



MARYLAND SOCIETY OF ANESTHESIOLOGISTS

Date: March 6, 2025
Committee: The Honorable Joseline Peña-Melnyk, Chair
House Health and Government Operations Committee
Bill: House Bill 1086 – Maryland Medical Assistance Program and Health Insurance - Coverage for Anesthesia - Prohibiting Time Limitation
Position: Support

The Maryland Society of Anesthesiologists (MSA) is a state component society of the American Society of Anesthesiologists (ASA). The MSA is a non-profit physician organization dedicated to promoting the safest and highest standards of the profession of anesthesiology in the State of Maryland. Our purpose is to advocate on behalf of our members for their patients through policy, education, and research.

As introduced House Bill 1086 would “require, beginning January 1, 2026, the Maryland Medical Assistance Program, managed care organizations, and certain insurers, nonprofit health service plans, and health maintenance organizations, if providing coverage for the delivery of anesthesia for a procedure for which a licensed medical professional issues an order, to provide the coverage for the entire duration of the procedure.”

Why is this bill necessary?

In November of 2024, Anthem Blue Cross Blue Shield plans representing Connecticut, New York and Missouri unilaterally declared it will no longer pay for anesthesia care if the surgery or procedure goes beyond an arbitrary time limit, regardless of how long the surgical procedure takes. With this new policy, Anthem will arbitrarily pre-determine the time allowed for anesthesia care during surgery or procedure. If an anesthesiologist submits a bill where the actual time of care is longer than Anthem's limit, Anthem will deny payment for the anesthesiologist's care. With this new policy, Anthem will not pay anesthesiologists for delivering safe and effective anesthesia care to patients who may need extra attention because their surgery is difficult, unusual or because a complication arises.

Thankfully, Anthem in December 2024, reversed this policy change, but only after concerns were raised from the American Society of Anesthesiologists (ASA), our surgical colleagues and the Governors and policy makers in the impacted states.

What is Anesthesia time?

Anesthesiologists provide individualized care to every patient, carefully assessing the patient's health prior to the surgery, looking at existing diseases and medical conditions to determine the resources and medical expertise needed, attending to the patient during the entire procedure, resolving unexpected complications that may arise and/or extend the duration of the surgery, and working to ensure that the patient is comfortable during recovery. **Payment for anesthesia services is based on several factors, including the exact amount of time for anesthesiologists to deliver care preoperatively, during the operation, and when transitioning the patient to the recovery unit afterwards.**

How House Bill 1086 protects patient safety.

This bill will prohibit the state Medicaid program and commercial insurers regulated in the state of Maryland from implementing any policy that attempts to limit the duration of anesthesia or restrict payment of anesthesia time. Insurers are increasingly looking for ways to undercut medically necessary patient care under the guise of cost savings, when real harm is felt by their subscribers whose healthcare is jeopardized by arbitrary financial policies that go against safe patient care.

The MSA has worked with the bill sponsor on some clarifying language to make clear that prohibitions or policies designed to limit anesthesia administration, and payment for the entire course of anesthesia services are not acceptable.

Proposed Amendments:

Page 2, beginning line 29, STRIKE beginning with "place" thru "anesthesia" and INSERT the following:

ESTABLISH, IMPLEMENT OR ENFORCE ANY POLICY, PRACTICE, OR PROCEDURE THAT IMPOSES A TIME LIMIT FOR THE PAYMENT OF ANESTHESIA SERVICES PROVIDED DURING A MEDICAL OR SURGICAL PROCEDURE, AND 3. MAY NOT ESTABLISH, IMPLEMENT OR ENFORCE ANY POLICY, PRACTICE, OR PROCEDURE THAT RESTRICTS OR EXCLUDES ALL ANESTHESIA TIME FOR THE PAYMENT OF ANESTHESIA SERVICES.

Page 3, beginning line 32, STRIKE beginning with "place" thru "anesthesia" and INSERT the following:

ESTABLISH, IMPLEMENT OR ENFORCE ANY POLICY, PRACTICE, OR PROCEDURE THAT IMPOSES A TIME LIMIT FOR THE PAYMENT OF ANESTHESIA SERVICES PROVIDED DURING A MEDICAL OR SURGICAL PROCEDURE, AND 3. MAY NOT ESTABLISH, IMPLEMENT OR ENFORCE ANY POLICY, PRACTICE, OR PROCEDURE THAT RESTRICTS OR EXCLUDES ALL ANESTHESIA TIME FOR THE PAYMENT OF ANESTHESIA SERVICES.

We stand ready to work and ensure passage of this important patient safety bill. For these reasons we ask for a **favorable** report on **House Bill 1086**.

For additional information please contact Dan Shattuck, Executive Director at mdashq@gmail.com.