

MSA Testimony 2025 for Senate- Support - House Bil

Uploaded by: Daniel Shattuck

Position: FAV



MARYLAND SOCIETY OF ANESTHESIOLOGISTS

Date: March 26, 2025
Committee: The Honorable Pam Beidle, Chair
Senate Finance Committee
Bill: House Bill 1086 – Maryland Medical Assistance Program and Health Insurance - Coverage for Anesthesia - Prohibiting Time Limitation
Position: **FAVORABLE**

The Maryland Society of Anesthesiologists (MSA) is a state component society of the American Society of Anesthesiologists (ASA). The MSA is a non-profit physician organization dedicated to promoting the safest and highest standards of the profession of anesthesiology in the State of Maryland. Our purpose is to advocate on behalf of our members for their patients through policy, education, and research.

House Bill 1086 would “require, beginning January 1, 2026, the Maryland Medical Assistance Program, managed care organizations, and certain insurers, nonprofit health service plans, and health maintenance organizations, if providing coverage for the delivery of anesthesia for a procedure for which a licensed medical professional issues an order, to provide the coverage for the entire duration of the procedure.”

Why is this bill necessary?

In November of 2024, Anthem Blue Cross Blue Shield plans representing Connecticut, New York and Missouri unilaterally declared it will no longer pay for anesthesia care if the surgery or procedure goes beyond an arbitrary time limit, regardless of how long the surgical procedure takes. With this new policy, Anthem will arbitrarily pre-determine the time allowed for anesthesia care during surgery or procedure. If an anesthesiologist submits a bill where the actual time of care is longer than Anthem's limit, Anthem will deny payment for the anesthesiologist's care. With this new policy, Anthem will not pay anesthesiologists for delivering safe and effective anesthesia care to patients who may need extra attention because their surgery is difficult, unusual or because a complication arises.

Thankfully, Anthem in December 2024, reversed this policy change, but only after concerns were raised from the American Society of Anesthesiologists (ASA), our surgical colleagues and the Governors and policy makers in the impacted states.

What is Anesthesia time?

Anesthesiologists provide individualized care to every patient, carefully assessing the patient's health prior to the surgery, looking at existing diseases and medical conditions to determine the resources and medical expertise needed, attending to the patient during the entire procedure, resolving unexpected complications that may arise and/or extend the duration of the surgery, and working to ensure that the patient is comfortable during recovery. **Payment for anesthesia services is based on several factors, including the exact amount of time for anesthesiologists to deliver care preoperatively, during the operation, and when transitioning the patient to the recovery unit afterwards.**

How House Bill 1086 protects patient safety.

This bill will prohibit the state Medicaid program and commercial insurers regulated in the state of Maryland from implementing any policy that attempts to limit the duration of anesthesia or restrict payment of anesthesia time. Insurers are increasingly looking for ways to undercut medically necessary patient care under the guise of cost savings, when real harm is felt by their subscribers whose healthcare is jeopardized by arbitrary financial policies that go against safe patient care.

The MSA has worked with the bill sponsor on some clarifying language to make clear that prohibitions or policies designed to limit anesthesia administration, and payment for the entire course of anesthesia services are not acceptable.

We stand ready to work and ensure passage of this important patient safety bill. For these reasons we ask for a **favorable** report on **House Bill 1086**.

For additional information please contact Dan Shattuck, Executive Director at mdashq@gmail.com.

HB1086-MANA FAV 2025.pdf

Uploaded by: William Kress

Position: FAV



**Maryland Association
of Nurse Anesthetists**

Committee: Senate Finance Committee

Bill Number: HB 1086 – Maryland Medical Assistance Program and Health Insurance – Coverage for Anesthesia – Prohibiting Time Limitations

Date: March 26, 2025

Position: Favorable

The Maryland Association of Nurse Anesthetists (MANA), representing over 900 Certified Registered Nurse Anesthetists (CRNAs) across Maryland, strongly supports House Bill 1086, which prohibits time limitations on anesthesia coverage.

CRNAs are advanced practice nurses who provide anesthesia care across all settings and for all patient populations. As frontline providers of anesthesia services, we have witnessed firsthand the negative impact that arbitrary time limitations on anesthesia coverage can have on patient care, procedural workflow, and healthcare costs.

Why This Legislation Is Needed:

1. **Patient Safety:** Medical procedures can take longer than anticipated due to unforeseen complications or patient-specific factors. When insurers impose time limitations on anesthesia coverage, it creates pressure to rush procedures or may result in patients experiencing pain or awareness if anesthesia services are prematurely discontinued.
2. **Clinical Autonomy:** Medical professionals must be able to deliver anesthesia based on clinical judgment and patient needs, not arbitrary time constraints imposed by payers. This bill appropriately places medical decision-making in the hands of licensed medical professionals.
3. **Equitable Care:** Currently, patients with complex medical conditions who require longer procedures may face financial penalties through denials of coverage for necessary anesthesia services. This creates an inequitable system where the most vulnerable patients face the greatest financial burdens.
4. **Comprehensive Coverage:** By requiring coverage for the entire duration of a procedure, this legislation ensures that all Maryland patients receive the comprehensive care they need without fear of unexpected out-of-pocket expenses.

House Bill 1086 represents a significant step forward in protecting patient safety, supporting medical professionals, and ensuring fair insurance practices. MANA particularly supports the

bill's clear language that prohibits time limitations and requires coverage for the "entire duration of the procedure" when anesthesia is ordered by a licensed medical professional.

Thank you for your consideration of our position on this crucial healthcare legislation. MANA urges a favorable report on House Bill 1086.

If you have any questions please contact MANA's lobbyist, William Kress, Esquire at bill@kresshammen.com.

HB1086 Anesthesia Times Crossover.pdf

Uploaded by: Irnise Williams

Position: INFO

CAROLYN A. QUATTROCKI
Chief Deputy Attorney General

LEONARD J. HOWIE III
Deputy Attorney General

CARRIE J. WILLIAMS
Deputy Attorney General

SHARON S. MERRIWEATHER
Deputy Attorney General

ZENITA WICKHAM HURLEY
Chief, Equity, Policy, and Engagement



**STATE OF MARYLAND
OFFICE OF THE ATTORNEY GENERAL
CONSUMER PROTECTION DIVISION
HEALTH EDUCATION AND ADVOCACY UNIT**

ANTHONY G. BROWN
Attorney General

WILLIAM D. GRUHN
Division Chief

KIMBERLY S. CAMMARATA
Unit Director

PETER V. BERNIS
General Counsel

CHRISTIAN E. BARRERA
Chief Operating Officer

IRNISE WILLIAMS
Deputy Unit Director

March 24, 2025

TO: The Honorable Pamela Beidle, Chair
Senate Finance Committee

FROM: Irnise F. Williams, Deputy Director, Health Education and Advocacy Unit

RE: House Bill 1086-Maryland Medical Assistance Program and Health Insurance -
Coverage for Anesthesia - Prohibiting Time Limitations- **SUPPORT IN
CONCEPT**

The Health Education and Advocacy Unit (HEAU) supports, in concept, House Bill 1086. This bill requires the Medicaid program and carriers to provide coverage for the delivery of anesthesia for the entire duration of the procedure; and prohibits placement of time limitations on the delivery of anesthesia. In November 2024, Anthem Blue Cross Blue Shield of Connecticut, New York and Missouri announced that it would no longer pay for anesthesia beyond a specified time limit, regardless of how long a surgery or procedure takes. This announcement caused an immediate uproar and national coverage on the news. The [American Society of Anesthesiologists](#) called on Anthem to reverse their policy along with state leaders in the states listed above.

Reportedly, Anthem planned to discourage overbilling by adopting a set of maximum time limits for procedures, inspired by data from the Centers for Medicare and Medicaid Services. If an operation went beyond the average time for medically necessary reasons, anesthesiologists could appeal for higher payment, making the process of reimbursement more arduous.

We support the protection this bill affords consumers. Consumers should not go into a surgical procedure that is covered by insurance and then come out with unexpected bills for care that was needed but not covered. Anesthesia lasts as long as a surgical procedure lasts and is necessary for the patient to be kept alive and stable throughout that procedure. Arbitrarily limiting coverage of anesthesia time, usurping the role of the providers caring for their patients, could lead to a decrease

in the quality of care or other harms, including surprise bills for consumers whose plans may not offer protection for noncoverage.

On the other hand, we do worry that mandated coverage of anesthesia services without any guidelines to manage the cost of anesthesia services creates opportunities for fraud, waste, and abuse. Though the vast majority of practitioners would act appropriately, some providers do engage in improper billing practices.

A proposed federal law, the “[Anesthesia for All Act](#),” offers an alternative approach, prohibiting carriers from denying payment for anesthesia services solely because the duration of care exceeded a pre-set time limit, and providing that medical necessity determinations are based on the assessment of the attending anesthesiologist or licensed anesthesia provider. We suggest consideration of this approach.