

**Support HB 448 Telehealth –
Opportunities to Address Network Adequacy Issues**

Maryland is facing significant network adequacy issues in the provider networks for all types of health care coverage. Telehealth offers an important opportunity to expand networks to meet the needs of consumers for many types of care:

- **Experience of the Department of Veterans Affairs:** The Department of Veterans Affairs (VA) has significantly expanded access to health care through telehealth. The VA serves about 12% of veterans through telehealth services across 50 specialties.ⁱ The VA serves as a telehealth model for other health care systems.
- **Health Benefit Plan Network Access and Adequacy Model Act of the National Association of Insurance Commissioners:** The National Association of Insurance Commissioners (NAIC) created a model act to guide state insurance commissioners in developing a regulatory framework for network adequacy. The NAIC model recognizes that insurance commissioners can consider telehealth providers in determining if insurers meet network adequacy requirements.ⁱⁱ
- **Maryland Network Adequacy Regulations:** Maryland's network adequacy regulations recognize that carriers may include telehealth providers in meeting appointment time waiting requirements. While not explicit, it may also be possible that carriers may include telehealth providers in meeting provider-to-enrollee as well as time and distance standards requirements.ⁱⁱⁱ
- **Proposed Medicare Advantage Plans Rules:** On February 18, 2020, CMS proposed that Medicare Advantage plans receive a 10 percent credit toward the percentage of beneficiaries residing within published time and distance standards when they control with telehealth providers in in the following provider specialty types: dermatology, psychiatry, cardiology, otolaryngology and neurology^{iv}. CMS is also soliciting comments regarding expanding this credit to other specialty types.
- **Value-Based Insurance Design – Medicare Advantage:** Beginning in 2020, CMS will consider participating plans' request to include telehealth providers in meeting network adequacy requirements.^v

ⁱ https://www.va.gov/COMMUNITYCARE/docs/news/VA_Telehealth_Services.pdf

ⁱⁱ <https://www.naic.org/store/free/MDL-74.pdf>

ⁱⁱⁱ COMAR 31.10.44.05

^{iv} <https://www.govinfo.gov/content/pkg/FR-2020-02-18/pdf/2020-02085.pdf>

^v <https://innovation.cms.gov/Files/x/vbid-rfa2020.pdf>