

Temporary Reciprocity to Ensure Access to Treatment (TREAT) Act
Senator Chris Murphy (D-CT) and Senator Roy Blunt (R-MO)
Congressman Robert Latta (R-OH-5) and Congresswoman Debbie Dingell (D-MI-12)

While telehealth has become a lifeline for ensuring access to needed medical care during the pandemic, state licensing restrictions have disrupted continuity of care for some patients and prevented others from initiating care or obtaining second opinions with specialists in other states. In response to COVID-19, some states temporarily modified licensure requirements in limited circumstances for certain providers. However, state-by-state variability of these waivers (when they exist) has created significant confusion and administrative burden, which in turn results in unnecessary delays in care. Moreover, too often, patients whose providers are in another state have been forced to risk virus exposure in order to obtain needed care.

The *Temporary Reciprocity to Ensure Access to Treatment (TREAT) Act* would provide temporary state licensing reciprocity for all licensed and certified practitioners or professionals (those who treat physical and mental health conditions) in all states for all types of services (in-person and telehealth) during the COVID-19 Public Health Emergency. Under the Act, a provider who holds a valid license in good standing any state and is not barred in another state, would be permitted to practice in every state for the duration of the emergency declaration and a limited normalization period once the declaration of public health emergency is lifted (after which, state licensure reverts to the status quo).

The TREAT Act would:

- Enable health care professionals licensed in good standing to care for patients (whether in-person or through telehealth visits) from any state during the current national public health emergency without jeopardizing their state licensure or facing potential penalties for unauthorized practice of medicine;
- Require the health care professional to obtain oral or written acknowledgment of services;
- Require health care professionals who use this authority to notify a state or local licensing board within 30 days of first practicing in a state other than where licensed or certified;
- Preclude any service that is otherwise prohibited by a state where a patient is located and require adherence to specified prescribing requirements of the state;
- Allow authority for a state where a health care professional has practiced under this reciprocity measure to pursue investigations and disciplinary actions, including the ability to exclude a clinician from practicing in the state under the Act;
- Not include health care professionals otherwise licensed under a compact agreement or licensed in the state where the patient resides; and
- Apply the licensure reciprocity for the duration of the COVID-19 public health emergency, followed by a 180-day phase out period.

In Their Own Words

- ***Washington Post*, “[Telemedicine is a godsend during a pandemic. But state licensing rules get in the way](#)” (12/10/20)**

Johns Hopkins Medicine CEO Dr. Paul Rothman and JHHS President Kevin Sowers write, “When the CARES Act passed last spring, Congress eliminated licensing restrictions for Homeland Security clinicians. But civilian clinicians were left out...With COVID-19 rates surging everywhere, many hospitals across the country are facing workforce shortages, staff exhaustion and burnout. To

ensure that overextended health-care facilities can get help if they need it, we must make it easy for doctors and nurses to treat patients anywhere in the country, whether virtually or in person.”

- ***The Hill*, “[A National Crisis Requires a National Solution](#)” (12/16/20)**

Drs. Brian Hasselfeld and Baligh Yehia, of Johns Hopkins and Ascension respectively, observe that “since last spring, physicians and other health care professionals have taken many steps to keep themselves and their patients safe, including conducting visits via video conferencing when possible... but one thing is still missing: the ability for clinicians to practice medicine across state lines during a public health emergency, which can help to improve patients’ access to care they need when it matters most.”

- ***The Hill*, “[Treating Students’ Mental Health Needs During the Pandemic](#)” (12/1/20)**

Wellesley College President Dr. Paula Johnson expresses concern that “students often come to campuses away from their home states having spent years developing relationships with clinicians. Others develop those relationships on campus and want to preserve them when the pandemic forces them to return or remain at home, often to places where there are shortages of mental health services.”

- ***The Hill*, “[Remove Barriers to Make Mental Health Services Accessible to College Students](#)” (4/26/2020)**

Rockhurst University President Rev. Thomas B. Curran, S.J. and University of Detroit Mercy President Dr. Antoine Garibaldi write, “A growing number of students, many of whom may never have had to seek such services before, are now the individuals most in need of the support from their college and university counseling centers. We need our state and national leaders to act swiftly.”

- ***USA Today*, “[Coronavirus exposed cracks in U.S. health care. Here are 5 ideas to fix the system](#)” (6/9/20)**

UCSF President Mark Laret and AAMC President David Skorton note the importance of working across geographic boundaries during a pandemic. They write “Where there is a specific need in one part of the country, or in one type of care facility, we must quickly refocus our resources to where they are most needed...interstate collaboration should be our national standard. Relaxing state licensing for telehealth consultations across state lines is one obvious way to get this started...”

For more information about the legislation or to become a cosponsor or supporting organization, please contact Elizabeth Darnall (elizabeth_darnall@murphy.senate.gov) with Senator Murphy or Caitlin Wilson (caitlin_wilson@blunt.senate.gov) with Senator Blunt, or Paul Hartman (Paul.Hartman@mail.house.gov) with Representative Latta and Timothy Huebner (Timothy.Huebner@mail.house.gov) with Representative Dingell.

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Supporting organizations:

ACPA- College Student Educators International

Active Minds

Alliance for Connected Care

American Association of State Colleges and Universities

American Council on Education

American Hospital Association

American Medical Group Association (AMGA)

AMN Healthcare

Anxiety and Depression Association of America

Ascension

Associated Colleges of the Midwest

Associated Medical Schools of New York

Association for Behavioral Health and Wellness

Association for University and College Counseling Center
Directors

Association of American Cancer Institutes

Association of American Medical Colleges

Association of American Universities

Association of Catholic Colleges and Universities

Association of Governing Boards of Universities and
Colleges

Association of Independent California Colleges and
Universities

Association of Independent Colleges and Universities in
Massachusetts

Association of Independent Colleges and Universities in
New Jersey

Association of Independent Colleges and Universities of
Ohio

Association of Independent Colleges and Universities of
Pennsylvania

Association of Independent Colleges and Universities of
Rhode Island

Association of Independent Colleges of Art & Design

Association of Independent Kentucky Colleges and
Universities

Association of Jesuit Colleges and Universities

Association of Private Colleges and Universities of
Puerto Rico

Loyola University Chicago

Marquette University

Maryland Hospital Association

Maryland Independent College and University
Association

Mass General Brigham

Mayo Clinic

MedChi- The Maryland State Medical Society

Medstar Health

Memorial Sloan Kettering Cancer Center

Missouri Western State University

Moffitt Cancer Center

Mount Sinai Health System

NASPA- Student Affairs Administrators in Higher
Education

National Alliance on Mental Illness

National Association for Children's Behavioral Health

National Association for Equal Opportunity in Higher
Education

National Association for Rural Mental Health

National Association of Behavioral Health Care

National Association of College and University
Business Officers

National Association of Colleges and Employers

National Association of Independent Colleges and
Universities

National Organization for Rare Disorders

Network of Jewish Human Service Agencies

New York State Commission on Independent Colleges
and Universities

New York University

North Carolina Independent Colleges and Universities

Northwestern Medicine

NYU Langone Health

One Medical

Association of Public and Land-grant Universities
Association of Vermont Independent Colleges
BJC HealthCare
Bon Secours Mercy Health
Boston College
Canisius College
Children's Hospital Los Angeles
Children's Hospital of Philadelphia
ChristianaCare
City of Hope Comprehensive Cancer Center
Cleveland Clinic
College of the Holy Cross
Columbia University Irving Medical Center
Conference of Boston Teaching Hospitals
Connecticut Conference of Independent Colleges
Consortium of Universities of the Washington
Metropolitan Area
Consortium Representing Eating Disorders Care
Cornell University
Council for Christian Colleges & Universities
Council for Higher Education Accreditation
Council of Independent Colleges in Virginia
Council of Independent Nebraska Colleges Foundation
Creighton University
Cystic Fibrosis Foundation
Dana-Farber Cancer Institute
Dartmouth College
Dartmouth-Hitchcock Health
Duke Health
Duke University
EDUCAUSE
Emory University
Fairfield University
Federation of American Hospitals
Fontbonne University
Georgetown University
Georgia Institute of Technology
Great Lakes Colleges Association
Harvard University
Healthcare Leadership Council
Higher Education Consultants Association
Independent Colleges and Universities of Missouri

Oregon Alliance of Independent Colleges and
Universities
Penn Medicine
Penn State University
Premier Healthcare Alliance
Primary Care Collaborative
Princeton University
Providence St. Joseph Health
Regis University
RI International
Rockhurst University
Rutgers, The State University of New Jersey
Saint Joseph's University
Saint Louis University
Saint Peter's University
Santa Clara University

Seattle Cancer Center Alliance
Seattle University
SMART Recovery
Society of General Internal Medicine
South Carolina Independent Colleges and Universities
Spring Hill College
Stanford Health Care
Stanford University
State Higher Education Executive Officers Association
The ERISA Industry Committee
The Ohio State University, Wexner Medical Center
The University of Scranton
The University of Texas MD Anderson Cancer Center
Third Eye Health
Trinity Health
Tulane University
UMass Memorial Health Care
University of Chicago
University of Chicago Medical Center
University of Iowa
University of Iowa Health Care
University of Maryland, Baltimore
University of Michigan
University of Pittsburgh Medical Center
University of Rochester
University of San Francisco

Independent Colleges of Indiana
Independent Colleges of Washington
Indiana University
Jewish Federations of North America
John Carroll University
Johns Hopkins University & Medicine
Kansas City Art Institute
Kansas Independent College Association
Kennedy Krieger Institute
Lehigh Valley Health Network
Louisiana Association of Independent Colleges and
Universities
Loyola Marymount University

University of Southern California
University of Texas Southwestern Medical Center
University of Washington Medicine
UW Health
Vanderbilt University Medical Center
Vizient, Inc.
Wake Forest Baptist Medical Center
Washington State Hospital Association
Washington University in St. Louis
Wellesley College
Wisconsin Association of Independent Colleges and
Universities
Yale University

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