



Testimony on SB 707
Health Insurance – Provider Panels – Coverage
For Nonparticipation
House Health and Government Operations Committee
February 23, 2022
POSITION: SUPPORT

The Community Behavioral Health Association of Maryland (CBH) is the leading voice for community-based providers serving the mental health and addiction needs of vulnerable Marylanders. Our 95 members serve the majority of those accessing care through the public behavioral health system. CBH members provide outpatient and residential treatment for mental health and addiction-related disorders, day programs, case management, Assertive Community Treatment (ACT), employment supports, and crisis intervention.

There continue to be significant barriers to behavioral health provider participation in commercial carrier networks; most of these revolve around low reimbursement for services and challenges with the carrier credentialing process. Two national studies conducted by Milliman showed Maryland to be close to the bottom of states in terms of its high percentage of consumers accessing mental health and substance use disorder benefits from out-of-network providers. This places the financial onus on consumers who pay their premiums but still can't access the care they need without additional – and often significant – out-of-pocket spending. Many must forego treatment or limit its frequency simply because they can't afford to pay for the care.

This bill would require carriers to inform their members of the right to request a referral to an out-of-network provider if their carrier has an insufficient number or type of providers with the expertise needed to serve a member seeking behavioral health care. Members would be able to choose an in-person or telehealth visit and would be subject to no greater out-of-pocket spending than if the provider were part of the carrier's network. The Maryland Health Care Commission would be tasked with establishing a reimbursement formula for nonparticipating providers, based on input from interested stakeholders.

It has now been over thirteen years since the federal Mental Health Parity and Addiction Equity Act passed in 2008, yet consumers in Maryland continue to foot the bill if they are unable to find needed behavioral health treatment within their carrier's network. It is time that we hold consumers financially harmless for the limitations of their carriers' provider networks.

We urge a favorable report for SB 707.

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