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Prince George's County

PRESIDENT PRO TEMPORE

Executive Nominations Committee

Education, Energy and the
Environment Committee



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February 18, 2025

The Honorable Pamela G. Beidle

Chairwoman, Senate Finance Committee

3 East Miller Senate Office Building

11 Bladen Street Annapolis, MD 21401

**RE: SB0592 - Public Health - Health Care Quality Fund for Community-Based
Behavioral Health Programs - Establishment**

Position: **Favorable**

Chair Beidle and Members of the Committee,

The Problem:

- In a recent report on the Behavioral Workforce, the Maryland Health Care Commission found that the state has half the behavioral health workforce required to meet the current need or funding to support their training.¹
- These shortages have led to service delays, increased workload for already overworked staff, and a diminished ability to meet the needs of Maryland's most vulnerable residents.
- There is a lack of oversight on if and how often the penalties are currently enforced, and the penalties are not guaranteed to go back into the behavioral health system.

What SB0592 does:

- The bill creates a new fund that prioritizes reinvestment of CMP funds into training, grants, and demonstration projects, directly improving patient care and provider compliance.

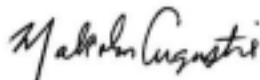
- This legislation follows Maryland's existing approach for assisted living facilities and nursing homes.²
- This protects the levying of penalties from the appearance of a conflict of interest and ensures that penalties benefit community-based behavioral health programs in accordance with best practices for regulatory oversight and ethical governance.
- The bill is capped at \$10,000 per instance of violation.

How SB0592 helps:

- **It helps by creating a dedicated civil monetary penalty fund to support the behavioral health workforce by reinvesting fines rather than allowing them to be absorbed into the General Fund.**
- Allocating penalty funds for quality initiatives strengthens Maryland's behavioral health system, ensuring patients receive safe, effective, and high-quality care.
- The non-lapsing fund structure guarantees that all penalty funds remain within the behavioral health system, preventing reallocation to unrelated state expenditures and ensuring transparency.
- In other states such as Rhode Island, Connecticut, Delaware, New York, Pennsylvania have used similar funds to support mental health, opioid, and behavioral health educational or training funds to address the needs of their communities.³
- On the federal level, CMS has instituted a similar program for nursing homes and has seen positive health outcomes from their program.⁴
- Over \$75,000 was collected in penalties for a similar fund from Maryland State Assisted Living Violations.⁵
- A better trained workforce will ensure that more providers and workers are able to stay and thrive in Maryland, and reduces the amount of errors, delays, and provider burnout that is rampant at this time.
- This fund will ensure that there is funding available to support a higher standard of care for some of the most vulnerable populations.

In summary, this bill represents a vital step in protecting and improving behavioral health workforce as well as improving health quality outcomes for Marylanders.

Chair Beidle and members of the committee, I ask for your favorable report.



Sincerely, Senator Malcolm Augustine
President Pro Tempore -- District 47 – Prince George's County

1. Hall A, Korn A, Waller K, Shapiro J, PhD. Maryland behavioral health workforce review. . 2024.
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2. MD health - general code § 19-1811 (2024). . (2024). doi: MD Health - General Code § 19-1811 (2024).
3. Kirby J, Slone S, The Council of State Governments. Mental health insurance: State legislative and enforcement activities. . 2022. https://www.csg.org/wp-content/uploads/sites/7/2021/09/Mental_Health_Parity.pdf?utm_source=chatgpt.com.
4. Centers for Medicaid and Medicare Services. Civil money penalty reinvestment program. . 2023. Available from: <https://www.cms.gov/medicare/health-safety-standards/quality-safety-oversight-general-information/civil-money-penalty-reinvestment-program..>
5. Maryland Office of Health Care Quality. Health care quality account grants program FY 2023 annual report. . 2023.
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