

**Senate Bill 323 - Maryland Medical Assistance Program – Prior Authorization for Drug Products to Treat Opioid Use Disorder - Prohibition**

Finance Committee

February 8, 2022

**Position: SUPPORT**

The Mental Health Association of Maryland is a nonprofit education and advocacy organization that brings together consumers, families, clinicians, advocates and concerned citizens for unified action in all aspects of mental health, mental illness and substance use. We appreciate this opportunity to present testimony in support of Senate Bill 323.

SB 323 prohibits Medicaid from applying a prior authorization requirement for medications used to treat an opioid use disorder. This bill is in line with House Bill 887 passed in 2017, prohibiting prior authorizations for the three FDA-approved opioid use disorder medications in commercial insurance plans.

Maryland has seen a steady increase in opioid-related fatal overdoses throughout the past decade, most recently with 2,518 deaths in 2020 and 1,217 deaths in the first 6 months of 2021, particularly in those over the age of 45.<sup>1</sup> Throughout the United States, the COVID-19 pandemic has worsened the drug overdose epidemic. In June 2020, the American Medical Association penned a letter to the U.S. Centers for Disease Control and Prevention asking for all health insurance programs, both private and public, to remove arbitrary restrictions for patients who would benefit from opioid therapy. Among these was the request to remove prior authorization, step therapy, and additional inappropriate administrative burdens that would delay or deny FDA-approved medications used to treat opioid use disorders.<sup>2</sup>

In the first six months of 2021, the Maryland Department of Health Office of Preparedness and Response reported 5,548 non-fatal, opioid-related visits to emergency departments, a 42.3% increase from the same period in 2020.<sup>1</sup> A study of Medicare Part D beneficiaries showed that removing prior authorizations on buprenorphine-naloxone may be associated with increased use and improved health care outcomes, and with it reduced healthcare utilization and expenditures.<sup>3</sup>

The prohibition of prior authorization for opioid-use disorder medications can save lives throughout Maryland. Consumers and providers should not repeatedly worry about medication and service disruption for a vulnerable population. For these reasons, MHAMD supports SB 323 and urges a favorable report.

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<sup>1</sup>Maryland OOC 2021 Second Quarter Report, <https://beforeitstoolate.maryland.gov/wp-content/uploads/sites/34/2021/09/OOCC-Q2-2021-Quarterly-Report.pdf>

<sup>2</sup>American Medical Association (June 2020), <https://searchf.ama-assn.org/undefined/documentDownload?uri=%2Funstructured%2Fbinary%2Fletter%2FLETTERS%2F2020-6-16-Letter-to-Dowell-re-Opioid-Rx-Guideline.pdf>

<sup>3</sup>Mark, T., Parish, W., & Zarkin, G. (April 2020), <https://jamanetwork.com/journals/jamanetworkopen/fullarticle/2764598>