

**Department of Legislative Services**  
Maryland General Assembly  
2019 Session

**FISCAL AND POLICY NOTE**  
**Third Reader - Revised**

House Bill 829

(Delegate Ghrist, *et al.*)

Health and Government Operations

Finance

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**Health Insurance - Provider Panels - Graduate Providers**

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This bill prohibits a carrier from rejecting a provider who provides community-based health services for an accredited program for participation on the carrier's provider panel solely because the provider is a licensed graduate social worker (LGSW), a licensed master social worker (LMSW), a licensed graduate alcohol and drug counselor (LGADC), a licensed graduate marriage and family therapist (LGMFT), a licensed graduate professional art therapist (LGPAT), or a licensed graduate professional counselor (LGPC).

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**Fiscal Summary**

**State Effect:** The bill does not substantively change State activities or operations.

**Local Effect:** Local government finances and operations are not directly affected.

**Small Business Effect:** Potential meaningful.

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**Analysis**

**Current Law:**

*Carrier Provider Panel Application Process*

A provider seeking to participate on a carrier's provider panel must submit an application to the carrier. Within 30 days after receipt of a completed application, a carrier must send the provider a written notice of the carrier's intent to continue to process the provider's application or the carrier's rejection of the provider for participation on the carrier's

provider panel. If a carrier provides notice to the provider of its intent to continue to process the provider's application, the carrier must, within 120 days after the date the notice is provided, accept or reject the provider for participation and send written notice of the acceptance or rejection to the provider.

### *Accredited Community Behavioral Health Programs*

Under Maryland regulations (COMAR 10.63.02.02), the following community behavioral health programs require an accreditation-based license to operate in Maryland: (1) group homes for adults with mental illness; (2) integrated behavioral health programs; (3) intensive outpatient treatment level 2.1 programs; (4) mobile treatment services programs; (5) outpatient mental health center programs; (6) outpatient treatment level 1 programs; (7) partial hospitalization treatment level 2.5 programs; (8) psychiatric day treatment programs; (9) psychiatric rehabilitation programs for adults; (10) psychiatric rehabilitation programs for minors; (11) residential crisis services programs; (12) residential: low intensity level 3.1 programs; (13) residential: medium intensity level 3.3 programs; (14) residential: high intensity level 3.5 programs; (15) residential: intensive level 3.7 programs; (16) residential rehabilitation programs; (17) respite care services programs; and (18) supported employment programs.

### *Licensed Graduate Social Workers and Licensed Master Social Workers*

An LGSW is an individual licensed by the State Board of Social Work Examiners (SBSWE), on or before June 30, 2018, to practice "graduate social work," which means to have used the education and training required to obtain an LMSW under the supervision of a licensed certified social worker (LCSW), licensed certified social worker-clinical (LCSW-C), or LGSW.

An LMSW is an individual licensed by SBSWE, on or after July 1, 2018, to practice "master social work," which means to practice social work under the supervision of an LCSW, LCSW-C, or LMSW or, if approved by the board, to engage in independent practice. Chapters 548 and 549 of 2017 established the LMSW credential, which replaced the LGSW license. A person who was an LGSW on June 30, 2018, must be considered, in all respects, licensed as an LMSW by the board. An LMSW can engage in independent practice (practice master social work without the requirement of supervision by another social worker, under specified circumstances). On or before December 31, 2019, an LMSW may not engage in private practice without the supervision of an LCSW-C; however, on or after January 1, 2020, an LMSW is prohibited from engaging in private practice altogether.

### *Licensed Graduate Counselors and Therapists*

An LGADC is an individual approved by the State Board of Professional Counselors and Therapists to practice “graduate alcohol and drug counseling,” which is clinical alcohol and drug counseling performed under the supervision of a licensed clinical alcohol and drug counselor or another licensed health care provider while fulfilling the requirements for supervised experience required for licensure as a clinical alcohol and drug counselor.

An LGMFT is an individual approved by the board to practice “graduate marriage and family therapy,” which is clinical marriage and family therapy performed under the supervision of a licensed clinical marriage and family therapist or another licensed health care provider while fulfilling the requirements for supervised experience required for licensure as a clinical marriage and family therapist.

An LGPAT is an individual approved by the board to practice “graduate professional art therapy,” which is clinical professional art therapy performed under the supervision of a licensed professional art therapist or another licensed health care provider while fulfilling the requirements for supervised experience required for licensure as a clinical professional art therapist.

An LGPC is an individual approved by the board to practice “graduate professional counseling,” which is clinical professional counseling performed under the supervision of a licensed clinical professional counselor or another licensed health care provider approved by the board while obtaining the two years of postgraduate supervised experience required for licensure as a clinical professional counselor.

**Small Business Effect:** Small business community-based health care providers may be able to increase the number of their providers participating on carrier provider panels and subsequently submit for additional insurance reimbursement.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Maryland Health Benefit Exchange; Maryland Insurance Administration; Department of Legislative Services

**Fiscal Note History:** First Reader - February 20, 2019  
sb/ljm Third Reader - March 26, 2019  
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