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February 28, 2022

Senator Paul Pinsky
Chair, Education, Health, and Environmental Affairs Committee
11 Bladen Street
Annapolis, MD 21401

SB 398 Out-of-State Health Care Practitioners – Telehealth
Position: **OPPOSE**

Dear Senator Pinsky and Members of the Committee,

The Maryland Psychological Association, (MPA), which represents over 1,000 doctoral level psychologists throughout the state, would like to ask the Committee to **OPPOSE SB 398**.

MPA recognizes the need for ensuring that Maryland's citizens have affordable access to needed mental health services. However, SB 398 is overly broad and does not provide an effective solution.

This legislation allows licensed health care practitioners in other states to practice into Maryland via telehealth with very few restrictions. Practitioners in a distant state would be allowed to practice via telehealth into Maryland even if the distant states' licensure requirements were less stringent and protective than Maryland's laws. For example, a licensed psychologist in Maryland must possess a doctoral degree; other states, however, allow psychologists to practice independently with a Master's degree and far less experience and training. In addition, the legislation provides no specified mechanism for the public to report complaints about the out-of-state practitioner. Do they report complaints to the distant state's licensing Board? Does the public report complaints to the local Maryland licensing Board? Unless these protective mechanisms are specified in detail with agreements between Maryland and the distant state, **Maryland would be allowing out-of-state practitioners to provide behavioral health treatment to Maryland's citizens with no oversight.**

In addition, the Maryland legislature passed two laws last year which allow for the interstate practice for licensed psychologists and licensed professional counselors. PSYPACT, for psychologists, is already operational, and the interstate compact for licensed professional counselors should soon be operational. Both compacts require strict coordination between member compact states with significant protections for each state's citizens.

For these and other reasons, the MPA urges you to **OPPOSE SB 398**.

Please feel free to contact MPA's Executive Director Stefanie Reeves at exec@marylandpsychology.org if we can be of assistance.

Sincerely,

Linda McGhee
Linda McGhee, Psy.D., JD
President

R. Patrick Savage, Jr.
R. Patrick Savage, Jr., Ph.D.
Chair, MPA Legislative Committee

cc: Richard Bloch, Esq., Counsel for Maryland Psychological Association
Barbara Brocato & Dan Shattuck, MPA Government Affairs