

HOUSE BILL 971

J1

EMERGENCY BILL
ENROLLED BILL

(2lr2913)

— *Health and Government Operations/Finance* —

Introduced by **Delegate Kipke**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Maryland Medical Assistance Program – Substance ~~Abuse~~ Use Disorder**
3 **Treatment – Network Adequacy**

4 FOR the purpose of requiring the Maryland Department of Health and the Behavioral
5 Health Administration to ensure that the delivery system for specialty mental health
6 services for enrollees of managed care organizations has an adequate network of
7 providers available to provide ~~alcohol and drug abuse~~ substance use disorder
8 treatment for children under the age of 18 years; and generally relating to the
9 Maryland Medical Assistance Program and access to substance ~~abuse~~ use disorder
10 treatment services.

11 BY repealing and reenacting, with amendments,
12 Article – Health – General
13 Section 15–103(b)(21)
14 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



(2019 Replacement Volume and 2021 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Health – General

15–103.

(b) (21) (i) The Department shall establish a delivery system for specialty mental health services for enrollees of managed care organizations.

(ii) The Behavioral Health Administration shall:

1. Design and monitor the delivery system;

2. Establish performance standards for providers in the delivery system; and

3. Establish procedures to ensure appropriate and timely referrals from managed care organizations to the delivery system that include:

A. Specification of the diagnoses and conditions eligible for referral to the delivery system;

B. Training and clinical guidance in appropriate use of the delivery system for managed care organization primary care providers;

C. Preauthorization by the utilization review agent of the delivery system; and

D. Penalties for a pattern of improper referrals.

(iii) The Department shall collaborate with managed care organizations to develop standards and guidelines for the provision of specialty mental health services.

(iv) The delivery system shall:

1. Provide all specialty mental health services needed by enrollees;

2. For enrollees who are dually diagnosed, coordinate the provision of substance ~~abuse~~ **USE DISORDER** services provided by the managed care organizations of the enrollees;

1 3. Consist of a network of qualified mental health
2 professionals from all core disciplines;

3 4. Include linkages with other public service systems; and

4 5. Comply with quality assurance, enrollee input, data
5 collection, and other requirements specified by the Department in regulation.

6 (v) The Department may contract with a managed care organization
7 for delivery of specialty mental health services if the managed care organization meets the
8 performance standards adopted by the Department in regulations.

9 (vi) The provisions of § 15–1005 of the Insurance Article apply to the
10 delivery system for specialty mental health services established under this paragraph and
11 administered by an administrative services organization.

12 **(VII) THE DEPARTMENT AND THE BEHAVIORAL HEALTH**
13 **ADMINISTRATION SHALL ENSURE THAT THE DELIVERY SYSTEM HAS AN ADEQUATE**
14 **NETWORK OF PROVIDERS AVAILABLE TO PROVIDE ~~ALCOHOL AND DRUG ABUSE~~**
15 **SUBSTANCE USE DISORDER TREATMENT FOR CHILDREN UNDER THE AGE OF 18**
16 **YEARS.**

17 ~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect~~
18 ~~October 1, 2022.~~

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
20 measure, is necessary for the immediate preservation of the public health or safety, has been
21 passed by a yea and nay vote supported by three-fifths of all the members elected to each of
22 the two Houses of the General Assembly, and shall take effect from the date it is enacted.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.