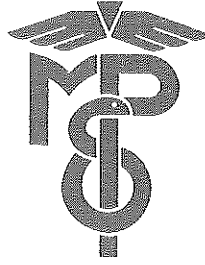


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August 7, 2017

Michele Phinney, Director  
Office of Regulation and Policy Coordination  
Maryland Department of Health  
201 West Preston Street, Room 512  
Baltimore, MD 21201

Dear Ms. Phinney:

The Maryland Psychiatric Society, a medical specialty organization representing over 700 psychiatrists in our state, would like to comment on the proposed amendments to **10.09.49 Telehealth Services regulations**, which were published in the Maryland Register on July 7. Thank you for expanding Medicaid coverage of mental health and substance use disorder treatment delivered remotely via telehealth services.

Although we support most of the proposed changes, we are concerned about the reference to clinical appropriateness. We respectfully request that the proposed language in .05.A(3) "*Clinically appropriate to be delivered via telehealth;*" be removed. The rationale is that the proposed language already addresses the standard of care (.05.B) and licensing board standards (.05.D).

Furthermore, retaining the language in A(3) would add confusion. What is and is not "clinically appropriate" is not spelled out, and does not lend itself to definition through regulation. The requirement would predispose coverage decisions to unnecessary debate and could be used to arbitrarily exclude some services from coverage, which could lead to adverse consequences for patients.

Thank you for considering our recommendation. Please contact Heidi Bunes at [heidi@mdpsych.org](mailto:heidi@mdpsych.org) or 410-625-0232 if you have questions.

Sincerely,

A handwritten signature in black ink that reads "Jennifer Palmer MD". The signature is written in a cursive, flowing style.

Jennifer Palmer, M.D.  
President