

To: House Health and Government Operations Committee

From: Robyn Elliott on Behalf of Public Policy Partners

Date: March 16, 2020

RE: **Support of Senate Bill 99 - Health Insurance Benefit Cards, Prescription Benefit Cards, and Other Technology—Identification of Regulatory Agency**

Public Policy Partners is in strong support of *Senate Bill 99 – Health Insurance Benefits Cards, Prescription Benefit Cards, and Other Technology – Identification of Regulatory Agency*. The bill requires that name of the regulatory agency be listed on insurance cards and prescription drug benefit cards. The requirement would apply to state-regulated insurance plans and managed care plans under Medicaid.

Our firm provides public policy and governmental affairs services to many health care organizations, including health professional associations and direct service providers. As part of our services, we have supported clients in ensuring consumers can understand their health insurance coverage.

In our experience, it is difficult for consumers or their advocates to determine if their health plans must meet state requirements. This is critical information when consumers need to: 1) determine if their plans must cover state-required benefits; or 2) contact the regulator of a plan because of a concern.

On a practical level, consumers have limited options in determining which entity regulates their plans. They could:

- Contact the benefits administrator of their employer. Consumers sometimes are reluctant to take this step because they are worried about disclosing the reason for their question;
- Look at the bottom of an explanation of benefits (EOB) form. For private insurance, the EOB will list information about where the consumer can file complaints. The EOB will list either the Maryland Insurance Administration for state-regulated plans or the Department of Labor for ERISA-exempt plans. This is not a good option because: 1) it is retroactive, so it is only useful after the consumer has obtained health care services and filed a claim; or 2) it only works for individuals with private insurance and not Medicaid; and
- Contact customer service of their health plan. This option can yield results but still may pose challenges as: 1) this option does not work if the plan is not compliant with state rules; 2) customer service does not have the correct or clear information; or 3) the consumer is uncomfortable in calling their plan to find out how to file a complaint.

We believe SB 99 supports consumers in determining who regulates their health plan and whether the plan must meet state rules. The bill provides a simple and direct solution by providing that the regulatory agency be listed on insurance and prescription drug cards. We ask for a favorable report. If I can provide any further information, please contact me at relliott@policypartners.net or (443) 926-3443.