



Position Paper

House and Government Operations

HB0735: Certificate of Need – Psychiatric Health Care Facilities and Psychiatric and Mental Health Services – Exemption

February 26, 2025

Position: **Oppose**

Brook Lane opposes HB0735: Certificate of Need – Psychiatric Health Care Facilities and Psychiatric and Mental Health Services – Exemption.

Brook Lane believes the elimination of the Certificate of Need (CON) process for psychiatric hospital beds and psychiatric services removes critical regulatory and oversight practices that can ensure sustainability of new services, verifies that the services established are appropriate for a specific geographic area and validates the new organization has the expertise and capabilities to provide high quality care.

The legislation in question proposes to remove this structured process. In the absence of this process, we believe that the healthcare environment in Maryland may be negatively impacted by the entry of providers without the skill, resources, knowledge base, and expertise to safely and effectively operate a mental health hospital system. Additionally, this bill does not consider workforce shortages of critical positions required to operate psychiatric facilities that could be further cannibalized with uncontrolled growth. In these circumstances, adding beds in an area that cannot sustain the workforce to support this growth could cause additional beds to be understaffed, and therefore closed. Given the mission to care for Maryland's most in need as well as the ongoing behavioral health crisis, we strongly believe that this bill would not improve access to care, but rather reduce the quality of behavioral healthcare overall.

In conclusion, this legislation fails to address the ongoing issues of limited clinical workforce in critical shortage areas, poor reimbursement for behavioral health services, and limited assets dedicated to post-discharge placement which leads to available beds being understaffed and beds in use being occupied with patients in overstay status. Addressing these issues will have a more positive impact on improving quality of care. Therefore, Brook Lane urges the Committee to reject HB0735 and are willing to collaborate with the State legislature to assist in designing legislation in the interest of improving behavioral health access to care in Maryland.



About Brook Lane

Brook Lane, Inc. is an affiliate of Meritus Health, Inc. and is western Maryland's largest, non-profit mental health system. The main campus in Hagerstown, MD is home to the second largest freestanding psychiatric hospital in Maryland. Our 65 bed hospital, serving children, adolescents, and adults, as well as our comprehensive continuum of outpatient services has been meeting the mental health needs of the state for 75 years.

Sincerely,

Jeffery D. O'Neal, MBA, LCPC, FACHE
Chief Executive Officer