

January 5, 2021

Ms. Chiquita Brooks-LaSure  
Biden Transition Team  
Team Lead for the Department of Health and Human Services Agency Review Team  
1401 Constitution Avenue, N.W.  
Washington, D.C., 20230

**RE: Making CMS Virtual Supervision Flexibility Permanent**

Dear Ms. Brooks-LaSure:

On behalf of the undersigned health systems and professional organizations, we ask that you make permanent the current temporary regulatory flexibility provided the Centers for Medicare & Medicaid Services (CMS) by allowing physicians to provide direct supervision of clinical staff virtually, using real-time audio/video technology.

During the COVID-19 public health emergency, in order to accommodate provision of telehealth services, CMS has relaxed its rule requiring physicians to provide “direct supervision” of auxiliary personnel. Pursuant to the temporary regulatory flexibility, physicians may provide “virtual supervision” of auxiliary personnel. Physicians should be empowered to supervise clinical staff virtually, at their discretion, regardless of whether there is a declared public health emergency.

By allowing physicians and auxiliary personnel to provide services from two separate locations, this flexibility supports the expansion of telehealth services and protects frontline workers by allowing appropriate social distancing.

The rapid shift to telehealth services during COVID-19 has illustrated the value of telehealth long-term, particularly for patients with mobility issues and those in rural and/or medically underserved areas. Therefore, we ask that CMS permanently allow direct supervision to be provided virtually in order to meet the growing demand for telehealth services, which will likely extend beyond the COVID-19 pandemic.

Thank you for your consideration. Please let me know if we can provide any additional information.

Sincerely,

ASHP (American Society of Health-System Pharmacists)	Ascension
American Academy of Neurology	Avera Health
American Association of Neurological Surgeons	Baptist Health
American College of Emergency Physicians	Bon Secours Mercy Health
Association of Community of Cancer Centers	Bryan Health
Association of Diabetes Care & Education Specialists	California Society of Health-System Pharmacists
College of Neurological Surgeons	Centura Health
Alabama Society of Health-System Pharmacists	Colegio de Farmaceuticos of Puerto Rico
Arizona Pharmacy Association	Colorado Pharmacists Society

Cone Health  
Connecticut Society of Health-System Pharmacists  
Deaconess Health System  
Desert Pharmacy  
Georgia Society of Health-System Pharmacists  
Hawaii Pharmacists Association  
Howard University College of Pharmacy  
Idaho Society of Health-System Pharmacists  
Illinois Council of Health-System Pharmacists  
Indiana Society of Health-System Pharmacists  
Indiana University Health  
Iowa Pharmacy Association  
Jefferson Health  
Kansas Council of Health-System Pharmacy  
Legacy Health  
Maryland Society of Health-System Pharmacists  
Massachusetts Society of Health-System Pharmacists  
Methodist Health System  
Michigan Society of Health-System Pharmacists  
Mississippi Society of Health-System Pharmacists  
Missouri Society of Health-System Pharmacists  
Mount Sinai Health System  
Minnesota Society of Health-System Pharmacists  
Nebraska Pharmacists Association  
New Jersey Society of Health-System Pharmacists  
New York State Council of Health-System Pharmacists

North Carolina Association of Pharmacists  
North Dakota Society of Health-System Pharmacists  
Ohio Society of Health-System Pharmacists  
Oregon Society of Health-System Pharmacists  
OSF Healthcare  
Pharmacy Society of Wisconsin  
Pioneers Memorial Healthcare District  
Providence St. Joseph Health  
Saint Luke's Health System  
Sanford Health  
South Dakota Society of Health-System Pharmacists  
Tennessee Pharmacists Association  
Texas Society of Health-System Pharmacists  
Trinity Health  
UC San Diego Health  
UNC Eshelman School of Pharmacy  
UnityPoint Health  
University of North Carolina Hospital  
University of Utah Health  
Utah Society of Health-System Pharmacists  
UVA Health  
UW Medicine  
Virginia Mason Medical Center  
Washington State Pharmacy Association  
Yale New Haven Health

Cc: HHS Agency Review Team