

# MedChi

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TO: The Honorable Peter A. Hammen, Chair  
Members, House Health and Government Operations Committee  
The Honorable Ariana Kelly

FROM: Joseph A. Schwartz, III  
Pamela Metz Kasemeyer  
J. Steven Wise  
Danna L. Kauffman

DATE: March 12, 2015

RE: **SUPPORT WITH AMENDMENTS** – House Bill 990 – *Maryland Health Benefit Exchange – Qualified Health Plans – Standards*

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The Maryland State Medical Society (MedChi), which represents more than 8,000 Maryland physicians and their patients, supports House Bill 990 with amendments.

House Bill 990 is a comprehensive bill designed to establish multiple “rules of the road” with respect to health plans offered through the Maryland Health Benefit Exchange. These “rules of the road” will help effectuate the promise of the Affordable Care Act by making health care truly available to all persons and populations. Without these “rules of the road,” many people will have insurance policies but not reasonable access to health care. For example, one of the rules established by the bill relates to prescription drugs offered by a health benefit plan. Typically, such drugs are part of a carrier’s formulary. The bill specifically disallows (page 8, line 16 – through page 9, line 3) an insurance carrier from moving a particular prescription drug to the higher payment tier during the plan year or the open enrollment period that precedes the plan year (page 8, line 18). This is a sensible “rule of the road” in that many people select a carrier – during the open enrollment period – on the basis of whether their particular medication is covered or not, including an evaluation of the copay responsibility that they may have.

The Honorable Peter A. Hammen

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Another sensible “rule of the road” is to require an adequate number and appropriate distribution of doctors (page 10, lines 26-29). MedChi believes this section of the bill may need certain curative amendments to require carriers to “cleanse” their listing of doctors in their networks when the doctors are no longer available. This is particularly true with respect to behavioral health doctors and MedChi has noted, for a number of years that many carriers list psychiatrists in their panels who, in many cases, are no longer practicing or who have left a particular geographical area.

MedChi would note that there are a number of provisions of the bill that may already be covered under certain existing regulations. Nevertheless, the overriding principles of House Bill 990 which is to guarantee **actual** access to health care and **actual** access to medication is critically important.

House Bill 990 is a comprehensive proposal and deserves a comprehensive and detailed review by this Committee. MedChi is ready to engage in the work sessions necessary to create a version of House Bill 990 which will effectuate the principles of actual access which it seeks to establish.

**For more information call:**

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