INTRODUCED BY: Baltimore County Medical Association

SUBJECT: Shifting Risk to Patients and Physicians

Whereas, insurers, the implementation of the ACA, and the new Medicare waiver are shifting insurance risk to patients, physicians and other practitioners; and

Whereas, examples of the risk include high deductible health plans, global budgets in the new waiver, and the ninety day rule; and

Whereas, the U.S. Departments of Labor, Treasury, and Health and Human Services have announced the publication of final regulations implementing a 90-day limit on waiting periods for health coverage, as specified in the Affordable Care Act (ACA); and

Whereas, the ninety day rule shifts risk to physicians and hospitals for people who fail to pay premium; and

Whereas, the Maryland Health Benefit Exchange and many private plans are promoting high deductible plans and many individuals are purchasing high deductible plans. In Maryland, most bronze level plans have over a six thousand dollar deductible; and

Whereas, high deductible plans shift payment risk from the insurer to the patient and create collection issues for physicians; and

Whereas, the new waiver has put all Maryland hospitals on global budgets, shifting risks to patients, physicians and hospitals; and

Whereas, MedChi has worked very hard to protect physicians and their rights in the new waiver process, even getting positive patient protection language in the recently released HSCRC advisory council report; therefore be it

Resolved, that the appropriate MedChi committee study business and policy solutions around compliance with high deductible plans and the 90-day limit on waiting periods for health coverage, including having payers directly pay providers and then have payers collect the deductible from their plan member.

As amended and adopted by the House of Delegates at its meeting on April 26, 2014.