



Senate Bill 99
Health Insurance Benefit Cards, Prescription Benefit Cards and Other Technology –
Identification of Regulatory Agency
House Health and Government Operations Committee
March 16, 2020

SUPPORT

Thank you for the opportunity to submit testimony in **support of SB 99**, which would require entities that offer state-regulated private and public health insurance to identify the state body that is responsible for regulating such insurance on insurance benefit cards, prescription benefit cards or other technology. The Legal Action Center is a law and policy organization whose mission is to fight discrimination against individuals with histories of substance use disorders, HIV/AIDs and criminal history records. In Maryland, the Center works with its partners in the Maryland Parity Coalition to ensure that our private and public insurance markets offer comprehensive, non-discriminatory coverage of mental health and substance use disorder benefits, as required under federal and state parity laws.

The Legal Action Center strongly supports SB 99 which will help Marylanders identify the state regulatory body that they can contact for help with health insurance questions. Health insurance coverage is confusing for consumers because multiple entities offer insurance, and carriers that offer fully-insured plans are often indistinguishable from those same entities that are a third-party administrator for self-insured plans. Seeking assistance is daunting because consumers do not know who has enforcement authority in the patchwork of state and federal regulators.

Requiring carriers and managed care organizations to include this information on each member’s insurance and prescription benefit cards would ensure that consumers have this essential information in the most readily available place.

The name of the regulatory entity is particularly important for Marylanders who need help accessing mental health and substance use disorder benefits. All state-regulated plans that offer minimum essential coverage in Maryland are required to provide mental health and substance use disorder benefits, and virtually all are subject to the non-discrimination standards of state and federal parity laws. If the Maryland Insurance Administration or Maryland Department of Health were identified on the insurance card, a consumer (with proper education) would know that they have the right to parity-compliant mental health and substance use disorder coverage and can assert their rights with the identified state regulator.

The value of carriers including this information on insurance cards and other technology is borne out by a 2019 consumer survey conducted by the Parity at 10 Campaign, led by the Legal Action Center. The survey (a convenience sample that included 545 Marylanders (44%) out of 1,239 respondents) revealed that:

- Consumers relied on their insurance carrier above all other resources for information about their mental health and substance use disorder coverage.

- The majority of consumers (61%) reported calling their insurance company or looking on the health plan's website (51%) for this information, while far fewer (34%) reported looking at their plan documents.

Parity at 10 Campaign (2019). Consumer Health Insurance Knowledge and Experience Survey: Report of Findings at 19. Available at <https://parityat10.org>.

SB 99 would enhance the ability of consumers to seek guidance on their insurance coverage by identifying the responsible regulator in the one place that consumers (and their providers) look first for health plan information.

Thank you for considering our views. We urge a favorable report on SB 99.

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