

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 9457
OFFERED BY MR. BEAN OF FLORIDA**

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Transparent Tele-
3 health Bills Act of 2024”.

4 **SEC. 2. PROHIBITING INCREASED PAYMENTS UNDER A**
5 **GROUP HEALTH PLAN OR GROUP HEALTH IN-**
6 **SURANCE COVERAGE FOR TELEHEALTH**
7 **SERVICES FURNISHED BY A PROVIDER LO-**
8 **CATED AT A FACILITY.**

9 (a) IN GENERAL.—Subpart B of part 7 of subtitle
10 B of title I of the Employee Retirement Income Security
11 Act of 1974 (29 U.S.C. 1185 et seq.) is amended by add-
12 ing at the end the following new section:

13 **“SEC. 726. PROHIBITION ON INCREASED PAYMENTS FOR**
14 **TELEHEALTH SERVICES FURNISHED BY A**
15 **PROVIDER LOCATED AT A FACILITY.**

16 “(a) IN GENERAL.—In the case of a telehealth serv-
17 ice furnished to a participant or beneficiary of a group
18 health plan or group health insurance coverage by a health

1 care provider located at a health care facility, the total
2 amount recognized by such plan or coverage as payment
3 for such service (including any facility fee or other amount
4 that may be billed separately by such facility in relation
5 to such provider's furnishing of such service) may not ex-
6 ceed the total amount that would have been recognized
7 by such plan or coverage as payment for such service had
8 such provider not been located at such a facility.

9 “(b) TELEHEALTH SERVICE DEFINED.—For pur-
10 poses of this section, the term ‘telehealth service’ means
11 a service furnished by a health care provider via a tele-
12 communications system where such provider is not at the
13 same location as the individual receiving such service.”.

14 (b) CLERICAL AMENDMENT.—The table of contents
15 in section 1 of such Act is amended by inserting after the
16 item relating to section 725 the following new item:

“Sec. 726. Prohibition on increased payments for telehealth services furnished
by a provider located at a facility.”.

17 (c) REPORT.—Not later than 18 months after the
18 date of the enactment of this Act, the Comptroller General
19 of the United States shall submit to Congress a report
20 on what is known about the use of telehealth under group
21 health plans and group or individual health insurance cov-
22 erage (as such terms are defined in section 2791 of the
23 Public Health Service Act (42 U.S.C. 1395x)). Such re-
24 port shall include the following:

1 (1) Trends and statistics regarding the use of
2 telehealth for specific types of care, including pri-
3 mary care, mental health care, and specialty care.

4 (2) Trends and statistics regarding the avail-
5 ability, access, and utilization of telehealth services
6 by individuals residing in rural areas and urban
7 areas.

8 (3) Trends and statistics regarding the applica-
9 tion of hospital facility fees in the context of tele-
10 health services.

11 (4) Trends and statistics regarding how individ-
12 uals access telehealth services, including with respect
13 to the devices used and tools offered by such plans
14 and issuers of such coverage to facilitate access to
15 such services and with respect to the utilization of
16 audio-only telehealth services.

17 (5) Trends and statistics with respect to indi-
18 viduals accessing telehealth services provided from
19 physicians or other medical professionals residing in
20 a State other than the State that the individual is
21 located in while receiving such services and with re-
22 spect to applicable State laws or State-to-State com-
23 pacts that impact cross-State provision of telehealth
24 services.

1 (6) Trends and statistics regarding payment
2 and reimbursement for telehealth services.

3 (7) Trends and statistics regarding premiums
4 for such plans and coverage offering telehealth serv-
5 ices.

6 (d) EFFECTIVE DATE.—The amendment made by
7 subsection (a) shall apply to plan years beginning on or
8 after January 1, 2026.

