

September 26, 2024

Dear Representative Pickett and Executive Director Wright,

The Pennsylvania Society of PAs Board of Directors and Governmental Affairs Committee appreciates the House and Human Services Committee giving us the opportunity to comment on House Bill 2560.

The PSPA is writing in support of HB 2560 conceptually. We appreciate the support of the Rehabilitation & Community Providers Association (RCPA) and the Department of Human Services.

Recognizing the popularity and convenience of telehealth, Act 76 of 2022 (HB 2419) was supported by PSPA to be able to maintain telehealth after the COVID waivers expired. Act 76 authorized the Department of Human Services (DHS) to grant waivers for the on-site requirement to also increase flexibility in outpatient psychiatric clinics.

HB 2560 would allow the on-site time to be performed by either a psychiatrist or an advanced practice professional and permit these services to be provided via telehealth or face-to-face visits.

We agree a permanent solution is now needed to meet the on-site requirements and comply with federal rules, ensuring payment for providers serving Medicaid patients. By giving DHS permission to issue waivers to fully remote providers, PAs can serve patients covered by private insurance. Medicaid's "4 walls" requirement by incorporating mobile mental health services delivered by clinical professionals is another key component for bringing care where it is critically needed.

A significant issue in Act 76 of 2022 and now in HB 2560 is in the definition of an advanced practice provider. PAs were required to obtain a mental health certification within two years of being hired by an outpatient psychiatric clinic to conduct tele-psych visits or within two years of the effective date of the bill, whichever is later. This Act became effective July 11, 2022. This stipulation expired on July 11, 2024.

PAs are trained in the medical model with a primary care focus. As part of a PA's education, training and national certification, behavioral health education is incorporated. Obtaining an additional certification in a specialty is optional and not common. Nationally, only 782 of nearly 170,000 PAs have obtained an optional CAQ.

Senator Farry introduced Senate Bill 1255 on June 12, 2024, to amend the definition of an advanced practice provider to add a third option. This option would be for the PA to have a written agreement with a psychiatrist. SB 1255 passed the Senate on September 16, 2024, by a 48-0 margin. The bill is now in the House of Representative Professional Licensure Committee. A companion bill (HB 2464) was also introduced by Representative Takac with similar language.

If the definition of an Advanced Practice Provider is not modified, the following is at risk:

- Any PAs hired within the last year would no longer be able to continue providing tele-psyche if they did not obtain this certification.
- No additional PAs would be able to begin practicing tele-psyche because they would not be able to obtain the minimum number of needed hours of experience to meet one of the requirements to sit for the Psychiatry Exam.
- Out of state PAs with tele-psych experience would be prevented from joining the Pennsylvania workforce.
- Access to care could end or be greatly diminished.

The PSPA requests you amend HB 2560 to reflect the needed change as outlined in SB 1255 and HB 2464 to avoid the above unintended consequences.

Thank you for your commitment to this important topic.

Sincerely,

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