



Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Dennis R. Schrader, Acting Secretary

Board of Professional Counselors and Therapists
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**2021 SESSION
POSITION PAPER**

BILL NO: SB 568

COMMITTEE: Education, Health, and Environmental Affairs

POSITION: Support with amendments

TITLE: Health Care Practitioners – Telehealth – Out-of-State Health Care Practitioners

BILL ANALYSIS: This bill authorizes out-of-state health care practitioners to provide telehealth services to patients located in Maryland, provided the health care practitioner is licensed and in good standing in another state and registers with the appropriate health occupations board in Maryland. The bill further sets forth the requirements an out-of-state practitioner must meet in order to register with the relevant board, including completion of an application, completion of a criminal history records check, and payment of a fee. The bill establishes that an out-of-state health care practitioner must practice in accordance with the laws, rules, regulations, scope of practice, and standard of practice set forth by the appropriate board; provides a mechanism for potential discipline of an out-of-state practitioner registered to practice telehealth in Maryland; and requires each board to publish information regarding out-of-state practitioners registered with the board.

POSITION AND RATIONALE: The Maryland Board of Professional Counselors and Therapists (the “Board”) supports SB 568 with an amendment stating it does not apply the Board. The Board is comprised of five professional disciplines namely professional counselors, alcohol drug counselors, marriage and family therapists, art therapists, and behavioral analysts. The training requirements across disciplines varies widely by state and type of credential. Therefore, the credentials between states and discipline do not typically match up. Additionally, there is no widely accepted national organization that structures education and training in the field across disciplines. Accordingly, although it supports the intent and aims of SB 568, the Board respectfully requests an amendment that the bill does not apply to Health Occupations Article, Title 17, which governs professional counselors, marriage and family, behavioral analysts, art therapy, and alcohol and drug therapists.

Amendment Number 1:

On page 6, in line 14, after “1996,” insert:

“(8) THIS SECTION DOES NOT APPLY TO PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, ART THERAPISTS, BEHAVIORAL ANALYSTS, AND ALCOHOL AND DRUG THERAPISTS IN ACCORDANCE WITH TITLE 17 OF THIS ARTICLE.”

Amendment Number 2:

On page 13, strike lines 16 through 33, beginning with “17-301” and ending with “TELEHEALTH.”

Thank you for your consideration of this testimony. The Board respectfully requests a favorable report on SB 568 including the aforementioned proposed amendments. If you have any additional questions, please contact the Board’s Acting Executive Director, Danielle Vallone, at danielle.vallone@maryland.gov or (410) 764-4734.

The opinion of the Board expressed in this document does not necessarily reflect that of the Department of Health or the Administration.