

# HOUSE BILL 971

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By: **Delegate Kipke**

Introduced and read first time: February 10, 2022

Assigned to: Health and Government Operations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Medical Assistance Program – Substance Abuse Treatment – Network**  
3 **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 treatment for children under  
8 the age of 18 years; and generally relating to the Maryland Medical Assistance  
9 Program and access to substance abuse treatment services.

10 BY repealing and reenacting, with amendments,  
11 Article – Health – General  
12 Section 15–103(b)(21)  
13 Annotated Code of Maryland  
14 (2019 Replacement Volume and 2021 Supplement)

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

17 **Article – Health – General**

18 15–103.

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

21 (ii) The Behavioral Health Administration shall:

22 1. Design and monitor the delivery system;

23 2. Establish performance standards for providers in the

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 delivery system; and

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

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

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

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

10 D. Penalties for a pattern of improper referrals.

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

14 (iv) The delivery system shall:

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

17 2. For enrollees who are dually diagnosed, coordinate the  
18 provision of substance abuse services provided by the managed care organizations of the  
19 enrollees;

20 3. Consist of a network of qualified mental health  
21 professionals from all core disciplines;

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

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

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

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

31 **(VII) THE DEPARTMENT AND THE BEHAVIORAL HEALTH**  
32 **ADMINISTRATION SHALL ENSURE THAT THE DELIVERY SYSTEM HAS AN ADEQUATE**

1 NETWORK OF PROVIDERS AVAILABLE TO PROVIDE ALCOHOL AND DRUG ABUSE  
2 TREATMENT FOR CHILDREN UNDER THE AGE OF 18 YEARS.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
4 October 1, 2022.