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February 10, 2025

Senator Pamela Beidle, Chair

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Finance Committee

Miller Senate Office Building, 3 East

Annapolis, MD 21401

### **RE: SB 437 Health Maintenance Organizations – Payments to Non-Participating Providers – Reimbursement Rate**

### **Position: SUPPORT**

Dear Chair, Vice-Chair and Members of the Committee:

The Maryland Psychological Association, (MPA), which represents over 1,000 doctoral level psychologists throughout the state, asks the Senate Finance Committee to **FAVORABLY report on SB 437**.

SB 437 aligns the HMO law with the PPO law by adding a specific date to the HMO law from which the insurer must base calculations for out of network payment to providers. Maryland's PPO law has the specific date of January 1, 2010, to be sure that insurers enter contract negotiations with hospital-based physicians in good faith (as opposed to, for example, lowering the benchmark rate year over year). **However, Maryland HMO law does not provide a date certain in the calculation methodology for out of network rates and this problem would be remedied with SB 437.**

Current law references 125% of the average contractual rate the health maintenance organization paid as of *"January 1 of the previous calendar year"*. **Senate Bill 437** changes this to ... "125% of the average contractual rate the health maintenance organization paid as of **JANUARY 31, 2019... INFLATED BY THE CHANGE IN THE MEDICARE ECONOMIC INDEX FROM 2019 TO THE CURRENT YEAR.**" This date reflects what is established in the Federal No Surprises Act to serve as the specific date and baseline from which insurers must utilize in determining out of network rate.

We urge the Committee to issue a **favorable report on SB 437**. If we can be of any further assistance, please do not hesitate to contact MPA's Legislative Chair, Dr. Stephanie Wolf, JD, Ph.D. at [mpalegislativcommittee@gmail.com](mailto:mpalegislativcommittee@gmail.com).

Respectfully submitted,

*David Goode-Cross, Ph.D.*

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President

*Stephanie Wolf, JD, Ph.D.*

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Chair, MPA Legislative Committee

cc: Richard Bloch, Esq., Counsel for Maryland Psychological Association  
Barbara Brocato & Dan Shattuck, MPA Government Affairs