



February 8, 2022

**Senate Finance Committee
TESTIMONY IN SUPPORT**

SB 323 – Maryland Medical Assistance Program – Prior Authorization for Drug Products to Treat an Opioid Use Disorder – Prohibition

Behavioral Health System Baltimore (BHSB) is a nonprofit organization that serves as the local behavioral health authority (LBHA) for Baltimore City. BHSB works to increase access to a full range of quality behavioral health (mental health and substance use) services and advocates for innovative approaches to prevention, early intervention, treatment and recovery for individuals, families, and communities. Baltimore City represents nearly 35 percent of the public behavioral health system in Maryland, serving over 78,000 people with mental illness and substance use disorders (collectively referred to as “behavioral health”) annually.

Behavioral Health System Baltimore strongly supports SB 323, Maryland Medical Assistance Program – Prior Authorization for Drug Products to Treat and Opioid Use Disorder – Prohibition. This bill would prohibit Maryland Medicaid from imposing prior authorization requirements on medications for opioid use disorder (MOUD), removing any potential barriers to accessing these lifesaving medications.

Maryland has been one of the states hardest hit by the opioid overdose epidemic. Maryland has consistently been among the top five states in the number of overdose deaths per capita and things have only worsened during the pandemic. **Approximately 2,800 Marylanders lost their lives due to overdose in 2020, a four-fold increase over the last decade.**

As the LBHA for Baltimore City, BHSB has seen the opioid overdose crisis up close. Baltimore has struggled with opioid misuse for many years and much of the increase in overdose death in Maryland has been driven by an increase in Baltimore City. In 2020, almost 1,000 people died of overdose in Baltimore and over 60% of all Maryland overdose deaths occurred in Baltimore City and neighboring Baltimore and Anne Arundel Counties. And in both Baltimore and Maryland, this shocking loss of life has been disproportionately concentrated in our Black communities. **The rate of overdose death among Black Marylanders has increased almost ten-fold over the last decade.**¹

At BHSB, we know providing effective treatment and helping our neighbors achieve recovery is essential to reducing overdose deaths. Treatment using MOUD has been proven the most effective at reducing illicit opioid use, avoiding relapse, remaining in treatment, preventing overdose, and achieving recovery. Methadone, buprenorphine, and naltrexone, the three FDA approved OUD medications, are critical, life-saving treatments and BHSB has done everything we can to promote their use. BHSB has pursued the Buprenorphine Initiative, the Hub Spoke model, improved discharge planning at hospitals, methadone home delivery and new opioid treatment programs that provide methadone to address our community’s need for effective OUD treatment.

BHSB has strived to ensure access to the highest quality treatment for residents struggling with opioid misuse, but arbitrary insurance barriers can obstruct access to these lifesaving medications. Maryland banned the use of prior authorization practices in private insurance five years ago but has allowed Maryland Medicaid to continue to favor some brands of MOUD over others, which create inequities

with access to treatment options. This is not abstract. Maryland Medicaid has taken brands of MOUD off its preferred drug list for non-clinical reasons. When this happened most recently, it caused delays in accessing the MOUD taken by some patients and unnecessarily disrupted their treatment regimen. Some patients had to change their medication to adapt and undoubtedly some may have been lost to care or worse as result of this change.

The most appropriate form and brand of MOUD should be a decision made by a patient, their treatment provider, and their doctor alone. Maryland must prohibit barriers to care for MOUD in its Medicaid program, as it already does for private insurance. **BHSB urges a favorable report on SB 323.**

For more information, please contact BHSB Policy Director Dan Rabbitt at 443-401-6142

Endnotes:

¹ Maryland Opioid Operational Command Center 2020 Annual Report: <https://beforeitstoolate.maryland.gov/wp-content/uploads/sites/34/2021/04/2020-Annual-Report-Final.pdf>