

# HOUSE BILL 1078

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By: **Delegates Woods, Alston, Anderton, Foley, Guzzone, Lehman, Martinez, Mireku–North, Patterson, Roberson, Roberts, Ruth, Simmons, Simpson, Taveras, Terrasa, White Holland, Wilkins, and Williams**

Introduced and read first time: February 7, 2024

Assigned to: Health and Government Operations

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Committee Report: Favorable

House action: Adopted

Read second time: March 2, 2024

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

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

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

8 BY repealing and reenacting, without amendments,

9 Article – Health – General

10 Section 15–103(a)(1)

11 Annotated Code of Maryland

12 (2023 Replacement Volume)

13 BY repealing and reenacting, with amendments,

14 Article – Health – General

15 Section 15–103(a)(2)(ii)

16 Annotated Code of Maryland

17 (2023 Replacement Volume)

18 BY adding to

19 Article – Health – General

20 Section 15–141.5

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Annotated Code of Maryland  
2 (2023 Replacement Volume)

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

5 **Article – Health – General**

6 15–103.

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

9 (2) The Program:

10 (ii) Shall provide, subject to the limitations of the State budget,  
11 comprehensive medical, dental, and other health care services, **INCLUDING SERVICES**  
12 **PROVIDED IN ACCORDANCE WITH § 15–141.5 OF THIS SUBTITLE**, for all eligible  
13 pregnant women whose family income is at or below 250 percent of the poverty level for the  
14 duration of the pregnancy and for 1 year immediately following the end of the woman’s  
15 pregnancy, as permitted by the federal law;

16 **15–141.5.**

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

20 **(1) THE PATIENT IS IN A RESIDENCE OR A LOCATION OTHER THAN**  
21 **THE OFFICE OF THE PATIENT’S PROVIDER; AND**

22 **(2) THE PROVIDER FOLLOWS THE SAME STANDARD OF CARE THAT**  
23 **THE PROVIDER WOULD FOLLOW WHEN PROVIDING THE SERVICES ON–SITE.**

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

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

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

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

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

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

10                   **(I) FETAL HEART RATE;**

11                   **(II) MATERNAL HEART RATE; AND**

12                   **(III) UTERINE ACTIVITY.**

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

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

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.