



## DEPARTMENT OF HEALTH

Wes Moore, Governor · Aruna Miller, Lt. Governor · Meena Seshamani, M.D., Ph.D., Secretary

### **Maryland Board of Professional Counselors and Therapists**

4201 Patterson Avenue  
Baltimore, Maryland 21215

### **Maryland Board of Social Work Examiners**

4201 Patterson Avenue  
Baltimore, Maryland 21215

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## 2026 SESSION POSITION PAPER

**BILL NO: HB 1483**  
**COMMITTEE: Finance**  
**POSITION: Oppose**

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**TITLE:** Clinical Professional Counseling and Social Work – Out-of-State Providers – Use of Telehealth for Continuity of Care

**BILL ANALYSIS:** HB 1483 would broaden the authority of out-of-state clinicians to provide services to individuals located in Maryland under continuity of care provisions without obtaining full Maryland licensure. The bill expands the circumstances under which clinicians licensed in other jurisdictions may continue providing services to Maryland residents.

**POSITION AND RATIONALE:** The Maryland Board of Professional Counselors and Therapists and the Maryland Board of Social Work Examiners (the “Boards”) oppose HB 1483.

The Boards are concerned about a potential jurisdictional loophole in this Bill. Generally, all health occupations boards in Maryland have been working with the existing laws regarding telehealth. The Boards have established protocols in place to ensure that out-of-state licensed providers are able to obtain a Maryland license with expediency. Passing this bill creates an exception in the telehealth law that, from the Boards’ perspective, is wrought with administrative and procedural problems and would be nearly impossible to track to maintain compliance.

### **Enforcement Gaps**

The current version of HB 1483 creates a potential loophole that depends on whether the laws of the out-of-state provider’s home state provides jurisdiction to the home state’s licensing board to investigate or enforce that state’s laws when the treatment at issue is provided out-of-state. A home state’s laws concerning scope of practice and professional standards may or may not

govern a licensed counselor or social worker's provision of service in another state. The location of treatment is typically considered to be the location of the patient. *E.g.*, Md. Code Ann., Health Occ. § 1-1005. Thus, for example, if a counselor/social worker located in State A provides teletherapy to a student physically located in Maryland and a complaint arises, the State A licensing board would not necessarily have jurisdiction to investigate the complaint (or the means to investigate) unless State A's laws provided for that authority and/or the counselor/social worker also broke a law or standard under State A's laws. Another state's ability to investigate would also likely depend on Maryland's (and the patient's) cooperation and the factual nature of the complaint.

Maryland's enforcement provisions only apply to individuals who are licensed, certified or otherwise approved to practice in the State. Under current State law, the Boards have the duty to investigate and take enforcement or disciplinary actions only against providers licensed (or otherwise regulated) in Maryland or against individuals engaging in the unauthorized practice of counseling or social work. Thus, if another state's laws did not provide authority to its board to investigate or take enforcement actions against a licensed counselor for wrongdoing committed in another state, then there would likely be no way to hold that out-of-state counselor/social worker liable.

**Licensing standards are not the same.**

The standards for Licensed Clinical Professional Counselors and Licensed Social Workers vary widely from state to state. The Bill does not address the variance or provide a mechanism whereby the Board can do anything to support the health, safety or welfare of individuals newly arriving in our state. The Boards believe this Bill creates an exception without a plan or any regard to potential negative outcomes and the severity of the impact on the counseling/social work professions and the community at large.

**Good standing status is not enough.**

The Bill only requires the clinician to hold a status of good standing in the state where they are currently licensed. It does not account for or address any current or past discipline; and it does not set forth any consequences for failure to comply with Maryland law. Currently, all out-of-state providers are afforded the option to properly credential in Maryland in order to provide services to individuals located in Maryland. This process provides oversight into the care provided in our State and engages the provider with Maryland resources. The Boards strongly believe that this precedence of allowing out-of-state providers who are not licensed in Maryland to practice will lead to confusion amongst providers and members of the public.

In summary, the Boards' primary responsibility is the protection of the public. Expanding practice authority without full Maryland licensure may create ambiguity regarding regulatory oversight, disciplinary authority, and accountability in the event of a complaint.

For these reasons, the Boards respectfully opposes HB 1483 as currently drafted and requests an unfavorable vote.

Thank you for consideration of this testimony. If you require additional information please contact Tomiloba Olaniyi Quadri, Executive Director of the Maryland Board of Professional Counselors and Therapists at (410) 764-4732 or [tomiloba.olaniyi-quadri@maryland.gov](mailto:tomiloba.olaniyi-quadri@maryland.gov); Karen Richards, Executive Director of the Maryland Board of Social Work Examiners at (410) 764-4722 or [karen.richards2@maryland.gov](mailto:karen.richards2@maryland.gov); or Lillian Reese, Board Legislative Liaison, at (443) 794-4757 or [lillian.reese@maryland.gov](mailto:lillian.reese@maryland.gov).

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