

# Bill Summary

## Preserve Telehealth Access Act of 2025



**Maryland temporarily expanded access to telehealth during the COVID-19 pandemic through emergency rules. These provisions were strengthened in the Preserve Telehealth Access Acts of 2021 and 2023, which supported audio-only services and payment parity between telehealth and in-person care. Without further action, those flexibilities would have expired in June 2025. The Preserve Telehealth Access Act of 2025, championed by the Maryland Hospital Association and its coalition partners, makes key telehealth flexibilities permanent, protecting access for patients across the state.**

### Key Takeaways

Telehealth Access Permanently Expanded:

- Health care providers may continue to deliver telehealth services through audio-only platforms, such as phone calls
- The Maryland Medicaid program and private insurers must reimburse telehealth visits at the same rate as in-person visits

Telehealth Prescribing Provisions:

Practitioners may prescribe controlled substances for pain treatment via telehealth under specific conditions, including:

- An established provider-patient relationship
- A prior in-person assessment

Telehealth Oversight and Reporting:

- Requires the Maryland Health Care Commission to submit a report every four years, beginning in 2026, on:
  - Advances in telehealth technologies
  - Evolving modalities
  - Cost implications and recommendations for further improvements

HSCRC Telehealth Guidance (March 2025):

- The Health Services Cost Review Commission clarified that telehealth services delivered by a non-hospital provider to a patient not located at the hospital are not considered regulated services
- Hospitals may not bill facility fees for such services
- Hospitals must comply by Sept. 30, 2025, or face penalties

Required: A letter of attestation confirming compliance or a corrective action plan with impact and timelines

### What's Next

- Telehealth flexibilities under state law are now permanent
- Hospitals must review and adjust billing practices in accordance with HSCRC's March 2025 guidance
- Maryland Health Care Commission will begin its reporting cycle in 2026 to track progress and recommend improvements

### What You Can Do

- **Ensure Compliance:** Review your hospital's outpatient telehealth billing practices in light of HSCRC's guidance and prepare necessary attestations or corrective action plans by the Sept. 30 deadline
- **Monitor Reporting:** Stay informed on future Maryland Health Care Commission reports to anticipate regulatory changes and opportunities for innovation

Contact MHA: For questions or support, contact [Jake Whitaker](#), assistant vice president of government affairs and policy