Insights

Adriana Riviere-Badell and Alexandria Swette Explore the Future of Telehealth Payment Parity in Law360

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The pandemic has led U.S. federal and state governments to increase telehealth services' accessibility and economic feasibility, including through payment parity. However, the long-term durability of parity remains uncertain, and increased enforcement against telehealth fraud has fueled further uncertainty for providers and patients, Kobre & Kim's Adriana Riviere-Badell and Alexandria Swette wrote in *Law360*.

Payment parity, which requires equal coverage and reimbursement for telehealth and in-person services, has been widely established by the federal government, states and private insurers at the start of the pandemic. However, the merits of parity remain hotly debated, with concerns over accessibility, quality of care and service cost. In addition, as the pandemic winds down, whether governments and insurers will continue to utilize parity may diverge.

The greater utilization of telehealth services also brings greater enforcement scrutiny and requires a more robust analysis to identify fraud than before the pandemic. Some investigations will also implicate regulatory waivers that dramatically changed the coverage requirements for providers and suppliers. Given these uncertainties and the emerging nationwide patchwork of irregular coverage, telehealth providers should implement compliance plans to mitigate the risk of violations.

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