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TO: The Honorable Peter A. Hammen, Chairman
Members, House Health & Government Operations Committee
The Honorable Michael Smigiel

FROM: Joseph A. Schwartz, III
Pamela Metz Kasemeyer
J. Steven Wise

DATE: March 21, 2012

RE: **OPPOSE** – House Bill 1399 – *Hospitals – Credentialing and Privileging Process – Telemedicine*
OPPOSE – House Bill 1400 – *State Board of Physicians – Exceptions from Licensing – Physician Authorized to Practice Medicine by Another State*

The Maryland State Medical Society (MedChi), which represents over 7,600 Maryland physicians and their patients, opposes House Bill 1399 and House Bill 1400.

House Bill 1399 allows hospitals to rely upon the credentialing process of another hospital or telemedicine entity when a physician is practicing telemedicine in Maryland. In short, the Maryland hospital where the patient is being seen may rely upon the credentialing already completed by the “distant-site” hospital where the physician has privileges. House Bill 1400 would allow a physician from any state to practice in Maryland without a license if the state where the physician is licensed has reciprocity with Maryland, and also allows an out of state licensee who is physically in Maryland to practice telemedicine with patients in the physician’s home state.

This legislation stems from the Telemedicine Task Force Report issued in December of 2011. While the Task Force has done a considerable amount of study on these aspects of telemedicine, the report also makes clear that there is more to be done and that significant questions remain about how to properly authorize physicians from other states to practice medicine in Maryland via telemedicine. Unlike the reimbursement measures already considered by this Committee related to telemedicine, this legislation has not been thoroughly considered and is “not immediately required to advance telemedicine in Maryland.” (See

Report at p. 11.)

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Med Chi believes that the General Assembly should proceed cautiously with regard to both of these bills. For that reason, Med Chi urges an unfavorable report on House Bill 1399 and House Bill 1400.

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