

Testimony before House Health and Government Operations Committee
Oppose
HB 421 – Out-of-State Health Care Practitioners – Provision of Behavioral Health Services via
Telehealth – Authorization
February 10, 2022

Maryland’s Chapter of the National Association of Social Workers (NASW–MD), which represents professional social workers across the state, opposes House Bill 421. We recognize a need for more behavioral health providers in the state but feel this bill is not ideal.

Our primary concern about this bill is the possible impacts on patient safety. As currently written, there is no requirement that the out-of-state provider notify a Maryland health occupation board that they are practicing in the state. This means that if a board receives a complaint, they may not be able to locate the provider in order to conduct an investigation. Additionally, the bill does require providers to follow Maryland laws, but it is unclear what tools our health occupations board has to hold unethical providers accountable. Finally, the bill does say that a board could suspend a provider’s ability to practice in Maryland, but it is unclear how that process would work.

The profession of social work is currently working with the Council of State Governments to develop an interstate social work compact that would allow social workers licensed in member states to provide services across state lines. This compact would be similar to the compacts that Maryland has already joined such as the compacts for licensed professional counselors, occupational therapists and physical therapists. Interstate compacts have significant benefits compared to House Bill 421. Interstate compacts allow for reciprocal practice across state lines and create a clear process for managing discipline.

Finally, we wanted to highlight that although license portability is important, it can’t fully address the provider shortages Maryland is currently experiencing. Every state is experiencing shortages of behavioral health providers. In order to fully address shortages, Maryland must take steps to recruit more people into the behavioral health workforce, such as tuition support programs and increasing reimbursement rates.

Although we would like to see increased license portability for social workers, we do not think this bill is the best way to achieve that goal. We ask for an unfavorable report on House Bill 421. If you have any questions, please feel free to contact Mary Beth DeMartino, LCSW-C Executive Director, NASW MD (mdemartino.naswmd@socialworkers.org).