

Chapter 251

(House Bill 971)

AN ACT concerning

**Maryland Medical Assistance Program – Substance ~~Abuse~~ Use Disorder
Treatment – Network Adequacy**

FOR the purpose of requiring the Maryland Department of Health and the Behavioral Health Administration to ensure that the delivery system for specialty mental health services for enrollees of managed care organizations has an adequate network of providers available to provide ~~alcohol and drug abuse~~ substance use disorder treatment for children under the age of 18 years; and generally relating to the Maryland Medical Assistance Program and access to substance ~~abuse~~ use disorder treatment services.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 15–103(b)(21)
Annotated Code of Maryland
(2019 Replacement Volume and 2021 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Health – General

15–103.

(b) (21) (i) The Department shall establish a delivery system for specialty mental health services for enrollees of managed care organizations.

(ii) The Behavioral Health Administration shall:

- 1. Design and monitor the delivery system;
- 2. Establish performance standards for providers in the delivery system; and

3. Establish procedures to ensure appropriate and timely referrals from managed care organizations to the delivery system that include:

A. Specification of the diagnoses and conditions eligible for referral to the delivery system;

B. Training and clinical guidance in appropriate use of the delivery system for managed care organization primary care providers;

C. Preauthorization by the utilization review agent of the delivery system; and

D. Penalties for a pattern of improper referrals.

(iii) The Department shall collaborate with managed care organizations to develop standards and guidelines for the provision of specialty mental health services.

(iv) The delivery system shall:

1. Provide all specialty mental health services needed by enrollees;

2. For enrollees who are dually diagnosed, coordinate the provision of substance ~~abuse~~ **USE DISORDER** services provided by the managed care organizations of the enrollees;

3. Consist of a network of qualified mental health professionals from all core disciplines;

4. Include linkages with other public service systems; and

5. Comply with quality assurance, enrollee input, data collection, and other requirements specified by the Department in regulation.

(v) The Department may contract with a managed care organization for delivery of specialty mental health services if the managed care organization meets the performance standards adopted by the Department in regulations.

(vi) The provisions of § 15–1005 of the Insurance Article apply to the delivery system for specialty mental health services established under this paragraph and administered by an administrative services organization.

(VII) THE DEPARTMENT AND THE BEHAVIORAL HEALTH ADMINISTRATION SHALL ENSURE THAT THE DELIVERY SYSTEM HAS AN ADEQUATE NETWORK OF PROVIDERS AVAILABLE TO PROVIDE ~~ALCOHOL AND DRUG ABUSE~~ SUBSTANCE USE DISORDER TREATMENT FOR CHILDREN UNDER THE AGE OF 18 YEARS.

~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2022.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

Approved by the Governor, May 12, 2022.