



TO: The Honorable Paul G. Pinsky, Chair  
Members, Senate Education, Health, and Environmental Affairs Committee  
The Honorable Larry Hogan Administration

FROM: Pamela Metz Kasemeyer  
J. Steven Wise  
Danna L. Kauffman

DATE: February 16, 2021

RE: **OPPOSE** – Senate Bill 568 – *Health Care Practitioners – Telehealth – Out-of-State-Health Care Practitioners*

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The Mid-Atlantic Association of Community Health Centers (MACHC) is the federally designated Primary Care Association for Delaware and Maryland Community Health Centers. As the backbone of the primary care safety net, Federally Qualified Health Centers (FQHCs) are united by a shared mission to ensure access to high-quality health care to all individuals, regardless of ability to pay. FQHCs are non-profit organizations providing comprehensive primary care to the medically underserved and uninsured. MACHC supports its members in the delivery of accessible, affordable, cost effective, and quality primary health care to those most in need. To this end, MACHC **opposes** Senate Bill 568.

MACHC appreciates that the introduction of this legislation by the Administration is intended to address healthcare workforce shortages as well as ease the tremendous demand placed upon the healthcare workforce that has been identified during the current public health emergency. However, while MACHC appreciates the intent of the legislation, the provisions of Senate Bill 568 are proposed as permanent changes and not limited to a state of emergency. While the intentions of the bill are notable, MACHC has several concerns about the potential negative implications of legislation that will serve to undermine its intended objectives.

Senate Bill 568 authorizes a health care practitioner licensed in another state to provide telehealth services to a patient located in Maryland through a registration process to be established by the health occupation boards for the health care practitioners they regulate. Several health care professional boards, such as the Board of Physicians, have been authorized or are considering authorization to join interstate compacts. These compacts have been formed in part to facilitate licensure in multiple states. The process outlined in Senate Bill 568 does not address the dichotomy created by adopting a registration process separate from an agreement a health professional board may have with an interstate compact. This may lead to conflicting and contradictory regulatory requirements.

Separate from the concerns related to those health care professional boards who are part of an interstate compact, Senate Bill 568 would not ensure that out-of-state providers who registered to provide telehealth services in Maryland would be subject to the full regulatory authority of the relevant professional board with respect to disciplinary actions for failure to meet standard of care requirements. Senate Bill 568 also allows out-of-state practitioners to register in Maryland, but there is no requirement that Maryland practitioners receive reciprocal treatment from other states. This may significantly disadvantage Maryland providers, especially those that serve Maryland residents who live close to surrounding State borders.

Furthermore, Senate Bill 568 is likely to undermine critical policy priorities for the provision of care to medically underserved communities including the establishment of a medical home and the importance of strengthening continuity of care. Permitting out-of-state providers not licensed in Maryland to provide telehealth services will further fragment care for Maryland's most vulnerable populations. For these reasons, MACHC respectfully requests an unfavorable report.

**For more information call:**

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