

# HOUSE BILL 1663

J1, E4

EMERGENCY BILL

0lr3785  
CF SB 1080

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By: **The Speaker**

Rules suspended

Introduced and read first time: March 6, 2020

Rules suspended

Assigned to: Health and Government Operations

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## A BILL ENTITLED

1 AN ACT concerning

2 **State Government – State of Emergency and Catastrophic Health Emergency –**  
3 **Authority of Governor**  
4 **(COVID–19 Public Health Emergency Protection Act of 2020)**

5 FOR the purpose of authorizing the Governor to take certain actions as a result of the  
6 issuance of a certain proclamation; defining certain terms; making this Act an  
7 emergency measure; providing for the termination of this Act; and generally relating  
8 to the authority of the Governor in a state of emergency and a catastrophic health  
9 emergency.

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

11 That:

12 (a) (1) In this section the following words have the meanings indicated.

13 (2) “Carrier” means:

14 (i) an insurer;

15 (ii) a nonprofit health service plan; or

16 (iii) a health maintenance organization.

17 (3) “Department” means the Maryland Department of Health.

18 (4) “Health care provider” has the meaning stated in § 14–3A–01 of the  
19 Public Safety Article.

20 (5) “Program” means the Maryland Medical Assistance Program.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) As a result of the issuance by the Governor on March 5, 2020, of the  
2 proclamation declaring a state of emergency and the existence of a catastrophic health  
3 emergency or any other proclamation issued under Title 14 of the Public Safety Article, the  
4 Governor may:

5 (1) prohibit cost-sharing by carriers for disease testing and any associated  
6 costs that is conducted based on testing protocols recommended by the Secretary of Health;

7 (2) order the Department to cover the cost of disease testing and any  
8 associated costs, if the costs would not otherwise be paid for by a carrier or another third  
9 party;

10 (3) require carriers and the Program to cover the cost of an immunization  
11 and any associated costs, without cost-sharing, if:

12 (i) the immunization has been determined by the Department to  
13 prevent the disease that is the basis for the issuance of the proclamation; and

14 (ii) the patient belongs to a category of individuals to whom the  
15 Department has determined cost-sharing should not apply;

16 (4) notwithstanding any other provision of law, establish or waive  
17 telehealth protocols, including authorizing health care professionals licensed out-of-state  
18 to provide telehealth to patients in the State;

19 (5) order the Department to reimburse synchronous and asynchronous  
20 telehealth services provided to a patient, without regard to whether the patient is at a  
21 clinical site, if the service is:

22 (i) covered by the Program;

23 (ii) provided by a health care provider participating in the Program;

24 and

25 (iii) authorized under the health care provider's scope of practice;

26 (6) consult, as appropriate, with the Department, the Maryland Insurance  
27 Commissioner, and the Maryland Health Benefit Exchange to develop and implement  
28 orders to:

29 (i) minimize disruption in enrollment in health insurance and the  
30 Program;

31 (ii) facilitate reimbursement by carriers of telehealth services  
32 provided to patients in the State; and

1 (iii) facilitate reimbursement of essential services to minimize the  
2 risk to public health;

3 (7) (i) for the duration of the emergency, prohibit a retailer from  
4 increasing the sale or rental price of any good or service to a price that increases the  
5 retailer's value of profit by more than 10%, including for the price of:

- 6 1. food;
- 7 2. fuel;
- 8 3. water and ice;
- 9 4. medicine;
- 10 5. medical supplies and equipment;
- 11 6. cleaning products;
- 12 7. building supplies and equipment;
- 13 8. energy sources; and
- 14 9. storage space; and

15 (ii) publish a list of goods and services to which item (i) of this item  
16 applies; and

17 (8) prohibit an employer from terminating an employee solely on the basis  
18 that the employee has been required to be isolated or quarantined under Title 14 of the  
19 Public Safety Article.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency  
21 measure, is necessary for the immediate preservation of the public health or safety, has  
22 been passed by a ye and nay vote supported by three-fifths of all the members elected to  
23 each of the two Houses of the General Assembly, and shall take effect from the date it is  
24 enacted. It shall remain effective through April 30, 2021, and, at the end of April 30, 2021,  
25 this Act, with no further action required by the General Assembly, shall be abrogated and  
26 of no further force and effect.