

FREQUENTLY ASKED QUESTIONS

COVID-19 Updated (4/9/20)

FAQs are intended for general informational purposes only. Refer to the complete statute and regulations for complete information. FAQs are not legal advice. Please consult your professional association or counsel for interpretation or guidance.

Updated (4/9/20) Teletherapy:

May Alcohol and Drug Trainees (ADTs) provide counseling services via teletherapy?

On April 6, 2020, the Secretary of the Maryland Department of Health signed an Order addressing teletherapy as it pertains to Alcohol and Drug Trainees.

The full text of the Order can be found here:

<https://health.maryland.gov/bopc/Documents/mdhorderbopc1.pdf>

Please read the Order carefully regarding the terms and conditions of the provision of teletherapy services by ADTs.

It is important to note that once the Governor lifts the state of emergency, the Order will no longer be effective. The provision of teletherapy services as permitted by the Order will cease immediately. Therefore, providers should make arrangements **now** for the continuation of client care once the state of emergency is lifted.

May I bill Medicaid or other insurance for telephone only teletherapy services?

The Board's regulations do not address insurance or billing. Please visit the Behavioral Health Administration website for more information.

<https://bha.health.maryland.gov/pages/index.aspx>

May I provide teletherapy services to a client who is not located in Maryland?

A counselor or therapist licensed in Maryland but whose client is NOT in Maryland at the time of services should check the laws of the jurisdiction where the client is located. The jurisdiction where the client is located may or may not permit such services unless the counselor holds a license in that jurisdiction.

I am a licensed counselor in a state other than Maryland. May I provide teletherapy services to an individual located in Maryland?

On April 6, 2020, the Secretary of the Maryland Department of Health signed an Order addressing teletherapy as it pertains to counselors and therapist licensed in another state with clients currently living in Maryland.

The full text of the Order can be found here:

<https://health.maryland.gov/bopc/Documents/mdhorderbopc1.pdf>

The Order is intended to address those therapeutic relationships that were established outside of Maryland but, due to COVID-19, have been interrupted and the client has returned to Maryland.

It is important to note that once the Governor lifts the state of emergency, the Order will no longer be effective. The provision of teletherapy services as permitted by the Order will cease immediately. Therefore, providers should make arrangements now for the continuation of client care once the state of emergency is lifted.

Does the Board issue temporary or provisional licenses so that a counselor licensed in another state may provide teletherapy services in Maryland?

The Board's statute and regulations do not allow for the issuance of temporary or provisional licenses, even in the event of an emergency such as a pandemic. The only exception is for those out of state providers who had an existing therapeutic relationship with a client returning to Maryland due to COVID-19.

May an intern provide teletherapy services?

Interns are individuals currently enrolled in an internship course as part of a graduate counseling or therapy program. The Board does not regulate interns. The terms of the internship are determined by the graduate program, the practice, and the supervisor. The Board recommends that all parties use their best professional judgment based on their training, experience, education, and scope of competence when determining whether it is appropriate for an intern to provide teletherapy services to clients.

Updated (4/3/20):

May a LGPC obtain supervision hours from their approved supervisor by audio/visual telecommunication?

COMAR 10.58.12.02B(3)(a) provides:

(3) Face-to-Face.

(a) "Face-to-face" means in the physical presence of the individuals involved in the supervisory relationship during either individual or group supervision, or using video conferencing which allows individuals to hear and see each other in actual points of time.

(b) "Face-to-face" does not include:

(i) Telephone supervision; or

(ii) Internet communication that does not involve actual or real time video conferencing, such as instant messaging services and social networking sites.

Refer to the complete regulations for more information.

Orders from the Governor:

Does the Governor's Executive Order of March 24, 2020 regarding non-essential businesses affect licensees of this Board?

Under the terms of the Executive Order, behavioral health providers are included on the list of essential providers.

Does the Governor's Executive Order of March 16, 2020 allow counselors and therapists licensed in other states to practice in Maryland without a Maryland license?

No. The Executive Order does not allow counselors and therapists licensed in other states to practice in Maryland without a Maryland license. The Executive Order applies to health care practitioners working at a "health care facility" as defined by the Health General Article of the Maryland Code and is directed to physicians and nurses.

General:

The testing center for the national exam is closed due to the pandemic. How will this affect my application?

The Board will retain your application until you are able to sit for the exam and submit official scores. New licenses cannot be issued unless and until an applicant passes the required examination. Please contact the appropriate testing administration for information on when testing will resume.

I submitted a renewal application for alcohol and drug trainee status but have not heard back from the Board. What happens if my status expires before the Board is able to review my renewal application?

During the state of emergency, Board licensing operations are significantly impacted. It will take longer to process all applications. If you submitted an application for ADT renewal **before** the expiration of your current status, **and** you are eligible for renewal under the regulations, you will **not** be disciplined for any lapse in status if it is not renewed **due to Board operations**. Please call the Board for more information.

I registered for a CEU conference/course that has been changed to an online format due to the coronavirus pandemic. May I use online courses/seminars to satisfy Category A and B requirements for renewal?

Meetings, conferences, and courses that are offered online may be used for both Category A and Category B continuing education credits so long as the online program meets the requirements set forth in COMAR 10.58.05 related to course content, verification of attendance, approved sponsorship, etc.

How can I help?

You can register to volunteer for the Medical Reserve Corp. here:

<https://mdresponds.health.maryland.gov/>

- For Medicaid-related Coronavirus updates, visit mmcp.health.maryland.gov.
- For questions about the Coronavirus, visit coronavirus.maryland.gov.