HOUSE BILL 1208

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

A BILL ENTITLED

AN ACT concerning Maryland Medical Assistance Program – Telehealth – Pilot Program

FOR the purpose of 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; providing for the termination of this Act; defining a certain term; and generally relating to the telehealth pilot program.

BY adding to
Article – Health – General
Section 15–141.2
Annotated Code of Maryland
(2019 Replacement Volume)

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

Article – Health – General

15–141.2.

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

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

   (I) Chronic condition case management services; and

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