# HOUSE BILL 931

## By: Delegates Lee, Conaway, Cullison, Dumais, Glenn, Gutierrez, A. Kelly, Mizeur, Nathan-Pulliam, B. Robinson, S. Robinson, Stocksdale, and M. Washington

Introduced and read first time: February 7, 2013 Assigned to: Health and Government Operations

## A BILL ENTITLED

1 AN ACT concerning

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#### Maryland Medical Assistance Program – Telemedicine

- FOR the purpose of requiring the Maryland Medical Assistance Program to provide
   certain reimbursement for certain services delivered by telemedicine; and
   generally relating to the Maryland Medical Assistance Program and
   telemedicine.
- 7 BY repealing and reenacting, with amendments,
- 8 Article Health General
- 9 Section 15–105.2
- 10 Annotated Code of Maryland
- 11 (2009 Replacement Volume and 2012 Supplement)
- 12 BY repealing and reenacting, without amendments,
- 13 Article Insurance
- 14 Section 15–139(a)
- 15 Annotated Code of Maryland
- 16 (2011 Replacement Volume and 2012 Supplement)
- 17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF 18 MARYLAND, That the Laws of Maryland read as follows:
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## Article – Health – General

20 15–105.2.

21 (A) The Program shall reimburse health care providers in accordance with 22 the requirements of Title 19, Subtitle 1, Part IV of this article.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law.



#### HOUSE BILL 931

1 (B) UNLESS OTHERWISE SPECIFICALLY PROHIBITED OR LIMITED BY 2 FEDERAL OR STATE LAW, THE PROGRAM SHALL REIMBURSE A HEALTH CARE 3 PROVIDER FOR A HEALTH CARE SERVICE DELIVERED BY TELEMEDICINE, AS 4 DEFINED IN § 15–139 OF THE INSURANCE ARTICLE, IN THE SAME MANNER AS 5 THE SAME HEALTH CARE SERVICE IS REIMBURSED WHEN DELIVERED IN 6 PERSON.

#### Article – Insurance

8 15-139.

9 (a) (1) In this section, "telemedicine" means, as it relates to the delivery of 10 health care services, the use of interactive audio, video, or other telecommunications 11 or electronic technology by a licensed health care provider to deliver a health care 12 service within the scope of practice of the health care provider at a site other than the 13 site at which the patient is located.

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(2) "Telemedicine" does not include:

(i) an audio-only telephone conversation between a health care
provider and a patient;

17 (ii) an electronic mail message between a health care provider18 and a patient; or

19(iii) a facsimile transmission between a health care provider and20a patient.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 October 1, 2013.

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