

To: Chief Financial Officers – All Hospitals

From: Claudine Williams, Principal Deputy Director,
Healthcare Data Management and Integrity

Date: December 23, 2024

Re: Extension of Telehealth Regulations and COVID-19
Related Pricing (COMAR 10.37.10.07-1)

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The purpose of this memorandum is to inform hospitals that the Telehealth Regulations and the special COVID-19 pricing rules (COMAR 10.37.10.07-1) will be extended through March 31, 2025.

Background

On January 31, 2022, the Federal Omnibus Budget Bill extended the federal telehealth flexibilities through December 31, 2024. In addition, the President announced that the federal Public Health Emergency will be extended until May 11, 2023.

In a memorandum dated April 27, 2023, the Health Services Cost Review Commission (HSCRC) extended the effective date of the Telehealth regulations (COMAR 10.37.10.07-1) through December 31, 2024, in recognition of the further extension of the federal telehealth flexibilities.

The principal provision of this regulation is that it requires that either the patient or the provider be at the hospital when the service is rendered for the service to be considered “at the hospital” and thereby rate regulated.

Mandated temporary tiered rates and temporary prices for COVID- 19 tests, vaccines, and therapies, were also extended until January 1st of the year following the year in which the Emergency Use Authorizations (EUAs) for COVID-19 tests, drugs, and biologicals end (January 1, 2025). EUAs are issued by the Federal Drug Administration to facilitate the availability and use of medical countermeasures needed during public health emergencies.

Current Status of Regulation

On December 21, 2024, the US Senate passed a Continuing Resolution (CR) that contained provisions extending Medicare telehealth flexibilities and the Acute Hospital Care at Home

(AHCAH) program through March 31, 2025. **To align with the federal Medicare program, HSCRC will extend the Telehealth regulations (COMAR 10.37.10.07-1) and other COVID-19 related temporary approvals (described above), through March 31, 2025.**

For further information or clarification, please contact William Hoff at William.hoff@maryland.gov.