

WES MOORE
Governor

ARUNA MILLER
Lt. Governor



MARIE GRANT
Acting Commissioner

JOY Y. HATCHETTE
Deputy Commissioner

DAVID COONEY
Associate Commissioner

200 St. Paul Place, Suite 2700, Baltimore, Maryland 21202

Direct Dial: 410-468-2471 Fax: 410-468-2020

1-800-492-6116 TTY: 1-800-735-2258

www.insurance.maryland.gov

Date: March 20, 2025

Bill # / Title: Senate Bill 902 - Health Insurance - Access to Nonparticipating Providers – Referrals, Additional Assistance, and Coverage

Committee: House Health and Government Operations Committee

Position: Support

The Maryland Insurance Administration (MIA) appreciates the opportunity to share its support for Senate Bill 902. Senate Bill 902 is in an identical posture as its cross-file, House Bill 11, which was moved favorably with unanimous support by this committee.

Senate Bill 902 seeks to enable individuals with mental health and substance use disorders to receive services from out-of-network providers with limited additional costs, long travel distances, or extensive prior authorization requirements. In addition to these protections, the bill removes the sunset clause on certain already-established consumer protections and imposes additional requirements on insurance carriers to assist those seeking out-of-network treatment. These additional requirements include providing assistance to individuals seeking an out-of-network provider, and ensuring that balance billing protections last for the full duration of the treatment plan requested. The bill also changes the out-of-network referral process to enable people who are seeking mental health and substance use disorder care to obtain a referral prior to receiving a formal diagnosis. Finally, if a carrier approves such a referral request, the bill specifies that the carrier may not require utilization review beyond the level that would be required if the covered benefit were furnished by a provider who was already on the carrier's provider panel.

According to a recent study by RTI International, Marylanders are nearly 21 times more likely to go out of network for inpatient behavioral health treatment versus inpatient medical/surgical treatment, a rate that is more than three times the national average.¹ The protections contained within Senate Bill 902 would represent an important step towards insurance plans providing equitable coverage for mental health and substance use disorder treatments relative to other healthcare services.

For these reasons, the MIA urges a favorable recommendation for Senate Bill 902.

¹ Mark, T. L., & Parish, W. J. (2024). Behavioral health parity – Pervasive disparities in access to in-network care continue.