

Chapter 347

(House Bill 34)

AN ACT concerning

State Department of Education and Maryland Department of Health – Maryland School–Based Health Center Standards – Telehealth

FOR the purpose of requiring the State Department of Education and the Maryland Department of Health to authorize a certain health care practitioner to provide health care services through telehealth under certain circumstances; prohibiting the State Department of Education and the Maryland Department of Health from establishing certain requirements for a certain school–based health center to provide health care services through telehealth; requiring, on or before a certain date, the State Department of Education and the Maryland Department of Health to revise the Maryland school–based health center standards to reflect certain requirements and prohibitions; making this Act an emergency measure; and generally relating to standards for school–based health centers.

Preamble

WHEREAS, Telehealth is an important communications tool to meet the needs of students who receive health care services from school–based health centers;

WHEREAS, Maryland’s experience during the COVID–19 pandemic revealed that school–based health centers faced barriers in implementing telehealth services;

WHEREAS, The Maryland General Assembly supported the implementation of telehealth by adopting uniform telehealth standards for all health care practitioners through the passage of Chapters 15 and 16 of the Acts of 2020;

WHEREAS, The Maryland General Assembly intends to support access to school–based health care services through telehealth by ensuring that school–based health centers are able to follow the same standards as other health care providers; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That:

(a) The State Department of Education and the Maryland Department of Health shall authorize a health care practitioner, as defined in § 1–1001 of the Health Occupations Article, at a school–based health center approved by the State Department of Education and the Maryland Department of Health to operate in the State to provide health care services through telehealth in accordance with Title 1, Subtitle 10 of the Health Occupations Article.

(b) In implementing subsection (a) of this section, the State Department of

Education and the Maryland Department of Health may not:

(1) require a school-based health center to submit an application or seek approval to provide health care services through telehealth if the State Department of Education and the Maryland Department of Health have already approved the school-based health center to operate in the State; or

(2) establish requirements that a school-based health center must meet to provide telehealth that are inconsistent with the requirements for providing telehealth under Title 1, Subtitle 10 of the Health Occupations Article.

(c) On or before July 1, 2021, the State Department of Education and the Maryland Department of Health shall revise the Maryland school-based health center standards to conform to the requirements and prohibitions under subsections (a) and (b) of this section.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

Approved by the Governor, May 18, 2021.