



Board of Physicians

Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Damean W.E. Freas, D.O., Chair

2022 SESSION POSITION PAPER

BILL NO.: HB 670 – Maryland Health Care Commission – Study on Expansion of Interstate Telehealth
COMMITTEE: Health and Government Operations
POSITION: Letter of Support with Amendments

TITLE: Maryland Health Care Commission – Study on Expansion of Interstate Telehealth

POSITION & RATIONALE:

The Maryland Board of Physicians (the Board) is submitting this Letter of Support with Amendments for House Bill (HB) 670 – Maryland Health Care Commission – Study on Expansion of Interstate Telehealth. HB 670 requires the Maryland Health Care Commission (MHCC), in consultation with the Board and other stakeholders, to study ways that interstate telehealth can be expanded to allow Maryland residents to receive health services from out-of-state practitioners.

More and more Maryland patients are receiving care via telehealth. The onset of the COVID-19 pandemic brought with it a surge in telehealth services and placed a major strain on Maryland's health care workforce. As a result, many patients have increasingly relied on out-of-state practitioners to meet their health care needs.

Unfortunately, this rapid increase in interstate telehealth usage has brought with it complications. The Board has faced several new challenges over the past two years in responding to complaints regarding out-of-state telehealth practitioners. While the majority of care delivered by telehealth is done without incident, in the instances where issues have arisen, the Board has encountered barriers to its investigative process, such as issues with enforcement of subpoenas for records from out-of-state telehealth companies.

The Board supports further studying how interstate practitioners can safely provide telehealth services to Maryland patients, and appreciates its inclusion within the proposed study. In addition to the elements discussed in HB 670, the Board would also like to see an assessment of how health occupations boards can work to ensure that interstate telehealth providers deliver the quality medical care that Maryland residents deserve.

Therefore, the Board recommends amending HB 670 as follows:

Amendment 1

The Board recommends modifying the language found on page 1, lines 16 through 22 as follows:

- (1) HOW TO ADDRESS THE INSURANCE IMPLICATIONS, INCLUDING MALPRACTICE INSURANCE;
- (2) THE USE OF INTERSTATE HEALTH COMPACTS;
- (3) [HOW] **WHETHER OR NOT** TO ALTER LICENSURE REQUIREMENTS AND THE IMPACT AN EXPANSION **OF INTERSTATE TELEHEALTH** WOULD HAVE ON **MARYLAND-BASED HEALTH PRACTITIONERS**; [AND]
- (4) **AN ASSESSMENT OF HOW HEALTH OCCUPATIONS BOARDS CAN ENSURE INTERSTATE TELEHEALTH PROVIDERS DELIVER CARE THAT MEETS ALL APPROPRIATE STANDARDS OF CARE; AND**
- (5) ANY OTHER AREAS THE MARYLAND HEALTH CARE COMMISSION CONSIDERS RELEVANT.

I appreciate your consideration. If you have questions or need additional information, please contact Matthew Dudzic, Health Policy Analyst, Maryland Board of Physicians, 410-764-5042.

Sincerely,



Damean W. E. Freas, D.O.
Chair, Maryland Board of Physicians

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