

Chapter 369

(Senate Bill 581)

AN ACT concerning

Behavioral Health Care Coordination Value-Based Purchasing Pilot Program

FOR the purpose of establishing the Behavioral Health Care Coordination Value-Based Purchasing Pilot Program in the Maryland Department of Health to establish and implement an intensive care coordination model using value-based purchasing in the specialty behavioral health system; and generally relating to the Behavioral Health Care Coordination Value-Based Purchasing Pilot Program.

BY adding to

Article – Health – General

Section 13–4801 through 13–4807 to be under the new subtitle “Subtitle 48. Behavioral Health Care Coordination Value-Based Purchasing Pilot Program”

Annotated Code of Maryland

(2019 Replacement Volume and 2022 Supplement)

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

Article – Health – General**SUBTITLE 48. BEHAVIORAL HEALTH CARE COORDINATION VALUE-BASED PURCHASING PILOT PROGRAM.****13–4801.**

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) “BEHAVIORAL HEALTH CARE COORDINATION” MEANS A PERSON-CENTERED, TEAM-BASED ACTIVITY DESIGNED TO:

(1) ASSESS AND MEET THE NEEDS OF AN INDIVIDUAL WITH A BEHAVIORAL HEALTH CONDITION; AND

(2) HELP THE INDIVIDUAL NAVIGATE THE HEALTH CARE SYSTEM EFFECTIVELY AND EFFICIENTLY.

(C) “PILOT PROGRAM” MEANS THE BEHAVIORAL HEALTH CARE

COORDINATION VALUE-BASED PURCHASING PILOT PROGRAM.

(D) “VALUE-BASED PURCHASING” MEANS FINANCIALLY INCENTIVIZING PROVIDERS TO MEET SPECIFIED OUTCOME MEASURES.

13-4802.

THERE IS A BEHAVIORAL HEALTH CARE COORDINATION VALUE-BASED PURCHASING PILOT PROGRAM IN THE DEPARTMENT.

13-4803.

THE PURPOSE OF THE PILOT PROGRAM IS TO ESTABLISH AND IMPLEMENT AN INTENSIVE CARE COORDINATION MODEL USING VALUE-BASED PURCHASING IN THE SPECIALTY BEHAVIORAL HEALTH SYSTEM.

13-4804.

(A) THE DEPARTMENT SHALL ADMINISTER THE PILOT PROGRAM.

(B) THE DEPARTMENT SHALL IDENTIFY AT LEAST 500 ADULTS WHOSE BEHAVIORAL HEALTH CONDITION OR FUNCTIONING PLACES THEM AT RISK OF HOSPITAL EMERGENCY DEPARTMENT UTILIZATION OR INPATIENT PSYCHIATRIC HOSPITAL ADMISSION.

(C) THE PILOT PROGRAM SHALL BE OPERATIONAL FOR A 3-YEAR PERIOD.

(D) A PROVIDER, OR NETWORK OF PROVIDERS, SELECTED TO PARTICIPATE IN THE PILOT PROGRAM SHALL:

(1) BE LICENSED AND IN GOOD STANDING WITH THE MARYLAND MEDICAL ASSISTANCE PROGRAM;

(2) HAVE EXPERIENCE IN PROVIDING COMMUNITY-BASED CARE COORDINATION TO SPECIALTY BEHAVIORAL HEALTH PROGRAM RECIPIENTS;

(3) USE AN ELECTRONIC MEDICAL RECORD FOR DOCUMENTING CARE COORDINATION ACTIVITIES AND OUTCOMES COLLECTION; AND

(4) HAVE AN AUTOMATED DATA EXCHANGE WITH THE STATE-DESIGNATED HEALTH INFORMATION EXCHANGE.

(E) THE DEPARTMENT SHALL:

(1) PROVIDE REIMBURSEMENT ON A PER MEMBER PER MONTH BASIS FOR THE BEHAVIORAL HEALTH CARE COORDINATION ACTIVITIES THAT ARE NOT OTHERWISE COVERED BY THE MARYLAND MEDICAL ASSISTANCE PROGRAM;

(2) COLLECT OUTCOMES DATA ON RECIPIENTS OF HEALTH CARE SERVICES UNDER THE PILOT PROGRAM; AND

(3) EVALUATE THE EFFECTIVENESS OF THE VALUE-BASED PURCHASING MODEL BY ANALYZING THE FOLLOWING OUTCOME MEASURES:

(I) A COMPARISON OF THE FOLLOWING DATA ELEMENTS BEFORE AND AFTER ENROLLMENT OF RECIPIENTS OF HEALTH CARE SERVICES UNDER THE PILOT PROGRAM:

1. EMERGENCY DEPARTMENT UTILIZATION FOR BOTH BEHAVIORAL AND SOMATIC HEALTH PURPOSES;

2. INPATIENT HOSPITALIZATION FOR BOTH BEHAVIORAL AND SOMATIC HEALTH PURPOSES; AND

3. TOTAL HEALTH CARE EXPENDITURES;

(II) OUTCOMES FOR RECIPIENTS WITH AND WITHOUT PRIMARY CARE SERVICES COORDINATED BY A BEHAVIORAL HEALTH PROVIDER; AND

(III) RECOGNIZED CLINICAL QUALITY METRICS WHICH MAY INCLUDE PATIENT EXPERIENCE MEASURES.

13-4805.

IF NECESSARY TO IMPLEMENT THE PILOT PROGRAM, THE DEPARTMENT SHALL APPLY TO THE CENTERS FOR MEDICARE AND MEDICAID SERVICES FOR AN AMENDMENT TO THE STATE'S § 1115 HEALTHCHOICE DEMONSTRATION.

13-4806.

(A) FOR EACH OF FISCAL YEARS 2025 THROUGH 2027, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$600,000 FOR THE PILOT PROGRAM.

(B) BEGINNING IN FISCAL YEAR 2026, THE DEPARTMENT SHALL ALLOCATE

A PERCENTAGE OF THE ANNUAL APPROPRIATION REQUIRED UNDER SUBSECTION (A) OF THIS SECTION TO REIMBURSEMENT PAID BASED ON THE ACHIEVEMENT OF THE OUTCOME MEASURES DESCRIBED IN § 13-4804(E)(3) OF THIS SUBTITLE.

(C) IN FISCAL YEAR 2027, THE DEPARTMENT SHALL INCREASE THE PERCENTAGE OF THE ANNUAL APPROPRIATION REQUIRED UNDER SUBSECTION (A) OF THIS SECTION ALLOCATED TO REIMBURSEMENT PAID IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION OVER THE PERCENTAGE ALLOCATED IN FISCAL YEAR 2026.

13-4807.

ON OR BEFORE NOVEMBER 1, 2027, THE DEPARTMENT SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE DEPARTMENT'S FINDINGS AND RECOMMENDATIONS FROM THE PILOT PROGRAM.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2023. It shall remain effective for a period of 4 years and 2 months and, at the end of November 30, 2027, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

Approved by the Governor, May 3, 2023.