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Testimony on HB382

**Maryland Medical Assistance Program and Health Insurance - Step Therapy, Fail-
First Protocols, and Prior Authorization - Prescription to Treat SMI**

House Health and Government Operations Committee

January 30, 2025

POSITION: SUPPORT

The Community Behavioral Health Association of Maryland (CBH) is the leading voice for community-based providers serving the mental health and addiction needs of vulnerable Marylanders. Our 87 members serve the majority of individuals who access care through the public behavioral health system. CBH members provide outpatient and residential treatment for mental health and addiction-related disorders, day programs, case management, Assertive Community Treatment (ACT), employment supports, and crisis intervention.

There is a high correlation between non-adherence to drug regimens and utilization of high-cost care - such as emergency department visits or hospitalization - for individuals with serious mental health disorders treated with psychotropic medications. While various mental health drugs in a specific category may be equally efficacious, there is wide variability among those drugs as to their side effects, which may include liver damage, excessive weight gain, and sexual dysfunction. To the extent that consumers with serious mental health disorders do not have access to drugs whose side effects they can or will tolerate - due to step therapy or fail first protocols - there is a higher risk of non-adherence to the drug regimen.

HB382 prohibits the use of a prior authorization requirement, step therapy or fail-first protocols for prescription drugs used to treat specific mental health conditions of adult enrollee's including bipolar disorder, schizophrenia, major depression, post-traumatic stress disorder (PTSD) or a medication-induced movement disorder associated with the treatment of a serious mental illness. The stakes are very high for those with these diagnoses who may rapidly decompensate if they don't have access to medications that can stabilize their symptoms and improve their level of functioning. It can be very challenging to find the right mix and dosage of meds that work for any given individual. Requiring an enrollee to fail first on medications may result in hospitalization, job loss, and the loss of employer-based health insurance.

This is a critical consumer protection bill. We urge a favorable report.

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