

# HOUSE BILL 1026

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CF SB 318

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By: **Delegates Pena–Melnyk, Hayes, and Saab**

Introduced and read first time: February 13, 2015

Assigned to: Health and Government Operations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Community Mental Health Services – Telemental Health Services – Psychiatric**  
3 **Nurse Practitioners**

4 FOR the purpose of requiring that regulations adopted by the Secretary of Health and  
5 Mental Hygiene under a certain provision of law allow psychiatric nurse  
6 practitioners to provide and receive reimbursement from State and federal funds for  
7 the provision of telemental health services; and generally relating to the provision of  
8 telemental health services in community–based mental health programs.

9 BY repealing and reenacting, with amendments,  
10 Article – Health – General  
11 Section 10–901(d)  
12 Annotated Code of Maryland  
13 (2009 Replacement Volume and 2014 Supplement)

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

16 **Article – Health – General**

17 10–901.

18 (d) (1) The Secretary shall adopt regulations for:

19 (i) Establishing, operating, and licensing a mental health program;  
20 and

21 (ii) Eligibility for State and federal funding for mental health  
22 programs under Part I of this subtitle.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (2)    The Secretary may require a mental health program to be granted  
2 accreditation by an accreditation organization approved by the Secretary under Title 19,  
3 Subtitle 23 of this article as a condition of licensure under regulations adopted under this  
4 subsection.

5           (3)    Regulations adopted under this subsection shall include:

6                   (i)    The requirements for licensure of a mental health program;

7                   (ii)   The process for a mental health program to apply for a license;

8                   (iii)  A description of the mental health programs that are required to  
9 be licensed;

10                  (iv)   Any requirements for the governance of a mental health  
11 program, including a provision prohibiting a conflict of interest between the interests of the  
12 provider and those of the individuals receiving services;

13                  (v)    Provisions for inspections of a mental health program, including  
14 inspection and copying of the records of a mental health program in accordance with State  
15 and federal law; and

16                  (vi)   Provisions for denials, suspensions, and revocations of licenses,  
17 including notice and an opportunity to be heard.

18           **(4)    THE REGULATIONS ADOPTED BY THE SECRETARY UNDER**  
19 **PARAGRAPH (1) OF THIS SUBSECTION SHALL ALLOW PSYCHIATRIC NURSE**  
20 **PRACTITIONERS TO PROVIDE AND RECEIVE REIMBURSEMENT FROM STATE OR**  
21 **FEDERAL FUNDS FOR TELEMENTAL HEALTH SERVICES.**

22           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
23 1, 2015.