



July 17, 2020

The Honorable Mitch McConnell
Majority Leader
United States Senate
Washington, DC 20510

The Honorable Charles Schumer
Minority Leader
United States Senate
Washington, DC 20510

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

The Honorable Kevin McCarthy
Minority Leader
United States House of Representatives
Washington, DC 20515

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

The undersigned mental health, substance use disorder, and health care professional organizations in the Coalition to Stop Opioid Overdose (CSOO) urge you to include the bipartisan, bicameral Telehealth Response for E-prescribing Addiction Therapy Services (TREATS) Act (S. 4103/H.R. 7593) in the next legislative package to address COVID-19. For purposes of prescribing Schedule III and IV medications, including buprenorphine for the treatment of opioid use disorder, the TREATS Act would make permanent a new, audio-video, telehealth evaluation exception to the Ryan Haight Act's in-person exam requirement. The TREATS Act would also clarify Medicare's continued ability, beyond the COVID-19 public health emergency, to reimburse for audio-only, substance use disorder telehealth services after an in-person or telehealth evaluation. In short, swift passage of the TREATS Act is critical to addressing this nation's addiction crisis.

The COVID-19 pandemic is currently devastating patients struggling with addiction and/or mental health disorders, with reports of increasing opioid-related overdoses in counties across the country.¹ Alarming, the COVID-19 epidemic is not only increasing overdoses and deaths now; it may continue to do so into the future. In the coming year, there's a projected increase of as many as 75,000 additional deaths of despair, including drug overdoses.² Further, Black Americans are particularly vulnerable as they have historically faced additional barriers to

¹ The American Medical Association. (2020). Issue brief: Reports of increases in opioid-related overdose and other concerns during COVID pandemic. Chicago, Illinois: AMA. Available at <https://www.ama-assn.org/system/files/2020-05/issue-brief-increases-in-opioid-related-overdose.pdf>

²Petterson, Steve et al. "Projected Deaths of Despair During the Coronavirus Recession," Well Being Trust. May 8, 2020. https://wellbeingtrust.org/wp-content/uploads/2020/05/WBT_Deaths-of-Despair_COVID-19-FINAL-FINAL.pdf



accessing, and remaining in, addiction treatment.³ The TREATS Act would help clinicians meet several of these challenges.

Treatment delivered through telehealth has been associated with high satisfaction rates, which contributes to patient retention.⁴ Telehealth can allow for more frequent communication with a patient's addiction care team, provide additional privacy, help address the stigma of receiving addiction treatment, give clinicians insight into patients' personal lives, and possibly improve the therapeutic alliance.⁵ Additionally, by making certain telehealth flexibilities permanent, Congress can help provide the additional assurances clinicians need to begin investing in telehealth equipment. According to a recent survey, a sizable number of private medical practices have indicated that they have not begun utilizing telehealth, and have no plans to do so in the future.⁶ The transitory nature of current telehealth flexibilities may be stifling the development of innovative telehealth practices that could drive down costs and expand access to care.⁷

In conclusion, without the swift passage of the TREATS Act, the Trump Administration's actions to waive certain telehealth-related restrictions due to COVID-19 may soon expire. If Congress were to let that happen, then patients could experience an abrupt and needless disruption in the delivery of life-saving addiction care through telehealth. We thank you for considering the inclusion of the TREATS Act in the next COVID-19 legislative package, as well as your continued leadership on the issues of mental health and addiction.

Sincerely,

Addiction Professionals of North Carolina
AIDS United
Alcohol & Drug Abuse Certification Board of Georgia
American Association of Nurse Practitioners
American Psychiatric Association

³Lagisetty PA, Ross R, Bohnert A, Clay M, Maust DT. Buprenorphine Treatment Divide by Race/Ethnicity and Payment. *JAMA Psychiatry*. 2019;76(9):979–981. doi:10.1001/jamapsychiatry.2019.0876; Weinstein, Z. M., Kim, H. W., Cheng, D. M., Quinn, E., Hui, D., Labelle, C. T., Drainoni, M. L., Bachman, S. S., & Samet, J. H. (2017). Long-term retention in Office Based Opioid Treatment with buprenorphine. *Journal of substance abuse treatment*, 74, 65–70. <https://doi.org/10.1016/j.jsat.2016.12.010>

⁴ 2020 American Psychiatric Association Telehealth Survey. <https://www.psychiatry.org/psychiatrists/covid-19-coronavirus>

⁵ Uscher-Pines, L., Huskamp, A., Mehrotra, A. (2020). Treating Patients With Opioid Use Disorder in Their Homes. Chicago, Illinois: The American Medical Association. Available at <https://jamanetwork.com/journals/jama/fullarticle/2766674>

⁶ Reynolds, Keith A. (2020, April 8). Survey: Private practices turn to telemedicine to offset coronavirus dip. Medical Economics. Available at <https://www.medicaleconomics.com/view/survey-private-practices-turn-telemedicine-offset-coronavirus-dip>

⁷ "Removing regulatory barriers to telehealth before and after COVID-19." Brookings Institute, May 6, 2020. <https://www.brookings.edu/research/removing-regulatory-barriers-to-telehealth-before-and-after-covid-19/>

COALITION TO
STOP OPIOID
OVERDOSE

American Society of Addiction Medicine
Behavioral Health Association of Providers
CADA of Northwest Louisiana
California Consortium of Addiction Programs & Professionals
International Certification & Reciprocity Consortium
Live4Lali
National Alliance for Medication Assisted Recovery
National Association for Behavioral Healthcare
National Association of Addiction Treatment Providers
National Association of Clinical Nurse Specialists
National Council for Behavioral Health
National Health Care for the Homeless Council
National Safety Council
Shatterproof
SMART Recovery
Suncoast Harm Reduction Project
The American Osteopathic Academy of Addiction Medicine
The Kennedy Forum
Treatment Communities of America
Well Being Trust
Young People in Recovery

cc: Senator Lamar Alexander, Chair, Senate HELP Committee
Senator Patty Murray, Ranking Member, Senate HELP Committee
Representative Frank Pallone, Chair, House Energy and Commerce Committee
Representative Jerrold Nadler, Chair, House Judiciary Committee
Representative Richard Neal, Chair, House Ways and Means Committee
Representative Greg Walden, Ranking Member, House Energy and Commerce Committee
Representative Jim Jordan, Ranking Member, House Judiciary Committee
Representative Kevin Brady, Ranking Member, House Ways and Means Committee