



January 9, 2024

The Honorable Pamela G. Beidle
Chair, Senate Finance Committee
James Senate Office Building, Room 202
11 Bladen Street
Annapolis, MD 21401

Re: SB0108, 2023 - Health Insurance – Annual Behavioral Health Wellness Visits – Coverage and Reimbursement - Mandated Health Insurance Services Evaluation Report

Dear Chair Beidle,

Pursuant to your request and in accordance with Insurance Article §15-1501, Annotated Code of Maryland, the Maryland Health Care Commission (MHCC) is pleased to submit the enclosed mandated health insurance services evaluation on *SB0108 - Health Insurance – Annual Behavioral Health Wellness Visits – Coverage and Reimbursement* introduced during the 2023 legislative session but did not pass. The legislation would have required health insurance carriers to provide coverage and reimburse for an annual behavioral health wellness visit on the same basis and at the same rate as an annual wellness visit for somatic health.

The MHCC contracted with Axene Health Partners, an actuarial consulting firm, to evaluate the social, medical, and financial impact of Senate Bill 108. A survey of five health insurance payers was conducted to assess industry concerns with a behavioral health wellness visit mandate without cost-sharing. The attached report provides the results of the evaluation related to the social, medical, and financial impact of SB 108 should this bill be reintroduced and pass in the 2024 legislative session.

We note a few key points from the report:

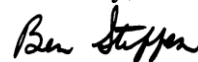
- In the current marketplace, behavioral health wellness visits are generally covered and subject to cost sharing. Sometimes a non-behavioral health primary care office visit includes a behavioral health screening which may lead to a referral to a behavioral health specialist. If a behavioral health wellness visit is recorded as preventive care, it may be covered without cost-sharing.

- The use of telehealth services for behavioral health is often covered the same as in-person visits. Additionally, some payers provide an online behavioral health self-assessment that is free for members.
- For purposes of determining cost-sharing provisions, some payers regard behavioral health specialists as primary care providers other payers regard behavioral health providers as specialists. In general, some payers have a ‘Preventive Coverage Policy’ which encompasses behavioral health wellness visits. Some payers specifically delineate medical policy related to behavioral health wellness visits.
- If behavioral health wellness visits without cost-sharing are mandated, a successful implementation would include clarification on provider billing code requirements/expectations and sufficient implementation time. Payer contracting and system updates to accommodate waiving cost-sharing require significant time and resources. It is also important to consider that policy changes could create workforce capacity issues.
- If the legislation is passed, then the expected premium increase in 2025 will be \$0.37 per member per month for a net premium increase of 0.05%. The primary driver of this result is the reduction in cost share, which is estimated to be \$0.37 in 2025. Assuming a savings of 2.5% per new patient, the medical savings offset the increased cost share for new patients.

Finally, the Commission strongly urges the Legislature to proceed with caution when considering the adoption of additional mandated health insurance services given their cumulative deleterious impact on affordability over time despite a minimal impact on premiums of any single mandate at the time of adoption.

We appreciate your consideration. If you have any questions or if we may provide you with any further information, please do not hesitate to contact me at ben.steffen@maryland.gov or 410-764-3566 or Ms. Tracey DeShields, Director of Policy Development and External Affairs, at tracey.deshields2@maryland.gov or 410-764-3588.

Sincerely,



Ben Steffen,
Executive Director



cc:

The Honorable Joseline A. Pena-Melnyk, Chair, House Health and Government Operations Committee

The Honorable Malcolm Augustine, Education, Energy, and the Environment Committee
House Health and Government Operations Committee

Senate Finance Committee

The Honorable Laura Herrera Scott, Secretary, Maryland Department of Health

Marie Grant, Assistant Secretary, Health Policy, Maryland Department of Health

Jonny Dorsey, Deputy Chief of Staff, Governor's Office

June Chung, Deputy Legislative Office, Governor's Legislative Office

Jason Heo, Governor's Office

Sophie Bergmann, Governor's Office

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Lisa Simpson, Committee Counsel, House Health and Government Operations,

Patrick Carlson, Committee Counsel, Senate Finance

Kenneth Yeates-Trotman, Director, Center for Analysis and Information Systems

Tracey DeShields, Director of Policy Development and External Affairs, MHCC

