



Telehealth Policy to Transform Healthcare

March 18, 2025

The Honorable Joseline A. Pena-Melnyk
Chair, House Health and Government Operations Committee
Maryland General Assembly
241 Taylor House Office Building
Annapolis, Maryland 21401

The Honorable Bonnie Cullison
Vice Chair, House Health and Government Operations Committee
Maryland General Assembly
241 Taylor House Office Building
Annapolis, Maryland 21401

RE: ATA ACTION SUPPORT OF SB 372

Dear Chair Pena-Melnyk, Vice Chair Cullison and members of the Maryland House Health and Government Operations Committee:

On behalf of ATA Action, I am writing to you to comment and express our support for Senate Bill 372 while also encouraging the adoption of amendments to expand patient access to necessary prescriptions via telehealth.

ATA Action, the American Telemedicine Association's affiliated trade association focused on advocacy, advances policy to ensure all individuals have permanent access to telehealth services across the care continuum. ATA Action supports the enactment of state and federal telehealth policies to secure telehealth access for all Americans, including those in rural and underserved communities. ATA Action recognizes that telehealth and virtual care have the potential to truly transform the health care delivery system – by improving patient outcomes, enhancing safety and effectiveness of care, addressing health disparities, and reducing costs – if only allowed to flourish.

ATA Action understands that SB 372 repeals the limitation on the period during which certain audio-only telephone conversations are included under the definition of telehealth for coverage and reimbursement purposes. This will ensure that patients who have come to rely on audio-only modalities of healthcare will not have their care interrupted and continues extended access to high-quality healthcare for all Maryland patients.

ATA Action supports the adoption of technology-neutral telemedicine policies that enable practitioners to utilize synchronous (real-time) audio-visual or audio-only, and asynchronous (non-real-time) technologies in the delivery of care. ATA Action maintains that policy makers should not restrict the modalities which practitioners may use when providing care to patients, permitting licensed health care professionals to determine which technologies are sufficient to meet the standard of care for the condition presented by the patient. ATA Action is pleased to see the permanent inclusion of the use of audio-only care. This will be

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especially beneficial for citizens without reliable internet access, due to broadband or personal technological limitations.

While this legislation represents a significant step forward for telehealth care in Maryland, our organization encourages the General Assembly to take this opportunity to consider making an important update to the telehealth statute regarding the prescription of opioids for pain management. Current statute prohibits the prescription of Schedule II opioids for the treatment of pain through telehealth, other than in specific, rare situations. This prohibition is outdated and does not align with current federal standards from the US Drug Enforcement Administration and the US Department of Health and Human Services. ATA Action believes that telehealth prescription of these medications should conform to federal standards and with the standard of care.

Before the House version of this legislation, House Bill 869, went to the Senate, amendments were added to this legislation which would update this outdated statute and allow for patient access to these important prescriptions via telehealth. Updating this language will increase patient access to these needed medications, increase patient choice, improve clarity for providers and better align Maryland policy with federal standards. Our organization encourages this Committee to make the same amendments that were made to HB 869 to SB 372 to further expand patient access to the care they need via telehealth.

Thank you for your support for telehealth. We encourage you and your colleagues to support this legislation and consider other actions that will permanently expand access to telehealth care in Maryland. Please let us know if there is anything that we can do to assist you in your efforts to adopt practical and effective telehealth policy in Maryland. If you have any questions or would like to engage in additional discussion regarding the telehealth industry's perspective, please contact me at kzebley@ataaction.org.

Kind regards,

A handwritten signature in black ink, appearing to read "Kyle Zebley".

Kyle Zebley
Executive Director
ATA Action

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