

SB 990, Maryland Medical Assistance Program and Health Insurance - Step Therapy, Fail-First Protocols, and Prior Authorization - Prescription Drugs to Treat Serious Mental Illness

Senate Finance Committee

Date: March 6, 2024

From: Mary Ellen Moran, Bowie, MD 20716 (District 23)

Position: SUPPORT WITH AMENDMENTS

As an individual with bipolar disorder and a son with schizophrenia, I am pleased to support SB 990. This Bill would ensure that persons with serious mental illnesses receive the medications that their mental health care providers prescribe because, in their professional opinions, the prescribed drug will work.

My son was subjected to step therapy and twice he had serious relapses.

He was taking a brand that worked well and was required to take a less expensive, lower tier brand.

After a period of time on the new drug, at sunrise he walked out to a large cul de sac, took off his clothes and started worshipping the sun. Fortunately I was able to talk him into putting on his bathrobe and going back in the house. His psychiatrist had recommended that some of the brand name medication that worked be saved in the event of an emergency. Also, the doctor had an emergency number to call and when I called he said to start giving my son the brand that worked. This action kept him out of the hospital.

However, had no medicine that worked been immediately available, he would have required hospitalization.

It is concerning that SECTION 1 would be abrogated on the basis of a determination by the Department of Legislative Services that the cost to the Maryland Medical Assistance Program increased by more than \$2,000,000 with no consideration of the potential additional cost of relapses which could result in hospitalizations, incarcerations, homelessness and suicide. Such discontinuation should be carefully considered by the legislature.

Therefore, I respectfully request that you amend SB 990 as shown below and give it a favorable report.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) On or before January 31, 2026, and each January 1 thereafter through 2030, the Maryland Department of Health shall report to ~~the Department of Legislative Services~~ **AND THE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE AND THE FINANCE COMMITTEE** on any cost increase to the Maryland Medical Assistance Program from the immediately preceding fiscal year that results from the implementation of Section 1 of this Act.

(b) CALCULATION OF COSTS IN THIS SECTION SHALL INCLUDE CONSIDERATION OF ANY REDUCTION IN HOSPITAL COSTS FOR INDIVIDUALS

AFFECTED UNDER SECTION 1 OF THIS ACT COMPARED TO THEIR HOSPITAL COSTS BEFORE IMPLEMENTATION OF SECTION 1 OF THIS ACT.

~~(b) On or before April 30 of the year in which a report is submitted under subsection (a) of this section, the Department of Legislative Services shall determine, based on the report, whether the implementation of Section 1 of this Act resulted in a cost increase to the Maryland Medical Assistance Program of more than \$2,000,000 from the immediately preceding fiscal year.~~

~~(c) If the Department of Legislative Services determines that the implementation of Section 1 of this Act resulted in a cost increase to the Maryland Medical Assistance Program of more than \$2,000,000 from the immediately preceding fiscal year, with no further action required by the General Assembly, at the end of April 30 of the year the determination is made, Section 1 of this Act shall be abrogated and of no further force and effect.~~