



February 17, 2022

The Honorable Delores G. Kelley
Senate Finance Committee
3 East – Miller Senate Office Building
Annapolis, MD 21401

RE: Support – SB 707: Health Insurance - Provider Panels - Coverage for Nonparticipating Providers

Dear Chairman Kelley and Honorable Members of the Committee:

The Maryland Psychiatric Society (MPS) and the Washington Psychiatric Society (WPS) are state medical organizations whose physician members specialize in diagnosing, treating, and preventing mental illnesses, including substance use disorders. Formed more than sixty-five years ago to support the needs of psychiatrists and their patients, both organizations work to ensure available, accessible, and comprehensive quality mental health resources for all Maryland citizens; and strive through public education to dispel the stigma and discrimination of those suffering from a mental illness. As the district branches of the American Psychiatric Association covering the state of Maryland, MPS and WPS represent over 1000 psychiatrists and physicians currently in psychiatric training.

MPS/WPS support Senate Bill 707: Health Insurance - Provider Panels - Coverage for Nonparticipating Providers (SB 707) as prompt treatment is paramount for people experiencing a mental health crisis. This need for prompt treatment leads many insured Marylanders with mental health and substance use disorders to seek providers and facilities outside their health plan's inadequate networks. Under current law, Marylanders have the right to ask their health plan for a referral to care outside of their plan's network of providers if they cannot find a qualified provider, have to wait a long time for an appointment or have to travel a long distance for their appointment. Most people, however, have no idea that this right exists or how to access it. SB 707 requires carriers to inform their members and beneficiaries, in plain language, of the right to request a referral to a specialist or nonphysician specialist in print and electronic plan documents and any provider directory

In addition, when individuals exercise their rights and seek care outside of their plans' networks with their carrier's approval, those non-network providers may still bill for the cost of the treatment that the health plans do not cover. If those providers had been in-network, the plans would have covered the total cost of treatment. Thus, Marylanders seeking out-of-network mental health and substance use disorder treatment are billed twice, once for their insurance premiums and again for the out-of-network treatment. SB 707 would rightfully require health plans to pay the non-network provider a fair reimbursement rate for treatment allowing the patient to pay for just the cost of an in-network service.



**Washington
Psychiatric Society**

The federal No Surprises Act, which recently took effect on January 1, 2022, protects people covered under group and individual health plans from receiving surprise medical bills, also known as a balance bill, when they receive most emergency services, non-emergency services from out-of-network providers at in-network facilities, and services from out-of-network air ambulance service providers. This Honorable Committee, though SB 707, can and should take the next step in combating balance billing by requiring plans to cover Marylanders who get approval from their carrier to go out of network for mental health and substance abuse treatment when their existing networks are inadequate

Finally, studies repeatedly show that, when faced with low availability of providers and long wait times, psychiatric patients are much more likely to seek treatment out of network, which imposes a financial burden on them, or they simply do without treatment altogether because it's too expensive. Insurance companies are failing to meet the requirements for network adequacy imposed by parity laws. SB 707 would not only provide relief to psychiatric patients, but incentivize insurance companies to make network participation more attractive to providers.

For all the reasons above, MPS and WPS ask the committee for a favorable report on SB 707. If you have any questions with regard to this testimony, please feel free to contact Thomas Tompsett Jr. at tommy.tompsett@mdlobbyist.com.

Respectfully submitted,
The Maryland Psychiatric Society and the Washington Psychiatric Society
Legislative Action Committee