

**SB0502/437875/1**

BY: Finance Committee

AMENDMENTS TO SENATE BILL 502  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Health Insurance –”; in the same line, strike “Delivery of”; in the same line, after “Health” insert “and Chronic Condition Management”; in line 3, strike “for Home Settings” and substitute “and Pilot Program”; in line 9, after “setting;” insert “requiring the Maryland Department of Health to apply to the Centers for Medicare and Medicaid Services for an amendment to certain waivers to implement a pilot program to provide certain telehealth services to recipients under the Maryland Medical Assistance Program; limiting the telehealth services available under the pilot program; requiring the Department to administer the pilot program under certain circumstances; requiring the Department to report to the General Assembly on the status of a certain application on or before a certain date and with certain frequency thereafter; requiring the Department to report to the General Assembly on the status of the pilot program on or before a certain date each year under certain circumstances; requiring the Department to conduct a certain study and submit a certain report, on or before a certain date, to the General Assembly; defining a certain term;”; in line 10, after “of” insert “certain provisions of”; in the same line, after “date” insert “for certain provisions of this Act; providing for the termination of certain provisions of this Act”; in line 11, strike “and mental health care services”; and in line 24, after “15–103(a)(2)(xv)” insert “and 15–141.2”.

AMENDMENT NO. 2

On page 4, after line 15, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Health – General

(Over)

15-141.2.

(A) (1) IN THIS SECTION, "TELEHEALTH" MEANS A MODE OF DELIVERING HEALTH CARE SERVICES THROUGH THE USE OF TELECOMMUNICATIONS TECHNOLOGIES BY A HEALTH CARE PRACTITIONER TO A PATIENT AT A DIFFERENT PHYSICAL LOCATION THAN THE HEALTH CARE PRACTITIONER.

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

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

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

(2) TELEHEALTH SERVICES AVAILABLE UNDER THE PILOT PROGRAM SHALL BE LIMITED TO CHRONIC CONDITION MANAGEMENT SERVICES.

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

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

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

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

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) The Maryland Department of Health shall study whether, under the Maryland Medical Assistance Program, substance use disorder services may be appropriately provided through telehealth to a patient in the patient's home setting.

(b) On or before December 1, 2021, the Maryland Department of Health shall submit a report to the General Assembly, in accordance with § 2-1257 of the State Government Article, that includes any findings and recommendations from the study required under subsection (a) of this section, including:

(1) the types of substance use disorder services, if any, that may be appropriately provided through telehealth to a patient in the patient's home setting; and

(Over)

(2) any technological or other standards needed for the provision of appropriate and quality substance use disorder services to a patient in the patient's home setting.”;

in line 16, strike “2.” and substitute “4.”; in the same line, after “That” insert “Section 1 of”; in line 19, strike “3.” and substitute “5.”; in the same line, after “That” insert “Sections 1 and 4 of”; and after line 20, insert:

“SECTION 6. AND BE IT FURTHER ENACTED, That, except as provided in Section 5 of this Act, this Act shall take effect July 1, 2020. Sections 2 and 3 shall remain effective for a period of 5 years and, at the end of June 30, 2025, Sections 2 and 3, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.”.