

Health & Government Operation Committee
House Bill 869: Preserve Telehealth Access Act of 2025
Thursday, February 13, 2025, 1:00 PM
Position: Support

Disability Rights Maryland (DRM) is the protection and advocacy organization for the state of Maryland; the mission of the organization, part of a national network of similar agencies, is to advocate for the legal rights of people with disabilities throughout the state. In the context of mental health disabilities, DRM advocates for access to person-centered, culturally responsive, trauma-informed care in the least restrictive environment. DRM appreciates the opportunity to provide testimony on HB 869, which will require continued coverage for mental health and substance use services delivered via telehealth, ensure payment parity for telehealth services, and preserve consumer choice in service delivery methods (in-person, audio-visual, and audio-only).

HB 869 preserves access to audio-only telehealth services, ensuring that telehealth remains available to all Marylanders. Many vulnerable Marylanders lack the technological resources, financial means, and/or broadband access needed to participate audiovisual telehealth, so audio-only telehealth is their only option to utilize the benefits of telehealth. Audio-only telehealth services are essential to advancing health equity.

Payment parity across all service delivery methods (in-person, audio-visual telehealth and audio-only telehealth) is essential in guaranteeing access to equitable, effective, and consistent healthcare. Reimbursing audio-only telehealth services on par with other service delivery methods helps to ensure telehealth is available to all and guarantees continuity of care, despite external barriers that inevitably interfere with a patient's ability to consistently participate in any one method. Circumstances such as a lack of internet access, an inability to locate a private space, a disruption in transportation, or a disability that complicates travel, can all interfere with the use of a single service delivery method. Payment parity for audio-only telehealth services helps to ensure patients and providers have the flexibility to select the service delivery method that is most appropriate on any given day, without penalizing the provider for providing the same services using the method that best meets their patients' needs.

Protecting patient choice and consent to the receipt of telehealth services is just as imperative as payment parity in guaranteeing access to appropriate care, especially when it comes to mental health services, where patient-provider rapport and satisfaction with services are integral to treatment efficacy. While telehealth is critical to advancing access for many, telehealth must not be advanced at the expense of in-person services. Thus, it must be the patient who ultimately decides whether they are willing to receive telehealth services rather than in-person care. For Marylanders with disabilities, this choice is especially critical to ensure that telehealth services are not used to supplant access to in-person care that accommodates individuals' disabilities including wheelchair accessible services, in-person sign language interpretation, or providers who are willing to accommodate service animals. If the choice to

use telehealth services does not lie squarely with the individual receiving services, then telehealth risks being misused to deny coverage for in-person care to people with disabilities.

DRM urges you to support HB 869 to protect equitable access to telehealth services in Maryland. Please contact Courtney Bergan, Disability Rights Maryland's Equal Justice Works Fellow for more information at CourtneyB@DisabilityRightsMd.org or 443-692-2477.