

TO: The Honorable Delores Kelley, Chair
Senate Finance Committee

FROM: Annie Coble
Policy Analyst, State Affairs

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Johns Hopkins **supports with amendments Senate Bill 334 Health Insurance-Coverage for Mental Health Benefits and Substance Use Disorder Benefits- Treatment Criteria.** Senate Bill 334 requires health insurance carriers, including student health plans, to share a disclosure statement when a patient receives a notification from their carrier of an adverse decision regarding behavioral health services.

However, in 2016, the General Assembly passed HB 1247 which exempts self-funded student health plans from much of the Insurance Article. Johns Hopkins student health plans are covered by HB 1247 and therefore, exempt from state parity requirements. The plans are, however, subject to 15-10A and 15-10D, the appeal and grievance procedures, which contain the required disclosure. Thus, the disclosure statement as written in SB 334 would not apply to a patient covered under the Johns Hopkins Student Health Plan and they would receive inaccurate information if SB 334 is not amended.

Johns Hopkins University and Medicine is dedicated to creating parity. And Johns Hopkins student health plans are compliant with the federal parity laws and cover a variety of behavioral health services. The disclosure statement in SB 334 is a useful tool to educate Marylanders on their rights, and Johns Hopkins supports the intent of SB 334. We recommend a small amendment so that the language is accurate for all plans.

To address the concerns and ensure the accuracy of the disclosure statement, the language below is recommended:

“Federal and state parity laws, TO THE EXTENT APPLICABLE TO YOUR PLAN, give you the right to receive mental health and substance use disorder benefits at the same level as physical health benefits. If you think your plan is not covering mental health or substance use disorder benefits at the same level, you may file a complaint with the Maryland Insurance Administration and the Health Advocacy Unit.”

For these reasons, Johns Hopkins urges a **favorable with amendments report for Senate Bill 334**.

Recommended Amendment Direction

On page 16, in line 26, following “laws” insert “TO THE EXTENT APPLICABLE TO YOUR PLAN”.

On page 18, in line 10, following “laws” insert “TO THE EXTENT APPLICABLE TO YOUR PLAN”.

On page 20, in line 22, following “laws” insert “TO THE EXTENT APPLICABLE TO YOUR PLAN”.

On page 21, in line 13, following “laws” insert “TO THE EXTENT APPLICABLE TO YOUR PLAN”.

cc: Members, Senate Financial Committee
Senator Malcolm Augustine
Senator Katie Fry Hester