



The mission of the Greater Lehigh Valley Chamber of Commerce is to improve the economy and quality of life in the Lehigh Valley and beyond. To accomplish that mission, the Chamber believes the health and well-being of our members and their employees are essential, and the rapid adoption of telemedicine technologies has the potential to save lives and cut costs.

Due to the COVID-19 pandemic, the Chamber believes telemedicine is a critical tool that helps healthcare providers serve more people while lowering the cost of coverage for employers due to reducing in-person visits and fewer unnecessary trips to an emergency department.

The Chamber believes that any legislation considered at the local, state, or federal level concerning telemedicine should address five critical points to ensure it provides the best care possible. The five points include: access, cost, liability protection, privacy, and security.

Access

Access to healthcare is vital to maintaining a sufficient quality of life. The evolution of telemedicine due to the COVID-19 pandemic has made accessing healthcare providers significantly easier. Increased access made possible by telemedicine services makes it valuable to underserved communities. **Any legislative action addressing telemedicine should address disparities in underserved communities to make sure they receive equitable care.**

Furthermore, waivers enacted allowing providers to practice across state lines via telemedicine should be made permanent in order to remove barriers for quality healthcare for our membership.

Cost

A telemedicine visit is typically less expensive than an in-person visit. According to a study completed by the American Journal of Emergency Medicine, patients being diverted away from emergency departments in favor of telemedicine visits save roughly \$1,500 per visit. Factoring in other costs such as travel, fuel costs, and lost productivity due to missed work, a more broad adoption of telemedicine technologies by healthcare providers could significantly lower the overall cost of healthcare in the United States, save businesses money, and grow the economy. **The Chamber will support a fair cost structure that considers the resources necessary to provide quality healthcare for our membership.**

Liability

Healthcare providers should be afforded liability protections if their patient refuses to visit a physical healthcare setting at the recommendation of their healthcare provider during a telemedicine visit and harm occurs to the patient. These protections account for the limitations of telemedicine services, especially when in-person care may be the best option for a patient. Liability protection should not be afforded to healthcare providers who are negligent during a telemedicine visit.

Privacy

Privacy during a telemedicine visit is critical to ensure doctor-patient confidentiality and certain privacy measures during a telemedicine visit should be the healthcare provider's responsibility. The healthcare provider should ensure every effort is made to protect a patient's privacy during the telemedicine visit by using a healthcare specific telemedicine technology and ensuring no one other than the patient and or their designee is part of the telemedicine visit on their end. The patient shall be responsible to ensure no one other than the patient and or their designee is included in the telemedicine visit with the provider on their end.

To ensure privacy, a healthcare provider should use healthcare-specific telemedicine technology that is non-public facing and complies with the Health Insurance Portability and Accountability Act (HIPAA) standards, including end-to-end encryption. Non-public facing technology allows only the intended parties to participate in the communication. End-to-end encryption ensures the only parties in a telemedicine visit are the patient and or their designee and the healthcare provider.

Additionally, any recorded telemedicine session, that's approved by the patient and the provider prior to the visit by a specific waiver seeking permission to record the visit, shall be considered part of the patient's medical record, and protected by HIPAA standards.

Security

A healthcare provider should use a telemedicine platform with multilayered security to ensure a patient's personally identifiable information (PII) and electronic protected health information (ePHI) are not compromised. The telemedicine platform should also comply with the Privacy and Security Rules of HIPAA, which require appropriate administrative, physical, and technical safeguards to ensure confidentiality, integrity, and security.

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