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February 13, 2020

To: The Honorable Paul G. Pinsky Chair, Education, Health, and Environmental Affairs Committee

From: Patricia F. O'Connor, Health Education and Advocacy Unit

Re: Senate Bill 416 (Audiology and Speech-Language Pathology Interstate Compact): Letter of concern

The Office of the Attorney General's Health Education and Advocacy Unit (HEAU) has discussed its concerns about the telehealth and conflict of laws provisions in Senate Bill 416 with the sponsor, and looks forward to resolution of the concerns through further discussions. This bill would enact into law an interstate licensure compact that would address increased demand to provide/receive audiology and speech-language pathology services. Based on its work for healthcare consumers, the HEAU understands there is a high demand for speech-language therapy for children diagnosed with autism and autism spectrum disorders, for example. We support the aspects of the bill that could facilitate telehealth and in-person practice across state lines in ASLP-IC states.

However, section 5 would create a "Compact Privilege to Practice Telehealth," and provides: "Member states shall recognize **the right** of an audiologist or a speech-language pathologist, licensed by a home state in accordance with Section 3 and under rules promulgated by the Commission, **to practice audiology or speech-language pathology in any member state via telehealth under a privilege to practice as provided in the Compact and rules promulgated by the Commission**." (emphasis added) Page 12, lines 11-17. In addition, Section 14(B) would provide: "All laws in a **member state in conflict with the Compact are superseded to the extent of the conflict**." Page 27, lines 18-19. We are concerned that these provisions, read together, could alter the application of Maryland's telehealth laws (which continue to evolve), and potentially insurance laws, in a manner that would be detrimental to consumers of these services. We will continue to work through these concerns with the sponsor.