

117TH CONGRESS
1ST SESSION

S. 2110

To amend the Public Health Service Act to provide for the establishment of a virtual health pilot program to facilitate utilization of remote patient monitoring technology to maintain or expand access to health care services for individuals in rural areas, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 17, 2021

Mr. KENNEDY introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Public Health Service Act to provide for the establishment of a virtual health pilot program to facilitate utilization of remote patient monitoring technology to maintain or expand access to health care services for individuals in rural areas, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Increasing Rural Tele-
5 health Access Act of 2021”.

1 **SEC. 2. INCREASING RURAL TELEHEALTH ACCESS.**

2 (a) DEFINITIONS.—Subsection (a) of section 330I of
3 the Public Health Service Act (42 U.S.C. 254c–14) is
4 amended—

5 (1) by redesignating paragraphs (6) and (7) as
6 paragraphs (7) and (8), respectively; and

7 (2) by inserting after paragraph (5), the fol-
8 lowing:

9 “(6) REMOTE PATIENT MONITORING TECH-
10 NOLOGY.—The term ‘remote patient monitoring
11 technology’ means digital technologies used to collect
12 medical and other forms of health data from individ-
13 uals in one location and electronically transmit such
14 data securely to health care providers in a different
15 location for assessment, recommendations, and inter-
16 ventions.”.

17 (b) PROGRAMS.—Subsection (b) of section 330I of
18 the Public Health Service Act (42 U.S.C. 254c–14) is
19 amended—

20 (1) by striking “The Secretary shall establish,
21 under section 301” and inserting the following:

22 “(1) IN GENERAL.—The Secretary shall estab-
23 lish, under section 301”; and

24 (2) by adding at the end the following new
25 paragraph:

1 “(2) VIRTUAL HEALTH PILOT PROGRAM.—The
2 Secretary shall establish a virtual health pilot pro-
3 gram to facilitate utilization of remote patient moni-
4 toring technology to maintain or expand access to
5 health care services for individuals in rural areas.”.

6 (c) GRANTS.—Subsection (d) of section 330I of the
7 Public Health Service Act (42 U.S.C. 254c–14) is amend-
8 ed by adding at the end the following new paragraph:

9 “(3) VIRTUAL HEALTH NETWORK PILOT PRO-
10 GRAM GRANTS.—The Director shall, in carrying out
11 the virtual health pilot program referred to in sub-
12 section (b)(2), award grants to eligible entities to fa-
13 cilitate utilization of remote patient monitoring tech-
14 nology in rural areas to—

15 “(A) maintain or expand access to, and co-
16 ordinate health care services for, individuals
17 with chronic conditions;

18 “(B) improve and expand the training of
19 health care providers using remote patient moni-
20 toring technology; and

21 “(C) minimize challenges facing health
22 care providers and health care facilities, includ-
23 ing rural health clinics, community health cen-
24 ters, community behavioral health centers, long-
25 term care facilities, and rural hospitals, as such

1 providers and facilities serve their commu-
 2 nities.”.

3 (d) GRANT PERIODS.—Subsection (e) of section 330I
 4 of the Public Health Service Act (42 U.S.C. 254c–14) is
 5 amended—

6 (1) by striking “The Director may award
 7 grants under this section” and inserting the fol-
 8 lowing:

9 “(1) TELEHEALTH NETWORK AND TELE-
 10 HEALTH RESEARCH CENTER GRANTS.—The Director
 11 may award grants under paragraphs (1) and (2) of
 12 subsection (d)”;

13 (2) by adding at the end the following new
 14 paragraph:

15 “(2) VIRTUAL HEALTH NETWORK PILOT PRO-
 16 GRAM GRANTS.—The Director shall—

17 “(A) not later than 30 days after the date
 18 of enactment of Increasing Rural Telehealth
 19 Access Act of 2021, issue a notice of the avail-
 20 ability of funding through grants under sub-
 21 section (d)(3); and

22 “(B) not later than 90 days after the date
 23 of issuance of the notice required by subpara-
 24 graph (A), award all grants under subsection
 25 (d)(3).”.

1 (e) ELIGIBLE ENTITIES.—Subsection (f) of section
 2 330I of the Public Health Service Act (42 U.S.C. 254c–
 3 14) is amended by adding at the end the following:

4 “(4) VIRTUAL HEALTH NETWORK PILOT PRO-
 5 GRAM GRANTS.—To be eligible to receive a grant
 6 under subsection (d)(3), an entity shall—

7 “(A) meet the requirements of paragraphs
 8 (1), (2), and (3) of this subsection that apply
 9 to an entity seeking a grant under subsection
 10 (d)(1);

11 “(B) be located in a rural area; and

12 “(C) demonstrate that the entity will pro-
 13 vide services using remote patient monitoring
 14 technology that is—

15 “(i) cellular enabled;

16 “(ii) approved, cleared, or authorized
 17 by the Food and Drug Administration; and

18 “(iii) operable using cellular stand-
 19 ards, including 2G and 3G, that offer
 20 broad network coverage in rural areas
 21 without broadband access, as determined
 22 by the Secretary.”.

23 (f) APPLICATIONS.—Subsection (g) of section 330I of
 24 the Public Health Service Act (42 U.S.C. 254c–14) is
 25 amended—

1 (1) by redesignating paragraphs (1) through
 2 (8) as subparagraphs (A) through (H), respectively,
 3 and moving the margin of each such redesignated
 4 subparagraph 2 ems to the right;

5 (2) by striking “To be eligible to receive a grant
 6 under subsection (d)” and inserting the following:

7 “(1) TELEHEALTH NETWORK AND TELE-
 8 HEALTH RESEARCH CENTER GRANTS.—To be eligi-
 9 ble to receive a grant under paragraph (1) or (2) of
 10 subsection (d)”;

11 (3) by adding at the end the following new
 12 paragraph:

13 “(2) VIRTUAL HEALTH NETWORK PILOT PRO-
 14 GRAM GRANTS.—To be eligible to receive a grant
 15 under subsection (d)(3), an eligible entity shall pre-
 16 pare and submit to the Secretary an application at
 17 such time, in such manner, and containing such in-
 18 formation as the Secretary may require and include
 19 in such application—

20 “(A) a description of the project that the
 21 eligible entity will carry out using the funds
 22 provided under the grant;

23 “(B) a description of the manner in which
 24 the project funded under the grant will meet
 25 the health care needs of rural or other popu-

1 lations to be served through the project, or
 2 maintain or improve access to services of, and
 3 the quality of the services received by, those
 4 populations;

5 “(C) information on the source and
 6 amount of non-Federal funds that the entity
 7 will provide for the project; and

8 “(D) evidence of intent to provide services
 9 using remote patient monitoring technology as
 10 described in subsection (f)(4)(C).”.

11 (g) PREFERENCES.—Subsection (h) of section 330I
 12 of the Public Health Service Act (42 U.S.C. 254c–14) is
 13 amended by adding at the end the following new para-
 14 graph:

15 “(3) VIRTUAL HEALTH NETWORK PILOT PRO-
 16 GRAM GRANTS.—In awarding grants under sub-
 17 section (d)(3), the Secretary shall give preference to
 18 any eligible entity that—

19 “(A) is able to establish a virtual health
 20 program using remote patient monitoring tech-
 21 nology within 60 days of receipt of the award;
 22 and

23 “(B) proposes to use Federal funds made
 24 available through such a grant to establish and
 25 furnish services using remote patient moni-

1 toring technology that provides real time, con-
2 tinuous coaching services.”.

3 (h) USE OF FUNDS.—Subsection (j) of section 330I
4 of the Public Health Service Act (42 U.S.C. 254c–14) is
5 amended by adding at the end the following new para-
6 graph:

7 “(3) VIRTUAL HEALTH NETWORK PILOT PRO-
8 GRAM GRANTS.—The recipient of a grant under sub-
9 section (d)(3) may use funds received through such
10 grant for salaries, equipment, and operating or other
11 costs for—

12 “(A) developing and delivering services
13 using remote patient monitoring technology
14 that enhance access to community-based health
15 care services in rural areas;

16 “(B) developing and acquiring, through
17 lease or purchase, computer hardware and soft-
18 ware, audio and video equipment, computer net-
19 work equipment, interactive equipment, data
20 terminal equipment, and other equipment that
21 furtheres the objectives of the virtual health pilot
22 program;

23 “(C)(i) providing for transmission of med-
24 ical data, and maintenance of equipment; and

1 “(ii) providing for compensation (including
 2 travel expenses) of specialists, and referring
 3 health care providers, who are providing virtual
 4 health services through remote patient moni-
 5 toring technology if no third-party payment is
 6 available;

7 “(D) collecting and analyzing usage statis-
 8 tics and data to document the cost-effectiveness
 9 of services using remote patient monitoring
 10 technology; and

11 “(E) carrying out such other activities as
 12 are consistent with achieving the objectives of
 13 the virtual health pilot program, as determined
 14 by the Secretary.”.

15 (i) FUNDING.—Subsection (q) of section 330I of the
 16 Public Health Service Act (42 U.S.C. 254c–14) is amend-
 17 ed—

18 (1) in the subsection heading, by striking “AU-
 19 THORIZATION OF APPROPRIATIONS” and inserting
 20 “FUNDING”;

21 (2) by striking “There are authorized to be ap-
 22 propriated to carry out this section” and inserting
 23 the following:

24 “(1) TELEHEALTH NETWORK AND TELE-
 25 HEALTH RESEARCH CENTER GRANTS.—To carry out

1 this section with respect to grants under paragraphs
2 (1) and (2) of subsection (d), there is authorized to
3 be appropriated”; and

4 (3) by adding at the end the following new
5 paragraph:

6 “(2) VIRTUAL HEALTH NETWORK PILOT PRO-
7 GRAM GRANTS.—To carry out this section with re-
8 spect to the virtual health pilot program under sub-
9 section (b)(2), including grants under subsection
10 (d)(3), there is authorized to be appropriated
11 \$50,000,000, to remain available until expended.”.

12 (j) REPORT.—Not later than 2 years after awarding
13 all grants under subsection (d)(3) of section 330I of the
14 Public Health Service Act, as added by this section, the
15 Secretary of Health and Human Services shall prepare
16 and submit to the Committee on Energy and Commerce
17 of the House of Representatives and the Committee on
18 Health, Education, Labor, and Pensions of the Senate a
19 report on the activities and outcomes of the pilot program
20 under subsection (b)(2) of section 330I of such Act, as
21 added by this section.

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