



DEPARTMENT OF HEALTH

Wes Moore, Governor · Aruna Miller, Lt. Governor · Meena Seshamani, M.D., Ph.D., Secretary

February 11, 2026

The Honorable Heather Bagnall
Chair, House Health Committee
241 Taylor House Office Building
Annapolis, Maryland 21401

RE: House Bill 498—Certificate of Need – Intermediate Health Care Facilities—Letter of Support

Dear Chair Bagnall and Committee Members,

The Maryland Department of Health (the Department) respectfully submits this letter of support for House Bill (HB) 498—Certificate of Need – Intermediate Health Care Facilities. The bill would repeal the exemption from the certificate of need (CON) requirement for a change in bed capacity for certain intermediate care facilities that offer substance use disorder (SUD) treatment services. The bill would permit medically managed residential SUD treatment services to open and operate without a CON if the Maryland Health Care Commission (MHCC), in its sole discretion, finds that the proposed facility is consistent with the state health plan, will result in the delivery of more efficient and effective health care services, and is in the public interest.

This bill applies to American Society of Addiction Medicine (ASAM) Level 3.7 Medically Monitored Intensive Inpatient Services, which provide medical oversight for individuals with SUD in a high-intensity residential setting. Such programs are licensed and overseen by the Department’s Behavioral Health Administration (BHA). Including these programs in the CON would assist BHA in managing SUD capacity, including monitoring for potential over or under concentration of beds within specific geographic regions.

In addition, Maryland Health-General Article, §7.5-802 requires the Department to establish the Mental Health and Substance Use Disorder Registry and Referral System (hereinafter “Bed Registry”) to provide a statewide system through which providers can identify and access private and State inpatient and outpatient mental health and SUD services for individuals with a clinical need. HB 498 bill is consistent with the goals of the Bed Registry, which seeks to quantify, in real time, behavioral health bed availability across the State.

The Department appreciates the Committee’s consideration of this support and would be pleased to discuss this matter further. For additional information or questions, please do not hesitate to contact Meghan Lynch, Director of Governmental Affairs at megan.lynch@maryland.gov.

Sincerely,



Meena Seshamani, MD, PhD
Secretary