



Maryland
Hospital Association

February 10, 2022

To: The Honorable Shane E. Pendergrass, Chair, House Health & Government Operations Committee

Re: Letter of Support – House Bill 536 – Maryland Insurance Commissioner – Authority – Federal Health Emergency

Dear Chair Pendergrass:

On behalf of the Maryland Hospital Association's (MHA) 60 member hospitals and health systems, we appreciate the opportunity to comment on House Bill 536. Dedicated caregivers at Maryland's hospitals and health systems care for millions of people each year. From the outset of the unprecedented public health crisis posed by the coronavirus, hospitals were on the front lines, protecting people and saving lives.

During the most recent surge due to the COVID-19 omicron variant, hospitals faced severe staffing shortages, unlike anything seen during the previous surges, and needed swift action to help patients move through the continuum of care. However, the federal public health emergency declaration, enacted by the Secretary of Health and Human Services under section 319 of the federal Public Health Service Act, did not allow the Maryland Insurance Administration (MIA) to activate its emergency powers at COMAR 31.01.02.06 to relax administrative rules on insurers to authorize health care services and care management reviews. Per statute, these powers could only be activated in the event of either a state-declared emergency or a federal public health emergency under the federal Stafford Act. This discrepancy does not comport with the purpose of emergency regulations, which is to ensure extraordinary measures can be taken during times of crisis—regardless of the originating statute of the officially declared emergency.

We applaud the sponsor for bringing forth this bill, which will better prepare Maryland for future public health emergencies.

For these reasons, we request a *favorable* report on HB 536.

For more information, please contact:
Michael Paddy, Director, Government Affairs
Mpaddy@mhaonline.org