



Governor Brian Kemp
The Office of the Governor
206 Washington Street
Suite 203, State Capitol
Atlanta, GA 30334

May 8, 2020

Dear Governor Kemp,

We the undersigned organizations, representing a variety of constituencies, urge you to suspend your state's prohibition on ocular telehealth services during this time of crisis. Patients, underserved communities and taxpayers would all benefit from your timely action.

Georgia, along with the rest of the country, is facing a pandemic that has dramatically affected the ways Georgians live and work. Leaders such as yourself have been quick to act—and we applaud your executive orders allowing flexibility in the ways that Georgians can receive healthcare services. These measures help citizens adapt to the new normal, and it is crucial that Georgians can access health services in innovative modes—especially in times of crisis.

As you know, telehealth services provide numerous advantages, especially in the current environment. Patients and consumers can obtain services they need in a convenient, affordable manner, without leaving their homes and risking their health. Residents in underserved areas of the state can access care that they might otherwise do without or have to travel far to obtain. Taxpayers save in the long run on government employee insurance costs and other health program liabilities.¹

The Centers for Disease Control and Prevention (CDC) has recommended that people and providers delay routine medical services and shift to more telehealth services to help flatten the COVID-19 curve.² This means that many doctors' offices across the state have temporarily closed their doors or are impossible to visit without violating social distancing recommendations.

Fortunately, your Executive Order 03.20.20.02 allows, among other things, out-of-state doctors to obtain telemedicine licenses and pharmacists to furnish extended refills on routine prescriptions

¹ Pete Sepp, "NTU Submits Comments on the FTC's Updated Contact Lens Rule," National Taxpayers Union. July 30, 2019. <https://www.ntu.org/publications/detail/ntu-submits-comments-on-the-ftcs-updated-contact-lens-rule>

² "Outpatient and Ambulatory Care Settings: Responding to Community Transmission of COVID-19 in the United States." <https://www.cdc.gov/coronavirus/2019-ncov/hcp/ambulatory-care-settings.html>

during the state of emergency.³ As your administration continues to plot a path forward, we ask that you consider further executive action, or at least urge legislators to act, to expand access to the telehealth services that currently help millions of Americans obtain the medical care they need without leaving home.

While the shelter-at-home order in Georgia expired on April 30, considerable uncertainty lies ahead on the road to economic recovery as well as COVID-19 mitigation. As such, Georgians should be granted the freedom to use different kinds of online medical care. Specifically, Georgians cannot access vision care online like the majority of Americans in other states can.

Georgia law currently prohibits the use of ocular telehealth services.⁴ This means that while Georgians may choose to stay out of doctors' offices to reduce the risk of contracting COVID-19, they are unable to get their eyeglasses or contact lens prescriptions renewed. In the majority of states, this problem has been easily and safely remedied by permitting citizens to obtain a new pair of glasses or pack of contact lenses by providing their current prescription information to an online vendor and/or taking an online vision exam. However, this is not the case in Georgia. A resident of Georgia can only receive a prescription for glasses or contact lenses via an in-person eye exam.

Other states with ocular telehealth restrictions have lifted some of these unnecessary regulations in light of COVID-19. For example, Maryland Governor Larry Hogan signed into law a bill that allows Maryland residents to use telehealth technology employed by online vision services.⁵ And Arkansas Governor Asa Hutchinson issued an executive order temporarily suspending restrictions on telehealth.⁶ These efforts help Americans maintain their ability to see clearly, which is crucial.

We respectfully ask that you consider lifting the ocular telehealth services ban so that Georgians who feel more secure at home can still get the vision care they need.

Sincerely,
R Street Institute
National Taxpayers Union
Citizen Outreach
Georgia Public Policy Foundation

³ "Reducing Regulations to Assist the State's Response to the Spread of COVID-19."
<https://gov.georgia.gov/executive-action/executive-orders/2020-executive-orders>

⁴ Georgia House Bill 775, 2015-2016 Regular Session. <http://www.legis.ga.gov/legislation/en-US/Display/20152016/HB/775>

⁵ Pamela Wood, "Hogan to sign bills to make telehealth easier in Maryland." *Baltimore Sun*, April 2, 2020. <https://www.baltimoresun.com/coronavirus/bs-md-hogan-telehealth-20200402-meblaml5lvd5hn5cg5ciwc54zm-story.html>

⁶ State of Arkansas Executive Order 20-05.
https://governor.arkansas.gov/images/uploads/executiveOrders/EO_20-05.pdf