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March 29, 2022

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

From: Patricia F. O'Connor, Health Education and Advocacy Unit (HEAU)

Re: Senate Bill 707 (Health Insurance - Provider Panels - Coverage for Nonparticipating Providers): Support

The Office of the Attorney General's Health Education and Advocacy Unit (HEAU) supports Senate Bill 707. The bill's major protection is the requirement that carriers ensure that mental health or substance use disorder services (MH/SUD) from out-of-network providers be provided at no greater cost to the covered individual than if the covered benefit were provided by an in-network provider, if the covered individual follows the carrier's procedure for out-of-network referrals. Under current law, each carrier must establish and implement the referral procedure when the carrier cannot provide reasonable access to a specialist or nonphysician specialist with the professional training and expertise to treat or provide health care services for a condition or disease without unreasonable delay or travel, as defined in network adequacy regulations. The bill adds another new requirement -- that a carrier shall inform members of the out-of-network referral procedure -- in addition to the hold harmless protection from anything but in-network costs for MH/SUD services received from out-of-network providers. Covered individuals expect to pay only what they would have paid for MH/SUD services in an adequate network, and this bill will fulfill those expectations.

We ask the committee for a favorable report.

cc: Senator Klausmeier, Sponsor