

**House Bill 382 Maryland Medical Assistance Program and Health Insurance – Step Therapy,
Fail-First Protocols, and Prior Authorization – Prescription to Treat Serious Mental Illness**

Health and Government Committee

January 30, 2025

Position: SUPPORT

Mental Health Association of Maryland (MHAMD) is a nonprofit education and advocacy organization that brings together consumers, families, clinicians, advocates and concerned citizens for unified action in all aspects of mental health and substance use disorders (collectively referred to as behavioral health). We appreciate the opportunity to provide this testimony in support of House Bill 382.

HB 382 prohibits health insurance companies and Maryland Medicaid from applying step therapy, fail-first protocols and prior authorization requirements to medications used to treat serious mental illness.

The treatment of illnesses outlined in this bill – bipolar disorder, schizophrenia, major depression, and post-traumatic stress disorder – commonly includes a variety of psychiatric medications. These medications are used to manage the symptoms of these illnesses, maintain social functioning, avoid adverse outcomes and achieve recovery. Serious mental illness can be chronic and potentially disabling, so it is important to identify the proper medication regiment. This is a decision that should be made by the individual and their provider in consideration of the effects certain medications may have on that individual.

The practices HB 382 would prohibit are used by health insurance companies to control the cost of prescription medications. They delay treatment and require patients to try – and fail – on insurer-preferred medications before receiving the medication their health care provider has actually recommended. This process can take weeks or months and have serious negative health consequences, especially for individuals living with serious mental illness. While this may reduce costs for the insurers, it often results in an escalation of symptoms, a worsening of illness and a transfer of costs to the taxpayer in the form of preventable hospital emergency department utilization, homelessness and criminal justice involvement.

Step therapy, fail-first protocols and prior authorization requirements undermine treatment decisions that are based on patient needs and medical history. This can result in negative health outcomes and increased costs. For these reasons, MHAMD supports HB 382 and urges a favorable report.

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