

Chapter 889

(House Bill 1078)

AN ACT concerning

Maryland Medical Assistance Program – Remote Ultrasound Procedures and Remote Fetal Nonstress Tests

FOR the purpose of requiring the Maryland Medical Assistance Program to provide remote ultrasound procedures and remote fetal nonstress tests under certain circumstances; and generally relating to the Maryland Medical Assistance Program and remote ultrasound procedures and remote fetal nonstress tests.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 15–103(a)(1)
Annotated Code of Maryland
(2023 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 15–103(a)(2)(ii)
Annotated Code of Maryland
(2023 Replacement Volume)

BY adding to
Article – Health – General
Section 15–141.5
Annotated Code of Maryland
(2023 Replacement Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Health – General

15–103.

(a) (1) The Secretary shall administer the Maryland Medical Assistance Program.

(2) The Program:

(ii) Shall provide, subject to the limitations of the State budget, comprehensive medical, dental, and other health care services, **INCLUDING SERVICES**

PROVIDED IN ACCORDANCE WITH § 15-141.5 OF THIS SUBTITLE, for all eligible pregnant women whose family income is at or below 250 percent of the poverty level for the duration of the pregnancy and for 1 year immediately following the end of the woman's pregnancy, as permitted by the federal law;

15-141.5.

(A) SUBJECT TO SUBSECTIONS (B) AND (C) OF THIS SECTION, THE PROGRAM SHALL PROVIDE REMOTE ULTRASOUND PROCEDURES AND REMOTE FETAL NONSTRESS TESTS USING CURRENT PROCEDURAL TERMINOLOGY CODES IF:

(1) THE PATIENT IS IN A RESIDENCE OR A LOCATION OTHER THAN THE OFFICE OF THE PATIENT'S PROVIDER; AND

(2) THE PROVIDER FOLLOWS THE SAME STANDARD OF CARE THAT THE PROVIDER WOULD FOLLOW WHEN PROVIDING THE SERVICES ON-SITE.

(B) THE PROGRAM SHALL REQUIRE THAT A PROVIDER OFFERING A REMOTE ULTRASOUND PROCEDURE OR REMOTE FETAL NONSTRESS TEST USE DIGITAL TECHNOLOGY:

(1) TO COLLECT ANY HEALTH DATA FROM THE PATIENT AND ELECTRONICALLY TRANSMIT THE INFORMATION IN A SECURE MANNER TO A HEALTH CARE PROVIDER IN A DIFFERENT LOCATION FOR INTERPRETATION AND RECOMMENDATIONS;

(2) THAT IS COMPLIANT WITH THE FEDERAL HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996; AND

(3) THAT IS APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION.

(C) (1) THE PROGRAM SHALL PROVIDE REIMBURSEMENT FOR A REMOTE FETAL NONSTRESS TEST IN THE SAME MANNER AS AN ON-SITE FETAL NONSTRESS TEST.

(2) A REMOTE FETAL NONSTRESS TEST FOR WHICH REIMBURSEMENT IS PROVIDED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL REQUIRE THE USE OF REMOTE MONITORING SOLUTIONS THAT ARE CLEARED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION FOR ON-LABEL USE FOR MONITORING:

(I) FETAL HEART RATE;

(II) MATERNAL HEART RATE; AND

(III) UTERINE ACTIVITY.

(D) THE PROGRAM SHALL ISSUE GUIDANCE FOR PROGRAM PROVIDERS TO CARRY OUT THIS SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2024.

Approved by the Governor, May 16, 2024.