

HOUSE BILL 931

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CF SB 496

By: **Delegates Lee, Conaway, Cullison, Dumais, Glenn, Gutierrez, A. Kelly, Mizeur, Nathan-Pulliam, B. Robinson, S. Robinson, Stocksedale, and M. Washington**

Introduced and read first time: February 7, 2013
Assigned to: Health and Government Operations

Committee Report: Favorable with amendments
House action: Adopted
Read second time: April 2, 2013

CHAPTER _____

1 AN ACT concerning

2 **Maryland Medical Assistance Program – Telemedicine**

3 FOR the purpose of requiring the Maryland Medical Assistance Program to provide
4 certain reimbursement for certain services delivered by telemedicine under
5 certain circumstances; requiring the Department of Health and Mental Hygiene
6 to adopt regulations for a certain purpose; and generally relating to the
7 Maryland Medical Assistance Program and telemedicine.

8 BY repealing and reenacting, with amendments,
9 Article – Health – General
10 Section 15–105.2
11 Annotated Code of Maryland
12 (2009 Replacement Volume and 2012 Supplement)

13 BY repealing and reenacting, without amendments,
14 Article – Insurance
15 Section 15–139(a)
16 Annotated Code of Maryland
17 (2011 Replacement Volume and 2012 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **Article – Health – General**

2 15–105.2.

3 (A) The Program shall reimburse health care providers in accordance with
4 the requirements of Title 19, Subtitle 1, Part IV of this article.5 (B) **(1) ~~UNLESS~~ SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION**
6 **AND UNLESS OTHERWISE SPECIFICALLY PROHIBITED OR LIMITED BY FEDERAL**
7 **OR STATE LAW, THE PROGRAM SHALL REIMBURSE A HEALTH CARE PROVIDER**
8 **FOR A HEALTH CARE SERVICE DELIVERED BY TELEMEDICINE, AS DEFINED IN §**
9 **15–139 OF THE INSURANCE ARTICLE, IN THE SAME MANNER AS THE SAME**
10 **HEALTH CARE SERVICE IS REIMBURSED WHEN DELIVERED IN PERSON.**11 **(2) REIMBURSEMENT UNDER PARAGRAPH (1) OF THIS**
12 **SUBSECTION IS REQUIRED ONLY FOR A HEALTH CARE SERVICE THAT:**13 **(I) IS MEDICALLY NECESSARY; AND**14 **(II) IS PROVIDED:**15 **1. FOR THE TREATMENT OF CARDIOVASCULAR**
16 **DISEASE OR STROKE;**17 **2. IN AN EMERGENCY DEPARTMENT SETTING; AND**18 **3. WHEN AN APPROPRIATE SPECIALIST IS NOT**
19 **AVAILABLE.**20 **(3) THE DEPARTMENT SHALL ADOPT REGULATIONS TO CARRY**
21 **OUT THIS SUBSECTION.**22 **Article – Insurance**

23 15–139.

24 (a) (1) In this section, “telemedicine” means, as it relates to the delivery of
25 health care services, the use of interactive audio, video, or other telecommunications
26 or electronic technology by a licensed health care provider to deliver a health care
27 service within the scope of practice of the health care provider at a site other than the
28 site at which the patient is located.

29 (2) “Telemedicine” does not include:

- 1 (i) an audio-only telephone conversation between a health care
2 provider and a patient;
- 3 (ii) an electronic mail message between a health care provider
4 and a patient; or
- 5 (iii) a facsimile transmission between a health care provider and
6 a patient.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2013.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.