

Bruce C. Gerrity  
bgerrity@preti.com  
207.623.5300

March 17, 2025

Sen. Donna Bailey, Chair  
Committee on Health Coverage, Insurance and  
Financial Services  
Cross Building, Room 220  
Augusta, ME 04330

Rep. Lori Gramlich, Chair  
Committee on Health Coverage, Insurance  
and Financial Services  
Cross Building, Room 220  
Augusta, ME 04330

**RE: LD 742 An Act to Permit Telehealth Services Across State Lines Following  
Referral from a Primary Care Provider Based in the State**

Dear Senator Bailey and Representative Gramlich,

The Maine Optometric Association is the Association of Optometrists in the State of Maine (MOA). MOA takes no position on LD 742 but does present points for consideration by the committee.

Reciprocity and telehealth are two aspects of healthcare that the Maine Legislature has aggressively addressed in recent years. The optometric code in particular does address both reciprocity and telehealth. 32 MRSA §19303 deals with license by endorsement, the process whereby an optometrist from another state can become licensed to do business in Maine. 32 MRSA c.151, sub ch. 6 establishes standards in the optometric code for telehealth.

In most instances, a Maine optometrist recommending telehealth consultation or assistance for a patient will make that arrangement with a Maine optometrist, ophthalmologist or other specialist. To the extent that the committee decides to explicitly address optometric telehealth services, LD 742, Section 43 (page 14, line 24) would need to be amended. As drafted, section 43 defines “primary care provider” as a physician licensed under Chapter 46-48, an advanced practice registered nurse or a physician assistant. Inasmuch as the language addresses primary care providers in the optometric code the bill needs to be amended to add optometrists. In like fashion, the various other healthcare professions referred in LD 742 (physical therapists, osteopaths, podiatrists, psychologists, etc.) would all need to have the provisions of their codes amended to list those practitioners as primary care providers.

PRETI FLAHERTY

March 17, 2025

Page 2

It would be another matter entirely to expand telehealth to non-Maine licensed healthcare providers. In that regard MOA adds its voice to the concerns of others who testified in opposition to the bill.

MOA appreciates the opportunity to submit these comments and looks forward to working with the committee on LD 742.

Respectfully submitted,

A handwritten signature in blue ink, reading "Bruce C. Gerrity". The signature is fluid and cursive, with a large, stylized "S" at the end.

Bruce C. Gerrity

BCG:mlb