

SENATE BILL 278

F1, J1

EMERGENCY BILL
(PRE-FILED)

11r0893
CF HB 34

By: **Senator Kagan**

Requested: October 8, 2020

Introduced and read first time: January 13, 2021

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable

Senate action: Adopted

Read second time: February 12, 2021

CHAPTER _____

1 AN ACT concerning

2 **State Department of Education and Maryland Department of Health – Maryland**
3 **School-Based Health Center Standards – Telehealth**

4 FOR the purpose of requiring the State Department of Education and the Maryland
5 Department of Health to authorize a certain health care practitioner to provide
6 health care services through telehealth under certain circumstances; prohibiting the
7 State Department of Education and the Maryland Department of Health from
8 establishing certain requirements for a certain school-based health center to provide
9 health care services through telehealth; requiring, on or before a certain date, the
10 State Department of Education and the Maryland Department of Health to revise
11 the Maryland school-based health center standards to reflect certain requirements
12 and prohibitions; making this Act an emergency measure; and generally relating to
13 standards for school-based health centers.

14 Preamble

15 WHEREAS, Telehealth is an important communications tool to meet the needs of
16 students who receive health care services from school-based health centers;

17 WHEREAS, Maryland's experience during the COVID-19 pandemic revealed that
18 school-based health centers faced barriers in implementing telehealth services;

19 WHEREAS, The Maryland General Assembly supported the implementation of
20 telehealth by adopting uniform telehealth standards for all health care practitioners

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 through the passage of Chapters 15 and 16 of the Acts of 2020;

2 WHEREAS, The Maryland General Assembly intends to support access to
3 school-based health care services through telehealth by ensuring that school-based health
4 centers are able to follow the same standards as other health care providers; now, therefore,

5 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
6 That:

7 (a) The State Department of Education and the Maryland Department of Health
8 shall authorize a health care practitioner, as defined in § 1-1001 of the Health Occupations
9 Article, at a school-based health center approved by the State Department of Education
10 and the Maryland Department of Health to operate in the State to provide health care
11 services through telehealth in accordance with Title 1, Subtitle 10 of the Health
12 Occupations Article.

13 (b) In implementing subsection (a) of this section, the State Department of
14 Education and the Maryland Department of Health may not:

15 (1) require a school-based health center to submit an application or seek
16 approval to provide health care services through telehealth if the State Department of
17 Education and the Maryland Department of Health have already approved the
18 school-based health center to operate in the State; or

19 (2) establish requirements that a school-based health center must meet to
20 provide telehealth that are inconsistent with the requirements for providing telehealth
21 under Title 1, Subtitle 10 of the Health Occupations Article.

22 (c) On or before July 1, 2021, the State Department of Education and the
23 Maryland Department of Health shall revise the Maryland school-based health center
24 standards to conform to the requirements and prohibitions under subsections (a) and (b) of
25 this section.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
27 measure, is necessary for the immediate preservation of the public health or safety, has
28 been passed by a yea and nay vote supported by three-fifths of all the members elected to
29 each of the two Houses of the General Assembly, and shall take effect from the date it is
30 enacted.