

February 7, 2020

Chair Christine Rolfes, Vice Chair Frockt, Capital Budget Cabinet Member Mullet
Ranking Members Braun and Honeyford
Members of the Washington State Senate Ways and Means Committee
311 J.A. Cherberg Bldg., P.O. Box 40482
Olympia, WA 98504-0482

RE: Stop SB 5759 & Secret Back Room Deals - WA State Medical Professionals Should Be Making Decisions About Ocular Telemedicine

Dear Chair Rolfes, Vice Chair Frockt, Senator Mullet, Ranking Members Braun and Honeyford and Distinguished Members of the Washington State Senate Ways & Means Committee:

We write today on behalf of millions of Washington state consumers, taxpayers, innovators, companies, employers, medical professionals and community groups to urge you to stop SB 5759, a bill to ban ocular telemedicine in the State of Washington, thereby preventing patients from getting their contact lens and glasses prescriptions renewed online and from having the ability to get online vision checks. If this bill passes, Washington state consumers and taxpayers will not only lose a critical vision care service that they have been enjoying for years, it will also lead to higher costs, less competition and less choice in the marketplace.

A close review of the *Fiscal Note* attached to this bill shows that not only will consumers be forced to pay more for prescription renewal if this ban goes into effect, but also that Washington state taxpayers will be on the hook for the \$1 million cost of this bill to regulate services that have been operating for more than four years in Washington with no consumer complaints. Taxpayer-funded government employee insurance programs, not to mention beneficiaries of these plans, will also face higher costs due to fewer options to affordably receive eye care.

To put it more simply, unless you act to stop this bill, Washington taxpayers and consumers will not only lose an innovative, convenient, cost saving way to get their contact lens and glasses prescriptions renewed, it will cost them a minimum of \$1 million, not counting the value of lost time, convenience, and less competition in the marketplace. Voting for this bill means you are sending a message that it is okay to use taxpayer money to limit access to effective cost-saving eye health technologies for Washington state consumers that they want to use or need to use because they have no access otherwise.

In addition to our concerns about cost and access to care, we are also deeply concerned by the process that occurred in the Senate Health and Long-Term Care Committee this past week. SB 5759 was rushed forward with no opportunity for public input and very little ability for Committee members to understand what was in the bill. This at a time when the Washington State Telemedicine Collaborative - a body created by the WA State Legislature in 2015, is undergoing a comprehensive review of ocular telemedicine, a review that was part of an agreement between Committee members and the sponsors of SB 5759 last year.

As you all will remember, the Legislature created the Collaborative through the adoption of SB 6519, sponsored by Chair Cleveland and Senator Becker. As directed in the language of SB 6519, the Collaborative's mission is to enhance the understanding and use of health services provided through telehealth and other similar models in Washington state.

The goal of the collaborative is to explore and make telehealth technology recommendations, and their professional guidance is vital before any decision on ocular telehealth is made. Having the Collaborative review ocular telemedicine, takes this decision out of the arena of politics and allows Washington State medical professionals and telemedicine experts to give policymakers substantive guidance and advice.

As you may be aware, our Coalition has been working to stop a ban of ocular telemedicine in Washington State for many years. We reached out at the beginning of the 2020 session to urge the Senate Health and Long-Term Care Committee to wait to act on any bill banning ocular telemedicine until the Collaborative finishes their review. We recently presented in front of the Collaborative and it is our understanding that optometry and ophthalmology associations have been invited to do the same at their next meeting. Instead of following the Collaborative process, a secretive bill that was not shared with stakeholders was rushed through in Executive Session, ignoring the advice and counsel of the panel of telemedicine experts that they used taxpayer funds to create.

We can only assume that there has been tremendous pressure on Health and Long-Term Care Committee members from the optometric lobby who have a vested financial interest in preventing new technologies and innovations from moving forward and who seek to have the legislature act to stifle any competitors in the marketplace.

On behalf of all your constituents who wear contact lens and glasses, all those who have worked so hard to promote health care innovation in Washington state, and all those who do not have access to an eye doctor in rural and urban parts of the state, we urge you to stop SB 5759, to resist attempts to ban telemedicine in this year's legislative session and reject premature efforts to limit or regulate telemedicine and online prescription renewal for contact lenses and glasses until the Collaborative's review is complete.

Sincerely,



