

November 15, 2022

The Honorable Chuck Schumer  
Majority Leader  
United States Capitol  
Washington, DC 20510

The Honorable Mitch McConnell  
Minority Leader  
United States Capitol  
Washington, DC 20510

The Honorable Nancy Pelosi  
Speaker of the House  
United States Capitol  
Washington, DC 20515

The Honorable Kevin McCarthy  
Minority Leader  
United States Capitol  
Washington, DC 20515

Dear Leader Schumer, Leader McConnell, Speaker Pelosi and Leader McCarthy,

The undersigned broad group of stakeholders – representing employers, patient advocates, health care companies, consumer groups, and other stakeholders – appreciate the work of Congress to respond to the urgent health care needs of our country, especially your work to expand access and improve affordability by allowing employers and health plans to offer telehealth health services pre-deductible. The expanded flexibilities for Health Savings Account-eligible plans with passage of the Coronavirus Aid Relief and Economic Security (CARES) Act, and subsequent extension to the end of 2022, has helped more Americans access the care they need.

Regrettably, this popular provision expires at the end of this year. Without Congressional action, employers will be required to charge employees more to access telehealth services, creating a barrier to care, including mental health treatment. Unfortunately, more Americans need access to affordable mental and behavioral health services, not less.

**We urge you to extend this flexibility as part of a year-end package. Health coverage is offered prospectively, and it must be addressed before 2023.**

Congress must extend this provision. There is [bipartisan, bicameral support](#) in Congress to provide flexibility for plans and employers to offer telehealth pre-deductible in Health Savings Account-eligible plans (H.R. 5981/S. 1704).

### **Telehealth Helps Employers Focus on Addressing Mental Health Needs**

During the COVID-19 pandemic, about four in 10 adults in the U.S. reported symptoms of anxiety or depressive disorder, up from one in ten adults who reported these symptoms from January to June 2019.<sup>1</sup> In the face of this challenge, employers pivoted to provide new and expanded mental and behavioral health resources for their employees. Due to this effort, **in 2022, 75% of large employers are offering access to lower- or no-cost mental health support through their telemental health provider and 33% are offering lower cost counseling services at the worksite – bringing services directly to employees wherever they are.**<sup>2</sup> Without an extension of current flexibility, employers would be required to charge employees more to access this care, creating another barrier to treatment.

Already an area of acute focus, employers doubled down on mental health and emotional well-being to meet employee needs. In an informal survey of large employers, 85% said supporting and/or expanding access to mental health care for employees was a top priority for their organization.<sup>3</sup> In another survey conducted a year into the pandemic, 50% of employers reported that employees were taking greater advantage of company mental health resources.<sup>4</sup> This includes expanded access to virtual care and on-demand telemental health; enriched Employee Assistance Program (EAP) benefits to help employees manage their wellness; newly eliminated copayments for mental health encounters; and added voluntary and supplemental benefits aimed at addressing overall wellbeing (e.g. financial wellness, caregiving supports, enhanced leave, sleep management, and more).

According to the Business Group on Health's (BGH) 2022 "Large Employers' Health Care Strategy and Plan Design Survey," a true silver lining of the pandemic has been the significant investments made in virtual and mental health offerings, many of which will become permanent. These include expanded telehealth or virtual health offerings (76%), better access to virtual health (68%) and new mental health benefits (62%). The need for mental health services extends beyond the pandemic.

Telehealth is also improving access to mental health care and substance use disorder treatment from a health equity perspective as noted in a recent study published in *Health Affairs* (May 2022). This provides evidence that Medicare's COVID-19 telehealth flexibilities improved telehealth access for minority populations.

In a 2021 Morning Consult National Tracking Poll sponsored by the Alliance to Fight for Health Care, seven in ten insured adults (71%) felt it is important that they are able to access telehealth services under their current health care plan and 89% rated their or their family member's previous telehealth visit(s) as good or excellent. One-fifth of insured American adults have personally had a telehealth appointment for their mental health care and nearly two-thirds are willing to receive mental health care virtually through a telehealth system.<sup>5</sup>

The support for affordable telehealth and telemental health is strong. Allowing employers and health plans to continue offering these important services pre-deductible improves affordability and expands access. We laud the bipartisan cosponsors for their work and look forward to working with you to ensure that this important flexibility does not expire.

Sincerely,

Abbott Laboratories (Abbott)  
Acadia Pharmaceuticals Inc.  
Acosta  
Acuity Brands, Inc.  
Adtalem Global Education  
Advanced Technology Services  
AFP Industries, Inc.  
AHIP  
Air Conditioning Contractors of America (ACCA)  
Alaska Chamber  
Algonquin/Lake in the Hills Chamber of Commerce  
Alliance for Connected Care  
Alliance to Fight for Health Care  
Alltrust Insurance  
American Association of Nurse Anesthesiology  
American Benefits Council

American Health Policy Institute  
American Rental Association  
American Telemedicine Association  
American Woodmark  
Ardagh Group  
Argentum  
Ascensus  
ATA Action  
B. Braun Medical Inc.  
Bates White Economic Consulting  
Battle Creek Area Chamber of Commerce  
Beaver Dam Area Chamber of Commerce  
Bend Chamber of Commerce  
BENEFIT EXTRAS INC  
Black Knight  
Blackstone Valley Chamber of Commerce

Blue Cross Blue Shield Association  
Blue Shield of California  
Boise Metro Chamber  
Boulder Community Health  
Brenham Kitchens  
Brick Industry Association  
Business Group on Health  
Business Health Care Group (Wisconsin)  
Business Roundtable  
Caliber Collision  
California Agents & Health Insurance Professionals  
California Agents & Health Insurance Professionals (CAHIP) - Inland Empire  
California Agents & Health Insurance Professionals (CAHIP) - North Coast  
California Agents & Health Insurance Professionals (CAHIP) - San Diego  
California Chamber of Commerce  
California Schools VEBA  
Capital One  
Carlisle Chamber of Commerce  
Carlsbad Chamber of Commerce  
CarMax  
Carter Bank & Trust  
Carver Connections  
CC Industries, Inc.  
Cedar Rapids Metro Economic Alliance  
CentraCare Health  
Central Fairfax Chamber of Commerce  
Central Penn Business Group on Health  
Chamber of Commerce Hawaii  
Chandler Chamber of Commerce  
Charlotte Regional Business Alliance  
Chehalem Valley Chamber of Commerce  
Chillicothe Ross Chamber of Commerce  
Chino Valley Chamber of Commerce  
Cigna  
Colorado Community College System  
Colorado State Association of Health Underwriters  
Community Health Network  
Community Services Group  
Concordia Plan Services of The Lutheran Church--Missouri Synod  
Corner on Wellness Chiropractic Center  
Corporate Health Care Coalition  
Council Bluffs Area Chamber of Commerce  
Council for Affordable Health Coverage  
Covington Chamber of Commerce  
Cox Enterprises, Inc.  
Cubic Corporation  
Dallas-Fort Worth Business Group on Health  
Dana Point Chamber of Commerce  
Deer Park Chamber of Commerce  
Deere & Company  
Denver Nephrologists, PC  
DialAmerica Marketing Inc  
Dignity Health  
Direct Primary Care Coalition  
Donalsonville Seminole Co. Chamber of Commerce and Development Authority of Seminole Co. and Donalsonville  
Doosan Bobcat  
Dubuque Area Chamber of Commerce  
Dunwoody Perimeter Chamber  
Edmond Chamber of Commerce  
Elevance Health, Inc.  
Elevate.inc  
Employees First, LLC  
Employers' Advanced Cooperative on Healthcare (Arkansas)  
Employers Council on Flexible Compensation

Enterprise Chamber of Commerce  
Evry Health  
Fidelity Investments  
Finally Social  
Firmenich  
First American Bank Health Account Services  
First Dollar  
Florida Alliance for Healthcare Value  
Florida Chamber of Commerce  
FMI - The Food Industry Association  
Foodservice Consultants Society International - The Americas  
Frank H. Furman, Inc.  
Gardner Chamber of Commerce  
General Credit Forms, Inc.  
GLMV Chamber of Commerce  
Golden Gate Association of Health Underwriters  
Goodwill Industries of Kentucky, Inc.  
Grand Rapids Chamber  
Greater Akron Chamber  
Greater Boston Chamber of Commerce  
Greater Cheyenne Chamber of Commerce  
Greater Columbia Chamber of Commerce  
Greater Fayetteville Chamber  
Greater Kansas City Chamber of Commerce  
Greater Lake Stevens Chamber of Commerce  
Greater Lehigh Valley Chamber of Commerce  
Greater Louisville Inc. - The Metro Chamber of Commerce  
Greater Mankato Growth  
Greater Philadelphia Business Coalition on Health  
Greater Spokane Incorporated  
Greater Westfield Area Chamber of Commerce  
Greater Yakima Chamber of Commerce  
Green Valley Sahuarita Chamber of Commerce & Visitor Center  
Greif, Inc.  
Groupe Seb USA  
Hamilton Consulting Engineers, Inc.  
Hanover Area Chamber of Commerce  
Harford County Chamber of Commerce  
Harrisburg Regional Chamber & CREDC  
Hasbro - Hasbro, Inc.  
Haverford College  
Healing Point  
Health Action Council  
Health Care Service Corporation  
Health Innovation Alliance  
Healthcare Leadership Council  
HealthEquity, Inc.  
Help At Home  
Henderson Chamber of Commerce  
HERE Technologies  
High Peak Strategy LLC  
Hilltop Holdings  
Hilton Head Island-Bluffton Chamber of Commerce  
HR Policy Association  
IAAPA  
IBM  
ICAN, International Cancer Advocacy Network  
Idaho Chamber Alliance  
Illinois Black Chamber of Commerce Corporation  
Illinois Chamber of Commerce  
Imagine360, LLC  
Included Health (formerly Doctor On Demand + Grand Rounds)  
Independent Container Line  
Indiana Chamber of Commerce  
Indivior  
Intel Corporation  
International Paper

Island Imaging  
 Jewett Machine Mfg. Co., Inc.  
 Joliet Region Chamber of Commerce & Industry  
 JumpCloud  
 Kansas Business Group on Health  
 Kantar  
 Kentuckiana Health Collaborative  
 Kershaw County (SC) Chamber of Commerce  
 Koch Enterprises, Inc  
 Kohler Co  
 Kohnlinq, Inc.  
 Lakeland Chamber of Commerce  
 Lansing Regional Chamber  
 Larimer County  
 LifeNet Health  
 Lifepoint Health  
 Lively, Inc.  
 Lockton Companies  
 Longview TX Chamber of Commerce  
 Los Angeles Area Chamber of Commerce  
 Louisiana Association of Health Underwriters  
 Lynchburg Regional Business Alliance  
 MAFSI  
 Marsh  
 Marsh McLennan Agency  
 Mason City Chamber of Commerce  
 Mason-Dixon Community Services, Inc.  
 Material Handling Systems  
 McCarthy Holdings, Inc.  
 McWane, Inc.  
 Med Center Health  
 Memphis Business Group on Health  
 Mercer  
 Metro Denver Association of Health Underwriters  
 Michigan Association of Health Underwriters  
 Michigan Chamber  
 MicroVention  
 MidAtlantic Business Group on Health  
 Midwest Business Group on Health  
 Military Produce Group  
 Mineral  
 Missouri Chamber of Commerce and Industry  
 MLD Foundation  
 Monotype Imaging Inc  
 Mountain West Series at Lockton Companies  
 Myrtle Beach Area Chamber & CVB  
 Nacogdoches County Chamber of Commerce  
 National Alliance of Healthcare Purchaser Coalitions  
 National Association of Health Underwriters  
 National Association of Pediatric Nurse Practitioners  
 National Association of Professional Employer Organizations  
 National Association of Wholesaler-Distributors  
 National Church Residences  
 National Grange  
 National Retail Federation  
 National Rural Electric Cooperative Association  
 National University  
 National Wellness Institute  
 NCAHU  
 Networking Technologies + Support  
 New York State Association of Health Underwriters  
 NFP  
 Niagara Bottling, LLC  
 NJ State Chamber of Commerce  
 Nogales-Santa Cruz County Chamber of Commerce  
 North American Association of Food Equipment Manufacturers (NAFEM)  
 North Country Chamber of Commerce  
 North Kingstown Chamber of Commerce  
 North San Diego Business Chamber  
 North Shore Bank  
 North Texas Commission  
 Northern Arizona Healthcare  
 Ohio Chamber of Commerce  
 Oncor Electric Delivery LLC  
 One Call  
 One Medical  
 Optimized Financial and Insurance Services  
 Organization Name (Please enter exactly as you would like your organization listed in the letter.)  
 Ottawa Area Chamber of Commerce & Industry  
 Overland Park Chamber of Commerce  
 Palm Beach AHU  
 Parkview Health  
 Partnership for Employer-Sponsored Coverage  
 Partnership to Advance Virtual Care (PAVC)  
 Patriot Rail Company LLC  
 Paul Hastings LLP  
 PayFlex Systems USA, Inc.  
 Peoria Chamber of Commerce  
 Perkins&Will  
 Pietzsch Law Group, P.A.  
 Pinnacle Financial Partners  
 Point of the Mountain Chamber of Commerce  
 PPL Corp  
 PRA Group Inc  
 Prattville Area Chamber of Commerce  
 Provo City  
 Purchaser Business Group on Health  
 Queen Creek Chamber of Commerce  
 Rehabilitation Community Providers Association  
 Reno + Sparks Chamber of Commerce  
 Retail Industry Leaders Association  
 Retailers Association of Massachusetts  
 Revolution Company  
 Rhode Island Business Group on Health  
 Rowlett Area Chamber & Visitors Center  
 Sacramento Association of Health Underwriters  
 SailPoint Technologies  
 Saint Joseph's University  
 Salt Lake Chamber  
 Santa Barbara Association of Health Insurance Professionals (SBAHIP)  
 Santa Barbara South Coast Chamber of Commerce  
 Santa Clarita Valley Chamber of Commerce  
 Sazerac Company Inc  
 Schuylkill Chamber of Commerce  
 Segal  
 Seguin Area Chamber of Commerce  
 Self-Insurance Institute of America, Inc.  
 ServiceNow  
 Sharp HealthCare  
 Sierra Vista Area Chamber of Commerce  
 Silicon Valley Employers Forum  
 Simi Valley Chamber of Commerce  
 Slalom  
 Small Business & Entrepreneurship Council  
 SnapHealth  
 Sony Corporation of America  
 Sony Interactive Entertainment LLC  
 South Atlanta Association of Health Underwriters  
 South Carolina Association of Health Underwriters  
 South Padre Island Chamber of Commerce  
 South Salt Lake Chamber  
 Southern Ohio Chamber Alliance  
 Southwest Michigan Regional Chamber  
 Springfield Association of Health Underwriters  
 Sprouts Farmers Market  
 St. Charles Regional Chamber  
 St. Louis Area Business Health Coalition  
 Stanley Black & Decker

StuartCo  
Summit Pacific Medical Center  
Surprise Regional Chamber of Commerce  
SYNCON LLC  
T.Y. Lin International, Ltd.  
Teladoc Health  
Teradata  
Texas Business Group on Health  
The Alliance (Midwest)  
The Boeing Company  
The Chamber, Leading Business in Cabarrus  
The Cheesecake Factory, Inc.  
The Children's Center  
The Church Alliance  
The Council of Insurance Agents & Brokers  
The ERISA Industry Committee  
The Greater Escondido Chamber of Commerce  
The Kellogg Company  
The Martin Agency  
The Mission Essential Group, LLC  
The Next Step Coaching and Guidance  
The Pennsylvania Association of Health Underwriters  
The Wagner Law Group  
THOR SOLUTIONS  
Thurston County Chamber  
TOTE Group  
Transarent  
Trihydro Corporation  
TriMet

Troy Area Chamber of Commerce  
T-Solutions, Inc.  
Tucson Metro Chamber  
Tulsa Regional Chamber  
Ultradent Products Inc.  
Union County Chamber of Commerce  
United Airlines  
US Chamber of Commerce  
USA MINORITY CHAMBER OF COMMERCE INC  
Vail Valley Partnership  
Valvoline LLC  
Virginia Chamber of Commerce  
Vishay Precision Group, Inc.  
Voya Financial  
Wagstaff Inc.  
WAHU  
Washington County Chamber of Commerce  
Washington Health Alliance  
Wayne County Area Chamber of Commerce  
WeKconnect, LLC.  
Well OK - The Oklahoma Business Coalition on Health  
Wespath Benefits & Investments  
WEST  
West Michigan Association of Health Underwriters  
Western Governors University  
Wisconsin Manufacturers & Commerce  
YES Communities  
Yorba Linda Chamber Of Commerce  
Zinpro Corporation

#### Footnotes

1. Kaiser Family Foundation, "The Implications of COVID-19 for Mental Health and Substance Use," February 10, 2021.
2. Business Group on Health, "2022 Large Employers' Health Care Strategy and Plan Design Survey," August 2021.
3. Informal survey of American Benefits Council companies, October 27, 2021.
4. Arizona State University College of Health Solutions, "Back to the Workplace: Are we there yet? Key Insights from Employers One Year Into the Pandemic," April 2021.
5. Morning Consult National Tracking Poll, November 1-8, 2021.