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# United States Senate

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October 17, 2022

The Honorable Denis R. McDonough  
Secretary of Veterans Affairs  
810 Vermont Ave NW  
Washington, DC 20420

Dear Secretary McDonough,

We write today to request the Department of Veterans Affairs (VA) expedite its efforts to establish a telehealth grant and access point program to better care for veterans in rural and underserved areas. Section 701 of Public Law (P.L.) 116-171, the Commander John Scott Hannon Veterans Mental Health Care Improvement Act of 2019 (the Hannon Act), required VA to create new partnerships or expand existing partnerships to increase the number of locations where VA telehealth care is available at non-VA facilities. We are alarmed that while the Hannon Act was signed into law on October 17, 2020, VA does not anticipate awarding its first telehealth grants until fall of fiscal year (FY) 2025 – four years after enactment.

While not a replacement for in-person care in every situation, telehealth is an essential tool for reaching veterans in rural and remote areas and who live far distances from the nearest VA. Telehealth has become an even more important care option during the COVID-19 pandemic, allowing VA to safely provide routine care to veterans without needing to travel. In 2021, VA provided veterans more than 9.5 million video telehealth visits to their homes or other offsite locations, representing an increase of 146% compared to 2020 and 3,100% compared to 2019.

Congress has invested heavily in telehealth, with \$3.89 billion appropriated in FY 2021, and the inclusion of upwards of \$2 billion in the FY 2022 omnibus, P.L. 117-103, the Consolidated Appropriations Act, 2022. This was in addition to billions appropriated to VA to respond to the COVID-19 pandemic and maintain veterans' access to care, including through telehealth modalities, from P.L. 117-2, the American Rescue Plan Act, and P.L. 116-136, the CARES Act.

Given the unprecedented increase in telehealth demand and the historic level of investment in VA telehealth funding, we are concerned VA has yet to publish a proposed rule to enact the telehealth grants program from the Hannon Act. This program would allow non-VA facilities, such as veterans service organizations (VSOs), nonprofits, or businesses to establish telehealth access points for local veterans. Grant funding could be used to improve existing infrastructure to better provide telehealth to veterans, including new hardware or software, improved internet access, site attendant training, or minor construction projects to increase

privacy and provide a more therapeutic environment. Funds cannot be used for major construction projects or the purchase of new property.

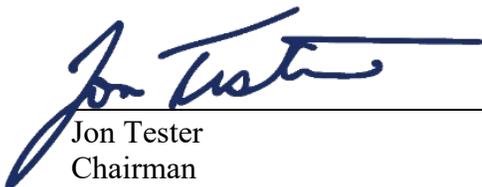
VSOs like the Veterans of Foreign Wars (VFW) and The American Legion have been huge proponents of increasing telehealth access for veterans, especially rural and remote veterans. Both VSOs have opened up their posts in several states to provide veterans' telehealth care through VA's ATLAS program. This has been essential for veterans who do not have reliable broadband at home for telehealth visits. Other VSOs and organizations may be interested in bolstering veterans' access to care, but without the telehealth grant funding from the Hannon Act, this may be near impossible. The Hannon Act also required VA to establish telehealth access point agreements, so organizations who are not in need of grant funding can still be vetted and selected as a telehealth access point for veterans.

We urge you to direct VA's Office of Connected Care and any other responsible entities to expedite implementation of Section 701 of the Hannon Act to establish this telehealth grant program. In materials provided to Congress, VA reported it does not plan to publish a proposed rule until Quarter (Q) 2 of FY 2023, almost 2.5 years after enactment, and to publish a final rule until Q2 of FY 2024. With this timeline, VA does not project being able to award its first telehealth grants until Q1 of FY 2025 – more than four years after enactment. As far as we are aware, no draft rule package has been approved by VA or sent to the Office of Management and Budget for approval.

Congress mandated VA carry out this grant program as quickly as possible for telehealth across the country. As such, we request VA expeditiously execute this program. Should VA require additional authority to get this funding out to the community earlier than FY 2025, we stand ready to assist.

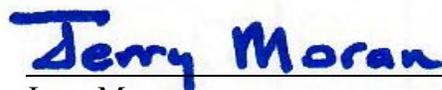
Please provide an update on the status of the telehealth grant program development, steps taken to expedite implementation, and a timeline for VA to publish a proposed rule, final rule, and award grants in accordance with Section 701 of the Hannon Act. VA must take action to ensure veterans in rural and remote areas have timely and convenient access to care and telehealth services.

Sincerely,



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Jon Tester  
Chairman  
Senate Committee on Veterans' Affairs



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Jerry Moran  
Ranking Member  
Senate Committee on Veterans' Affairs