

# HOUSE BILL 1208

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By: **Delegates Shetty, Acevero, Atterbeary, Bartlett, Carr, D.M. Davis, Hill, Johnson, Kelly, Korman, Ruth, Saab, Solomon, Wilkins, and P. Young**

Introduced and read first time: February 7, 2020

Assigned to: Health and Government Operations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Medical Assistance Program – Telehealth – Pilot Program**

3 FOR the purpose of requiring the Maryland Department of Health to apply to the Centers  
4 for Medicare and Medicaid Services for an amendment to certain waivers to  
5 implement a pilot program to provide certain telehealth services to recipients under  
6 the Maryland Medical Assistance Program; limiting the telehealth services available  
7 under the pilot program; requiring the Department to administer the pilot program  
8 under certain circumstances; requiring the Department to report to the General  
9 Assembly on the status of a certain application on or before a certain date and with  
10 certain frequency thereafter; requiring the Department to report to the General  
11 Assembly on the status of the pilot program on or before a certain date each year  
12 under certain circumstances; providing for the termination of this Act; defining a  
13 certain term; and generally relating to the telehealth pilot program.

14 BY adding to

15 Article – Health – General  
16 Section 15–141.2  
17 Annotated Code of Maryland  
18 (2019 Replacement Volume)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
20 That the Laws of Maryland read as follows:

21 **Article – Health – General**

22 **15–141.2.**

23 **(A) (1) IN THIS SECTION, “TELEHEALTH” MEANS A MODE OF DELIVERING**  
24 **HEALTH CARE SERVICES THROUGH THE USE OF TELECOMMUNICATIONS**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 TECHNOLOGIES BY A HEALTH CARE PRACTITIONER TO A PATIENT AT A DIFFERENT  
2 PHYSICAL LOCATION THAN THE HEALTH CARE PRACTITIONER.

3 (2) "TELEHEALTH" INCLUDES SYNCHRONOUS AND ASYNCHRONOUS  
4 INTERACTIONS.

5 (3) "TELEHEALTH" DOES NOT INCLUDE THE PROVISION OF HEALTH  
6 CARE SERVICES SOLELY THROUGH AUDIO-ONLY CALLS, E-MAIL MESSAGES, OR  
7 FACSIMILE TRANSMISSIONS.

8 (B) (1) ON OR BEFORE DECEMBER 1, 2020, THE DEPARTMENT SHALL  
9 APPLY TO THE CENTERS FOR MEDICARE AND MEDICAID SERVICES FOR AN  
10 AMENDMENT TO ANY OF THE STATE'S § 1115 WAIVERS NECESSARY TO IMPLEMENT  
11 A PILOT PROGRAM TO PROVIDE TELEHEALTH SERVICES TO PROGRAM RECIPIENTS  
12 REGARDLESS OF THE PROGRAM RECIPIENT'S LOCATION AT THE TIME TELEHEALTH  
13 SERVICES ARE PROVIDED.

14 (2) TELEHEALTH SERVICES AVAILABLE UNDER THE PILOT PROGRAM  
15 SHALL BE LIMITED TO:

16 (I) CHRONIC CONDITION CASE MANAGEMENT SERVICES; AND

17 (II) BEHAVIORAL HEALTH SERVICES.

18 (C) IF THE AMENDMENT APPLIED FOR UNDER SUBSECTION (B) OF THIS  
19 SECTION IS APPROVED, THE DEPARTMENT SHALL ADMINISTER THE PILOT  
20 PROGRAM.

21 (D) THE DEPARTMENT SHALL COLLECT OUTCOMES DATA ON RECIPIENTS  
22 OF TELEHEALTH SERVICES UNDER THE PILOT PROGRAM TO EVALUATE THE  
23 EFFECTIVENESS OF THE PILOT PROGRAM.

24 (E) ON OR BEFORE DECEMBER 1, 2020, AND EVERY 6 MONTHS THEREAFTER  
25 UNTIL THE APPLICATION DESCRIBED UNDER SUBSECTION (B) OF THIS SECTION IS  
26 APPROVED, THE DEPARTMENT SHALL SUBMIT A REPORT TO THE GENERAL  
27 ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE,  
28 ON THE STATUS OF THE APPLICATION.

29 (F) IF THE AMENDMENT APPLIED FOR UNDER SUBSECTION (B) OF THIS  
30 SECTION IS APPROVED, ON OR BEFORE DECEMBER 1 EACH YEAR FOLLOWING THE  
31 APPROVAL, THE DEPARTMENT SHALL SUBMIT A REPORT TO THE GENERAL  
32 ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE,  
33 ON THE STATUS OF THE PILOT PROGRAM.

1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
2 1, 2020. It shall remain effective for a period of 5 years and, at the end of June 30, 2025,  
3 this Act, with no further action required by the General Assembly, shall be abrogated and  
4 of no further force and effect.