

**Senate Bill 334 Health Insurance – Coverage for Mental Health Benefits and Substance Use
Disorder Benefits – Treatment Criteria**

Finance Committee

February 19, 2020

Position: SUPPORT

The Mental Health Association of Maryland is a nonprofit education and advocacy organization that brings together consumers, families, clinicians, advocates and concerned citizens for unified action in all aspects of mental health, mental illness and substance use. We appreciate this opportunity to present this testimony in support of Senate Bill 334.

Under federal and state parity laws, Marylanders are entitled to receive mental health and substance use disorder benefits at the same level as other medical benefits. Unfortunately, many commercially insured Marylanders still face barriers in accessing behavioral health services that are not imposed for medical and surgical benefits.

SB 334 requires greater accountability by insurance carriers so that regulators and consumers know whether private health plans comply with parity protections. The bill requires carriers to:

- Submit an annual parity compliance report, modeled on the U.S. Department of Labor's Parity Act Self-Compliance Tool, and data related to benefit decisions;
- Pay penalties for parity violations and for filing incomplete reports;
- Make their report available to plan members; and
- Inform consumers of their parity rights in benefit denial letters.

The Maryland Insurance Administration (MIA) would be required to review carrier reports, impose remedial measures to correct violations and reimburse consumers, and use penalties to improve parity enforcement.

Although MIA has identified numerous parity violations through market conduct surveys, carriers continue to implement illegal barriers to behavioral health treatment. Requiring carriers to submit parity compliance reports is the only way to ensure that health plans offer and deliver equal access to mental health and substance use treatment.

This bill will give regulators the information they need to ensure health plans comply with the law, require insurance carriers to fix violations promptly, and ensure consumers receive the behavioral health care they've paid for. **For these reasons, MHAMD supports Senate Bill 334 and urges a favorable report.**

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