

Department of Legislative Services
Maryland General Assembly
2025 Session

FISCAL AND POLICY NOTE
Enrolled - Revised

House Bill 1351

(Delegate Ghrist, *et al.*)

Health and Government Operations

Finance

Health Insurance - Provider Panels - Credentialing for Behavioral Health Care Professionals

This bill specifies the actions a carrier must take if it provides notice to certain behavioral health providers of its intent to continue to process the provider's application to obtain necessary credentialing information. Within 60 days after the date a carrier receives a completed application, the carrier must (1) accept or reject the provider for participation on the carrier's provider panel and (2) send written notice of the acceptance or rejection at the address listed in the application. A carrier that fails to send the written notice is subject to existing sanctions – specifically, suspension or revocation of a certificate of authority and/or a penalty of at least \$100 and as much as \$125,000 per violation as well as being issued a cease-and-desist order. The bill also removes a licensed graduate social worker (LGSW) from the list of providers of community-based health services that a carrier is prohibited from rejecting for participation on the carrier's panel.

Fiscal Summary

State Effect: The bill does not substantively change State activities or operations.

Local Effect: Local government finances and operations are not directly affected.

Small Business Effect: Potential meaningful.

Analysis

Bill Summary: The requirement applies to applications from a licensed master social worker (LMSW), licensed graduate alcohol and drug counselor, licensed graduate marriage and family therapist, licensed graduate professional art therapist, licensed graduate

professional counselor, or registered psychology associate who provides community-based health services for an accredited behavioral health program.

Current Law:

Provider Panel Procedures

A provider seeking to participate on a carrier's provider panel must submit an application to the carrier. Within 30 days after receipt of a completed application, a carrier must send the provider a written notice of the carrier's *intent* to continue to process the provider's application or the carrier's rejection of the provider for participation on the carrier's provider panel. A carrier that fails to provide this required notice is subject to suspension or revocation of a certificate of authority and/or a penalty of at least \$100 and as much as \$125,000 per violation.

If a carrier provides notice to the provider of its intent to continue to process the provider's application, the carrier must, within 120 days after the date the notice is provided, accept or reject the provider for participation and send written notice of the acceptance or rejection to the provider. A carrier that fails to send this notice is subject to suspension or revocation of a certificate of authority and/or a penalty of at least \$100 and as much as \$125,000 per violation as well as being issued a cease-and-desist order.

A carrier must notify the provider when an application is complete either through the online credentialing system or by mail within 10 days after a complete application is received. A carrier must return an incomplete application to the provider by mail within 10 days of receipt and notify the provider what information is needed to complete the application.

A carrier may not deny an application for participation or terminate participation on its provider panel on the basis of sex, sexual orientation, gender identity, race, age, religion, national origin, or a protected category under the Americans with Disabilities Act; the type or number of complaints, appeals, or grievances the provider files; or solely because of the license, certification, or other authorization of the provider to provide health care services if the carrier provides health care services within the provider's lawful scope of practice. A carrier may reject an application for participation or terminate participation based on the participation of a sufficient number of similarly qualified providers.

A carrier may not reject a provider who provides community-based health services for an accredited behavioral health program for participation on the carrier's provider panel because the provider practices within the scope of the provider's license and is an LGSW, LMSW, licensed graduate alcohol and drug counselor, licensed graduate marriage and family therapist, licensed graduate professional art therapist, licensed graduate professional counselor, or registered psychology associate.

Provider Licenses

An LGSW is an individual licensed by the State Board of Social Work Examiners (SBSWE), on or before June 30, 2018, to practice “graduate social work” under specified supervision.

An LMSW is an individual licensed by SBSWE, on or after July 1, 2018, to practice “master social work” under specified supervision. Chapters 548 and 549 of 2017 established the LMSW credential, which replaced the LGSW license. A person who was an LGSW on June 30, 2018, must be considered, in all respects, licensed as an LMSW by SBSWE.

A licensed graduate alcohol and drug counselor is an individual approved by the State Board of Professional Counselors and Therapists (SBPCT) to practice “graduate alcohol and drug counseling,” which is clinical alcohol and drug counseling performed under the supervision of a licensed clinical alcohol and drug counselor or another licensed health care provider while fulfilling the requirements for supervised experience required for licensure as a clinical alcohol and drug counselor.

A licensed graduate marriage and family therapist is an individual approved by SBPCT to practice “graduate marriage and family therapy,” which is clinical marriage and family therapy performed under the supervision of a licensed clinical marriage and family therapist or another licensed health care provider while fulfilling the requirements for supervised experience required for licensure as a clinical marriage and family therapist.

A licensed graduate professional art therapist is an individual approved by SBPCT to practice “graduate professional art therapy,” which is clinical professional art therapy performed under the supervision of a licensed professional art therapist or another licensed health care provider while fulfilling the requirements for supervised experience required for licensure as a clinical professional art therapist.

A licensed graduate professional counselor is an individual approved by SBPCT to practice “graduate professional counseling,” which is clinical professional counseling performed under the supervision of a licensed clinical professional counselor or another licensed health care provider approved by the board while obtaining the two years of postgraduate supervised experience required for licensure as a clinical professional counselor.

A registered psychology associate is an individual registered by the State Board of Examiners of Psychologists to practice psychology in the State and may practice only if supervised by a licensed psychologist. To qualify as a registered psychology associate, an applicant must meet specified educational requirements (a minimum of a master’s degree

in specified fields of study), successfully pass the State law examination, and submit to a criminal history records check.

Small Business Effect: Small business community-based health care providers may be able to increase the number of their providers participating on carrier provider panels and subsequently submit for additional insurance reimbursement.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Maryland Insurance Administration; Department of Legislative Services

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Analysis by: Jennifer B. Chasse

Direct Inquiries to:
(410) 946-5510
(301) 970-5510