October 14, 2021

The Honorable Richard Neal  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Kevin Brady  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Ron Wyden  
U.S. Senate  
Washington, DC 20510

The Honorable Mike Crapo  
U.S. Senate  
Washington, DC 20510

Dear Chairman Neal, Chairman Wyden, Ranking Member Brady, and Ranking Member Crapo:

On behalf of the American Society of Pediatric Nephrology (ASPN) and the Renal Physicians Association (RPA), thank you for your ongoing work to modernize the regulation of telemedicine services. ASPN is the primary representative of the Pediatric Nephrology community in North America, composed of pediatric nephrologists whose goal is to promote optimal care for children with kidney disease and to disseminate advances in the clinical practice and basic science of pediatric nephrology. The RPA is the professional organization of nephrologists whose goals are to ensure optimal care under the highest standards of medical practice for patients with kidney disease and related disorders. RPA acts as the national representative for physicians engaged in the study and management of patients with kidney disease.

Together, ASPN and RPA write to urge Congress to maintain the requirement in 42 U.S.C. 1395rr(b)(3)(B) that patients receiving home dialysis treatment for end stage renal disease (ESRD) receive face-to-face clinical assessments at least once every three consecutive months. Face-to-face clinical management is a vital component of ESRD home dialysis care and the requirement at 42 U.S.C. 1395rr(b)(3)(B), which would be eliminated by the Telehealth Modernization Act and other legislative proposals, ensures that patients receive high quality dialysis services.

Telehealth is a valuable complement to in-person renal care services, giving ESRD patients access to move convenient options to receive health care services. Particularly with the flexibilities afforded during the ongoing public health emergency, ESRD patients have been able to access services from their homes, minimizing the risk of COVID-19 and giving patients in underserved areas easier access to needed care. Telehealth services, however, should not entirely replace face-to-face services.

Current law requires home dialysis patients to receive face-to-face services at least quarterly. This requirement ensures that physicians can closely monitor patients’ progress while still permitting patients to benefit from the convenience of telehealth and home dialysis services. The quarterly face-to-face visit helps nephrologists preemptively identify certain problems that may lead to hospitalization or increased morbidity, and ensures patients have a relationship with a local nephrologist for continuity of care.
care purposes should hospitalization be required. While telehealth remains an important tool in delivering ESRD care, important elements of the physical examination of a dialysis patient such as volume assessment are severely limited absent a face-to-face encounter. Without such a requirement, it is challenging for clinics to encourage patients to participate in in-person care, even if such care is an absolute necessity for their health. By maintaining a quarterly face-to-face care requirement for home dialysis patients, Congress can ensure that patients receive safe, quality care consistent with best practices in ESRD management.

ASPN and RPA strongly support efforts to modernize the regulation of telehealth services, including the reduction of originating site requirements and geographic restrictions. Modifications to existing regulations should, however, maintain the highest standards of patient care and recognize that telehealth services are a complement, rather than a substitute, for face-to-face renal care services. For that reason, ASPN and RPA urge Congress to maintain the quarterly face-to-face clinical assessments under 42 U.S.C. 1395rr(b)(3)(B). Doing so will ensure that patients receive adequate care to manage their kidney function and that Medicare pays for high quality, effective ESRD services.

Thank you for considering this request. Our organizations stand ready to work with you to ensure Americans receiving home dialysis care continue to have access to the necessary health care they need during the COVID-19 pandemic and beyond. Please contact Erika Miller, ASPN’s Washington Representative, at emiller@dc-crd.com, or Rob Blaser, RPA’s Director of Public Policy, at rblaser@renalmd.org with any questions.

Sincerely,

American Society of Pediatric Nephrology
Renal Physicians Association

CC:
The Honorable Diana DeGette
The Honorable Fred Upton
The Honorable Brian Schatz
The Honorable Tim Scott
The Honorable Lisa Blunt Rochester
The Honorable Buddy Carter