

February 22, 2023

The Honorable Charles Schumer  
Majority Leader  
United States Senate  
Washington, DC 20510

The Honorable Kevin McCarthy  
Speaker  
United States House of Representatives  
Washington, DC 20515

The Honorable Mitch McConnell  
Minority Leader  
United States Senate  
Washington, DC 20510

The Honorable Hakeem Jeffries  
Minority Leader  
United States House of Representatives  
Washington, DC 20515

**RE: Improving American Health Care**

Dear Majority Leader Schumer, Leader McConnell, Speaker McCarthy, and Leader Jeffries:

As the association uniquely gathering many health care industry segments focused on innovation, we write to offer suggestions on how Americans, as taxpayers, patients and caregivers, can get better value for their health care investments. Consumers have more tools available than ever before that allow them to manage their own health, track outcomes, and share their own data and insights with their health care providers, family, and caregivers. Since the pandemic, health care providers now increasingly rely on digital health tools for daily patient care and management.

As North America's largest technology trade association, CTA is the tech sector. Our members are the world's leading innovators – from startups to global brands – helping support more than 18 million American jobs. CTA owns and produces CES® – the most influential tech event in the world. CTA is the trade association representing more than 1500 companies in the U.S. consumer technology industry. Eighty percent of CTA companies are small businesses and startups; others are among the world's best-known brands. We provide members with policy advocacy, market research, technical education and standards development.

CTA's Health Division advances the use of consumer-based technology enabled health solutions to deliver better health outcomes and reduce overall health care costs. The Division, which is made up of cutting edge small and large companies in the health care and technology sectors, including telehealth and personal health wearable companies, health care payers, health systems and biopharmaceutical innovators, provides policy advocacy, health care market research and standards initiatives that advance the appropriate use of consumer technologies in the health care context.

In the 117<sup>th</sup> session, Congress took swift action to remove decades-old statutory restrictions on the use of telehealth in the Medicare program and to allow employers to offer greater telehealth options to their employees. Telehealth proved critical during the COVID-19 public health emergency (PHE) period

and we were proud to support provisions in the Consolidated Appropriations Act, 2023 that extended these flexibilities until the end of 2024. We look forward to working with you this session on permanent telehealth policies.

In addition to telehealth and virtual care policies, our members are focused on the top policy issues facing digital health today, including health data privacy, artificial intelligence and machine learning, value-based care, appropriate coverage and payment pathways for emerging technologies, digital health equity, interoperability and cybersecurity. The 118<sup>th</sup> Congress must enact smart policies that protect patient data by establishing a national privacy standard, promote value-based health care, allow for innovation, bridge health equity gaps and establish appropriate, risk-based oversight of emerging technologies. We also urge Congress to work with the Administration on eliminating tariffs and non-tariff barriers to trade in medical devices, including the additional tariffs on imports from China under Section 301 of the Trade Act of 1974. These barriers to trade undermine the collective ability of U.S. health care providers to deliver high-quality care to U.S. patients at lower costs.

As a leading convener of diverse stakeholder voices in the digital health space, CTA has driven consensus around emerging consumer health technologies to help drive adoption and quality outcomes. With more than 70 committees, subcommittees and working groups and roughly 1100 participants, the CTA Technology and Standards program, touching all aspects of the consumer technology industry, maintains an unmatched reputation as a credible and flexible standards-making body accredited by the American National Standards Institute (ANSI). CTA has more than 20 completed health and fitness technology standards focusing on remote patient monitoring, mobile health, AI in health care, and over-the-counter hearing aids<sup>1</sup>, digital therapeutics and mental health, among others. As Congress looks to find a smart balance between spurring innovation in health care and ensuring proven digital health tools are adopted and deployed consistently to improve access, lower costs and protect patient safety, CTA can serve as a trusted resource.

As we emerge from a global pandemic, our nation's health care system is working to advance overall patient outcomes while addressing health care workforce challenges including provider shortages and clinician burnout. CTA believes digital health is and will continue to be a critical aspect of addressing these challenges. We look forward to working with you and members of the 118<sup>th</sup> Congress to enact smart policies to support the adoption and use of digital health tools.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary Shapiro". The signature is fluid and cursive, with the first name "Gary" being more prominent than the last name "Shapiro".

Gary Shapiro  
President and CEO  
Consumer Technology Association

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<sup>1</sup> ANSI/CTA-2051, "Personal Sound Amplification Performance Criteria" was incorporated by reference by the Food & Drug Administration in the *Establishing Over-the-Counter Hearing Aids* final rule (RIN 09190-A121)