



Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Dennis R. Schrader, Acting Secretary

Board of Examiners of Psychologists

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**2021 SESSION
POSITION PAPER**

BILL NO: SB 568
COMMITTEE: Education, Health, and Environmental Affairs
POSITION: Support with Amendment

TITLE: Health Care Practitioners - Telehealth - Out-of-State Health Care Practitioners

BILL ANALYSIS: This bill authorizes out-of-state health care practitioners to provide telehealth services to patients located in Maryland, provided the health care practitioner is licensed and in good standing in another state and registers with the appropriate health occupations board in Maryland. The bill further sets forth the requirements an out-of-state practitioner must meet in order to register with the relevant board, including completion of an application, completion of a criminal history records check, and payment of a fee. The bill establishes that an out-of-state health care practitioner must practice in accordance with the laws, rules, regulations, scope of practice, and standard of practice set forth by the appropriate board; provides a mechanism for potential discipline of an out-of-state practitioner registered to practice telehealth in Maryland; and requires each board to publish information regarding out-of-state practitioners registered with the board.

POSITION AND RATIONALE: The Board of Examiners of Psychologists (the “Board”) supports with amendment SB 568.

The Board agrees that expanding access to mental health services for Maryland’s residents is extremely important, and the ongoing pandemic has shown how essential telehealth services can be. The Board supports this Bill because it increases access to services, keeps the process simple, and does not create an operational or financial burden on the Board, licensees, or Maryland residents.

The Board’s only concern is that different states have drastically different standards regarding the education and training of licensed psychologist, and not every state meets the rigorous standards the General Assembly determined best protect the health, safety, and welfare of Maryland residents. To

avoid any confusion and eliminate the possibility of circumventing the Board's licensing requirements, the Board asks that the Bill be amended to include the following language.

Amendment:

On page 3, in line 9, after "PRACTITIONER," insert:

"(I) BECAME LICENSED, CERTIFIED, OR OTHERWISE AUTHORIZED BY LAW TO PROVIDE HEALTH CARE SERVICES IN THE OTHER STATE UNDER REQUIREMENTS SUBSTANTIALLY EQUIVALENT TO THE LICENSING REQUIREMENTS ESTABLISHED BY THE APPROPRIATE HEALTH OCCUPATIONS BOARD IN THIS STATE;"

Thank you for your consideration of this testimony. The Board respectfully requests a favorable report on SB 568 including the aforementioned proposed amendment. For more information, please contact Lorraine Smith, Executive Director, at 410-764-4786 or Lorraine.smith@maryland.gov.

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