



November 21, 2024

Texas Health & Human Services Commission  
Rules Coordination Office  
P.O. Box 13247, Mail Code 4102  
Austin, Texas 78711-3247

**RE: ATA ACTION SUPPORT OF AMENDMENTS TO TEXAS GOVERNMENT CODE  
§354.1430 and §354.1434**

Dear Texas HHS Rules Coordination Office,

On behalf of ATA Action, I am writing you to express support for the proposed amendments to §354.1430, concerning Definitions, and §354.1434, concerning Home Telemonitoring Benefits and Limitations.

ATA Action, the American Telemedicine Association's affiliated trade association focused on advocacy, advances policy to ensure all individuals have permanent access to telehealth services across the care continuum. ATA Action supports the enactment of state and federal telehealth coverage and fair payment policies to secure telehealth access for all Americans, including those in rural and underserved communities. ATA Action recognizes that telehealth and virtual care have the potential to truly transform the health care delivery system – by improving patient outcomes, enhancing safety and effectiveness of care, addressing health disparities, and reducing costs – if only allowed to flourish.

Our organization believes that the amendments to §354.1430 and §354.1434, specifically the amendments to §354.1434(b), are a rational step forward for telehealth policy in Texas. These amendments would add federally qualified health centers (FQHCs) and rural health clinics (RHCs) to the entities eligible to offer home telemonitoring services to Texas Medicaid Program Recipients, allowing for reimbursement for and expanding patient access to telehealth services without additional financial stress. ATA Action is in strong support of policy change that eases access to high quality and affordable health care. These proposed amendments also serve to implement Texas HB 2727 which ATA Action was proud to support in the 2023 legislative session.<sup>1</sup>

At the federal level, ATA Action continues to advocate for permanent allowance of FQHCs utilization of telehealth services. FQHCs provide critical health care services for underserved communities and populations across the United States. During the pandemic, FQHCs served as distant sites and could be reimbursed for telehealth services. Congress extended this flexibility through the end of calendar year 2024. ATA Action is urging Congress to ensure that the roughly 1,400 FQHCs can permanently offer telehealth services even after CY2024 while receiving fair

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<sup>1</sup> ATA Action Support of House Bill 2727, March 23, 2023. <https://www.americantelemed.org/wp-content/uploads/2023/03/2023-TX-HB-2727-ATA-ACTION-LETTER.pdf>

**ATA ACTION**

901 N. Glebe Road, Ste 850 | Arlington, VA 22203  
Info@ataaction.org



reimbursement. Adoption of these regulatory amendments will further those goals in Texas, ensuring that telehealth services are still able to be delivered to patients in need.

As far as the rate of reimbursement for telehealth services is concerned, ATA Action maintains that state policymakers should set rational guidelines that are both fair to the provider of such services and reflect the cost savings offered to the health care system by the effective use of telehealth technologies.

Thank you for your support of telehealth in Texas. We urge you and your colleagues to adopt the amendments proposed in this regulation in the interest of expanding easy and efficient access to affordable, high-quality health care across the state. Please do not hesitate to let us know how we can be helpful in your efforts to advance common-sense telehealth policy in Texas. If you have any questions or would like to discuss further the telehealth industry's perspective, please contact me at [kzebley@ataaction.org](mailto:kzebley@ataaction.org).

Kind regards,

A handwritten signature in black ink, appearing to read "Kyle Zebley", is written over a light gray circular watermark that contains the text "ATA ACTION".

Kyle Zebley  
Executive Director  
ATA Action