

**Testimony in Support of LD 333 - An Act Regarding Telehealth
Submitted by Patsy Catsos, MS, RDN, LD**

Good morning, Senator Sanborn, Representative Tepler and distinguished members of the Joint Standing Committee on Health Coverage, Insurance and Financial Services,

My name is Patsy Catsos and I am a resident of Portland. I am speaking on behalf of the Maine Academy of Nutrition and Dietetics where I serve as a member of the Public Policy Panel. The Maine Academy is an affiliate of the Academy of Nutrition and Dietetics, an association that represents over 100,000 credentialed dietetics and nutrition practitioners. We are the food and nutrition professionals who can translate the science of nutrition into practical solutions for healthy living. As health care practitioners, we strive to improve the health of Maine's citizens through quality food and nutrition information and nutrition care services. Our members work across the state in hospitals, schools, public health clinics, nursing homes, food service management, universities, research, and private practice.

In my work as a Registered, Licensed Dietitian I am a consultant at Nutrition Works in Portland, providing one-on-one medical nutrition therapy to patients with gastrointestinal diseases and disorders. Other dietitians in our practice deliver specialty nutrition care for patients with a variety of other conditions. While some patients do prefer face-to-face visits, the *option* of telehealth can benefit Maine residents who are referred for medical nutrition therapy because it is both effective and accessible.

Effective: As we and our patients learned during the COVID-19 pandemic, medical nutrition therapy can be provided very effectively via telehealth, as all of the tasks in our workflow can be performed remotely. Meeting with patients while they are at home allows them to check their pantries and medicine cabinets as needed to share important details about the food and nutrition products they are consuming. Timely follow-ups increase effectiveness, too, and are easier for patients to squeeze into their busy schedules when they can meet with us via secure video-chat. Many of our patients prefer telehealth because of this.

Accessible: With telehealth, travel distance is no longer a barrier to accessing a licensed provider of specialty dietetic care. It seems obvious that Maine residents who live in distant parts of the state benefit from access to the same care as those living in Maine's biggest cities. Telehealth means all Maine citizens can access specialty services without travel expenses and without taking one or more days off from work. Perhaps less obviously, travel can be physically taxing and difficult to manage for those who are ill; telehealth solves this problem. I recently helped an 82-year-old gentleman in Downeast Maine recover from post-infectious irritable bowel syndrome and unintentional weight loss. He needed ready access to a bathroom due to his illness, and he would have been unable to make even a single trip to visit my office in Portland, much less a series of visits. He and his wife adapted readily to the telehealth platform. His weight and his strength have now been restored and he is feeling well again thanks in part to the option of using telehealth for his care.

Registered, licensed dietitians are recognized as reimbursable health care providers in Medicare. Under the current emergency rules, we are permitted to provide medical nutrition therapy via telehealth; before the pandemic, we were not. Many private insurances also provide benefits for nutrition services when provided by a registered, licensed

dietitian. Under the current emergency rules insurance companies are reimbursing us for services provided via telehealth; before the pandemic, it was hit or miss. Patients were reluctant to take a chance on accessing their benefits via telehealth because the coverage information for telehealth was very difficult to determine ahead of time, even by contacting the insurance company, and often resulted in a significant out-of-pocket bill for patients.

I am here today to testify in support of LD 333, An Act Regarding Telehealth, as it is a comprehensive approach to the use of and payment for telehealth services by licensed health care practitioners, with recommendations as follows:

- Delete the multiple considerations when audio-only telephone can be used so it simply states that telehealth includes audio-only telephone or telephonic services, similar to language in LD 323. When I am seeing a patient who does not have high-speed internet, or who does not have good technical problem solving skills, it is sometimes necessary to fall back on use of the telephone to get the job done without causing undue stress on the patient.
- Ensure that the terms 'licensed health care practitioner' and 'telehealth provider' do include the registered, licensed dietitian of the patient's choice and participating in the patient's payer network. Before the pandemic, some payers were refusing patient access to telehealth benefits for services from licensed specialists in the patient's locale or state. They were apparently able to meet the letter of Maine's telehealth law by offering services only from their own employed health coaches or other staff.
- Ensure that the term 'health care services' does include nutrition services and/or medical nutrition therapy.
- Ensure that all health insurance carriers that cover nutrition services and/or medical nutrition therapy for residents of the State of Maine, are required to follow the legislation, including plans which are self-funded or written out of the state of Maine. Without this, providers are unable to inform patients in advance whether their insurance will cover the services they need. In our experience, without this assurance, most patients will decline the services rather than take a chance.

We urge you, the members of the Joint Standing Committee on Health Coverage, Insurance and Financial Services, to support LD 333 that will allow Maine people access to nutrition services and medical nutrition therapy from registered, licensed dietitians using telehealth. Thank you and we remain available as a resource to this committee and to answer any questions you may have.