosed by a covered  
23 entity (as such term is defined for purposes of  
24 such regulation).

1           “(H) Incentivizing research on reported  
2 data to build a strong base of evidence on the  
3 impacts of telehealth on cost and quality of  
4 care.

5           “(I) Additional priority target areas as de-  
6 termined appropriate by the Secretary.

7           “(3) CONSULTATION.—In developing rec-  
8 ommendations under subparagraphs (A) through (E)  
9 of paragraph (2), the Secretary shall consult with  
10 the following individuals or their designees:

11           “(A) The heads of each agency, division,  
12 element, or organization under the Department  
13 of Health and Human Services.

14           “(B) The Secretary of Veterans Affairs.

15           “(C) The Secretary of Defense.

16           “(D) The Director of the Office of Man-  
17 agement and Budget.

18           “(E) The Comptroller General of the  
19 United States.

20           “(F) The Chairman of the Federal Com-  
21 munications Commission.

22           “(G) The Chairman of the Federal Trade  
23 Commission.

24           “(H) The Director of the National Insti-  
25 tute of Standards and Technology.

1           “(I) The Director of the National Science  
2           Foundation.

3           “(J) The Administrator of the National  
4           Aeronautics and Space Administration.

5           “(K) The head of any other Federal agen-  
6           cy that the Secretary determines to be appro-  
7           priate.

8           “(4) PUBLIC COMMENT PERIOD.—Not later  
9           than 3 months after developing the plan required  
10          under paragraph (1)(A), the Secretary shall publish  
11          in the Federal Register a notice providing for an op-  
12          portunity for the public to comment on the rec-  
13          ommendations developed under subparagraphs (A)  
14          through (E) of paragraph (2).

15          “(5) REPORTS.—

16                 “(A) IN GENERAL.—The Secretary shall  
17                 submit to Congress a biennial report on Federal  
18                 expenditures on telehealth and the progress of  
19                 agencies adopting and effectively using tele-  
20                 health.

21                 “(B) ELEMENTS OF REPORT.—Each re-  
22                 port shall include the following:

23                         “(i) An update on Federal invest-  
24                         ments in telehealth.

1                   “(ii) An assessment of the percentage  
2                   of the costs of health care services deliv-  
3                   ered via telehealth that are paid using  
4                   Federal funds.

5                   “(iii) An update on efforts to improve  
6                   access to telehealth.

7           “(t) AUTHORIZATION OF APPROPRIATIONS.—There  
8 are authorized to be appropriated to carry out this sec-  
9 tion—

10                   “(1) for grants under subsection (d)(1),  
11                   \$30,000,000 for each of fiscal years 2021 through  
12                   2025;

13                   “(2) for grants under subsection (d)(2),  
14                   \$10,000,000 for each of fiscal years 2021 through  
15                   2025; and

16                   “(3) for the activities described in subsection  
17                   (s), \$10,000,000 for each of fiscal years 2021  
18                   through 2025.”.

19           (b)           CONFORMING           AMENDMENT.—Section  
20 330K(b)(1) of the Public Health Service Act (42 U.S.C.  
21 254e–16(b)(1)) is amended by striking “Health Resources  
22 and Services Administration” and inserting “Office of the  
23 Secretary”.