

HOUSE BILL 971

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By: **Delegate Kipke**

Introduced and read first time: February 10, 2022

Assigned to: Health and Government Operations

Committee Report: Favorable

House action: Adopted

Read second time: March 11, 2022

CHAPTER _____

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.

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.



- 1 (ii) The Behavioral Health Administration shall:
- 2 1. Design and monitor the delivery system;
- 3 2. Establish performance standards for providers in the
4 delivery system; and
- 5 3. Establish procedures to ensure appropriate and timely
6 referrals from managed care organizations to the delivery system that include:
- 7 A. Specification of the diagnoses and conditions eligible for
8 referral to the delivery system;
- 9 B. Training and clinical guidance in appropriate use of the
10 delivery system for managed care organization primary care providers;
- 11 C. Preauthorization by the utilization review agent of the
12 delivery system; and
- 13 D. Penalties for a pattern of improper referrals.
- 14 (iii) The Department shall collaborate with managed care
15 organizations to develop standards and guidelines for the provision of specialty mental
16 health services.
- 17 (iv) The delivery system shall:
- 18 1. Provide all specialty mental health services needed by
19 enrollees;
- 20 2. For enrollees who are dually diagnosed, coordinate the
21 provision of substance abuse services provided by the managed care organizations of the
22 enrollees;
- 23 3. Consist of a network of qualified mental health
24 professionals from all core disciplines;
- 25 4. Include linkages with other public service systems; and
- 26 5. Comply with quality assurance, enrollee input, data
27 collection, and other requirements specified by the Department in regulation.
- 28 (v) The Department may contract with a managed care organization
29 for delivery of specialty mental health services if the managed care organization meets the
30 performance standards adopted by the Department in regulations.

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

4 (VII) THE DEPARTMENT AND THE BEHAVIORAL HEALTH
5 ADMINISTRATION SHALL ENSURE THAT THE DELIVERY SYSTEM HAS AN ADEQUATE
6 NETWORK OF PROVIDERS AVAILABLE TO PROVIDE ALCOHOL AND DRUG ABUSE
7 TREATMENT FOR CHILDREN UNDER THE AGE OF 18 YEARS.

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.