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January 27, 2025

Senator Pamela Beidle, Chair
Senator Antonio Hayes, Vice Chair
Finance Committee
3 East, Miller Senate Office Building
Annapolis, MD 21401

Bill: Senate Bill 111 – Maryland Medical Assistance Program and Health Insurance - Step Therapy, Fail-First Protocols, and Prior Authorization - Prescription to Treat Serious Mental Illness

Position: SUPPORT with Amendment

Dear Chair Beidle, Vice Chair Hayes, and Members of the Committee:

The Maryland Psychological Association (MPA), which represents over 1,000 doctoral-level psychologists throughout the state, is writing in **SUPPORT with an amendment of Senate Bill 111 – Maryland Medical Assistance Program and Health Insurance - Step Therapy, Fail-First Protocols, and Prior Authorization - Prescription to Treat Serious Mental Illness**. The bill addresses a crucial issue in the treatment of severe mental illness – finding the right medication as rapidly as possible.

“Step Therapy” requirements by insurance companies, also known as “Fail First,” force patients to “fail first” on cheaper and possibly less effective medications even when the prescribing practitioner has recommended other specific medications which may be more effective – but may also be more expensive. The carriers require the consumer to use a less expensive medication, and fail that treatment, often for painfully long periods of time, before the carrier will authorize the medicine prescribed by the patient’s prescribing practitioner. When a health insurer requires step therapy, it can pose serious and dangerous risks to a person taking the mental health medication, prolong their unnecessary suffering, and result in worsening symptoms and even more impaired functioning.

SB 111 exempts individuals with specific serious and significant mental health diagnoses from fail-first/step therapy protocols: individuals diagnosed with bipolar disorder, schizophrenia, major depression, post-traumatic stress disorder and related movement disorders.

Untreated or inadequately treated, serious mental health conditions can result in unnecessary disability, emergency department visits and hospitalizations, unemployment, substance abuse, homelessness, inappropriate incarceration, increased risk of suicide, and diminished quality of life.

In our experience, untreated severe ADHD can have equally serious outcomes, so we believe that ADHD should be added to this list. We offer the following amendment, on page 2, lines 16-18: (4) POST-TRAUMATIC STRESS DISORDER; (5) ADHD; OR (6) A MEDICATION-INDUCED ... “

We ask the Committee to report favorably on SB 111 with the proposed amendment. If we can provide any additional information or be of any assistance, please do not hesitate to contact the Chair of MPA’s Legislative Committee, Dr. Stephanie Wolf, at mpalegislativcommittee@gmail.com.

Respectfully submitted,

David Goode-Cross, Ph.D.
David Goode-Cross, Ph.D.
President

Stephanie Wolf, JD, Ph.D.
Stephanie Wolf, JD, Ph.D.
Chair, MPA Legislative Committee

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