



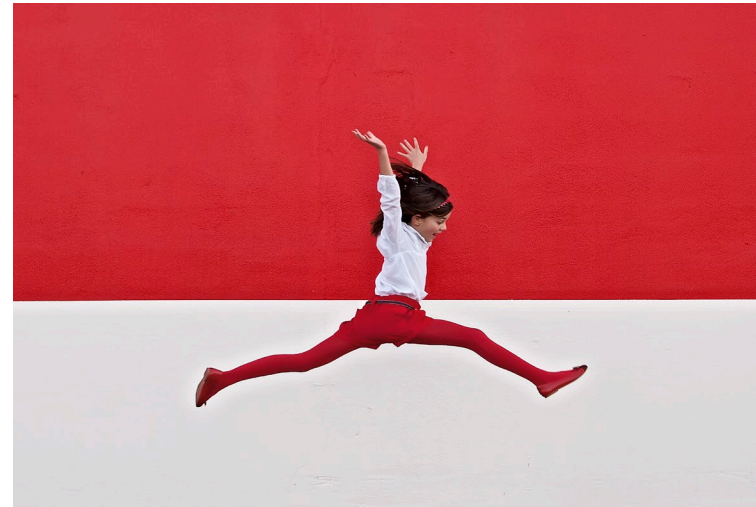
Legislative Update 2022 Session

APRIL 21, 2022

FUN Statistics



- ▶ SESSION IS OVER! YAY!!!!
- ▶ Total Bills Introduced – 3, 124
 - Senate Bills – 1, 331
 - House Bills – 1, 783
- ▶ MHCC Bills Tracked – 189
- ▶ Legislative Turnover



MHCC Priorities: Budget 2023



SB 290 - Budget Bill (Fiscal Year 2023) - Enacted

- ❖ \$35,152,392 Special Fund appropriation for MHCC
 - \$19.2 million to MHCC
 - \$12.2 million to the Trauma Fund
(includes \$4M supplement to fiscal 2022)
 - \$3.7 million to the Maryland Emergency Medical System
Operations Fund
 - 1.0 million to Patient Safety Center



MHCC Priorities: Budget 2023 con't



Budget Language:

Maryland Health Care Commission (MHCC) shall conduct an independent analysis of the State's behavioral health crisis response system.

The Maryland Health Care Commission shall develop a request for proposals to contract with a health research and analytics company to conduct a needs assessment and gap analysis of Maryland's behavioral health crisis response services continuum.

The MHCC shall convene a workgroup composed of the Behavioral Health Administration and other stakeholders involved in the evaluation of Maryland's behavioral health crises response system.

Interim Report Due December 1, 2022



MHCC Priorities



SB 253/HB 353 - Maryland Health Care Commission – User Fee Assessments

HB 213 - MHCC – Health Information Exchange- Definition

SB 591 - Maryland Health Care Commission - Patient Safety Center - Designation and Fund

HB 378 - Maryland Health Care Commission – Palliative Care Services – Workgroup

SB 531/HB 636 - Maryland Health Care Commission - Assisted Living Programs - Study

SB 734 - Health and Health Insurance – Primary Care Reform Commission

HB 972/SB 804 - Continuing Care at Home - Certificate of Need – Exemption

HB 1073/SB 824 - Health - Accessibility of Electronic Advance Care Planning Documents

HB 1127 - Public Health - State Designated Exchange - Health Data Utility

HB 1148/SB 834 - Health Insurance - Two-Sided Incentive Arrangements and Capitated Payments – Authorization

MHCC Priorities con't



SB 253/HB 353 - Maryland Health Care Commission – User Fee Assessments

This bill increases the maximum amount of user fees the Maryland Health Care Commission (MHCC) may assess on hospitals, nursing homes, payors, and health care practitioners from **\$16.0 million to \$20.0 million**.

The bill takes effect July 1, 2022.

MHCC Priorities con't



HB 213 - MHCC – Health Information Exchange- Definition

This bill aligns the definition of health information exchange (HIE) for purposes of the confidentiality of medical records with federal law.

In adopting regulations for the use of electronic health information (EHI) for specified purposes, the Maryland Health Care Commission (MHCC) may not prohibit the Maryland Department of Health or the Health Services Cost Review Commission from using EHI for health regulatory and public health functions; or the sharing or disclosing of information required to be exchanged under State law or federal law, including for the purposes of payment.

The bill does not prohibit MHCC from adopting regulations that are more stringent than federal law, as specified.

Bill takes effect October 1, 2022

MHCC Priorities, cont



SB 591/HB 915 - Maryland Health Care Commission - Patient Safety Center - Designation and Fund

This bill requires the Maryland Health Care Commission (MHCC) to designate a Patient Safety Center for the State by December 31, 2025, and establishes a Patient Safety Center Fund to subsidize a portion of the costs of the center.

SB 824/HB 1073 - Health - Accessibility of Electronic Advance Care Planning Documents

Requires the MHCC to coordinate the accessibility of electronic advance care planning documents in the State. Requires health care facilities, managed care organizations, and carriers to take certain actions relating to electronic advance care planning documents and requires the Motor Vehicle Administration to submit a report regarding the implementation of certain provisions of law relating to advance directives.

MHCC Priorities, cont



HB 1127 - Public Health - State Designated Exchange - Health Data Utility

This bill requires the State-designated exchange to operate as a health data utility for the State and provide data, as allowed by law, to individuals and organizations involved in the treatment and care coordination of patients and to support public health goals. After dispensing a “noncontrolled prescription drug,” a dispenser must submit prescription information to the State-designed exchange. The State-designated exchange may not impose any fees or other assessments on dispensers to support the operation of the exchange. The Maryland Health Care Commission (MHCC) must adopt specified regulations.

HB 1148/SB 834 - Health Insurance - Two-Sided Incentive Arrangements and Capitated Payments – Authorization

This bill authorizes a carrier to enter a “two-sided incentive arrangement” with an “eligible provider” and specifies what is permitted, prohibited, and required under a bonus or other incentive-based compensation program or two-sided incentive arrangement. By December 31, 2023, and annually thereafter until 2032, the Maryland Health Care Commission (MHCC) must report to the Senate Finance Committee and the House Health and Government Operations Committee on the number and type of value-based arrangements entered into and related measures.

MHCC Priorities, cont



HB 378 - Maryland Health Care Commission – Palliative Care Services – Workgroup

This bill requires the Maryland Health Care Commission (MHCC) to convene a workgroup to study and make recommendations to improve palliative care services in the State. The workgroup must include representatives of hospice and palliative care providers, health care facilities, patient advocacy groups, and health insurers.

The bill takes effect October 1, 2022 and terminates September 30, 2024.

SB 734 - Health and Health Insurance – Primary Care Reform Commission

Requires MHCC to provide a report, beginning December 1, 2024, and each year thereafter, to the Governor and the General Assembly containing an analysis of primary care investment, ways to improve the quality of and access to primary care services, and any findings and recommendations. Requires the Commission to establish a workgroup to develop the report to include an interpretation of the results of the required analysis and to make recommendations.

MHCC Priorities, cont



SB 804/HB 972 - Continuing Care at Home - Certificate of Need – Exemption

This bill exempts continuing care at home agreements from certificate of need requirements by altering the definition of “health care facilities” for the purpose of providing an exception to the requirement for a certificate of need (CON).

The bill specifies that certain requirements for providers of continuing care at home services do not apply to a provider that (1) meets any capital reserve requirements and (2) until the provider has enrolled the minimum number of subscribers needed for its revenues to at least equal its expenses, holds in escrow the entirety of all entrance fees or maintains a surety bond of at least \$1.0 million or an equivalent replacement security. **The bill takes effect July 1, 2022.**

SB 531/HB636 - Maryland Health Care Commission - Assisted Living Programs - Study

Requires the Maryland Health Care Commission, in consultation with the Office of Health Care Quality, the Maryland Long-Term Care Ombudsman Program, the Medicaid Administration, the Governor's Workforce Development Board, and interested stakeholders, to conduct a study regarding the quality of care by assisted living programs with nine or fewer beds.

MHCC Post Session Work



Workgroups and Studies:

HB 378 -- Palliative Care Workgroup and Study

HB 636 - - Assisted Living Workgroup and Study

HB 670 – Telehealth Study Interstate Compacts

SB 734 -- Primary Care Workgroup and Study

Budget Language – Workgroup and Study on Behavioral Health Crisis Response System

Mandate Studies:

HB 142 - Health Insurance - Coverage of In Vitro Fertilization – Revisions

SB 634 - Health Insurance - Home Test Kits for Sexually Transmitted Diseases - Required Coverage

SB 725/HB 974 - Health Insurance - Physical Therapy - Copayments, Coinsurance, and Deductibles

MHCC Post Session Work, con't



*Other Workgroups and Commissions:

HB 413 - Health Insurance – Individual Market Stabilization – Extension of Provider Fee

SB 632 - Maryland Health Benefit Exchange - Small Business and Nonprofit Health Insurance Subsidies Program - Workgroup

HB 1219 - Pharmacists - Status as Health Care Providers and Study on Reimbursement

SB 440/HB 625 - Commission to Study the Health Care Workforce Crisis in Maryland - Establishment

**Not lead by MHCC*

The End

