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2021 Health Rights State Legislative Highlights

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ACCESS TO HEALTH & BENEFITS PROJECT

- Protecting and expanding access to health care and public benefits
- Seeks to eliminate racial and ethnic disparities in health outcomes and access to benefits.
- Advocacy Priorities:
 - Expanding access to dental care for low-income adults
 - Eliminating racial disparities in maternal health outcomes
 - Removing discriminatory barriers to accessing Hepatitis C treatment in Medical Assistance (Maryland Medicaid)
 - Ensuring that individuals with Limited English proficiency (LEP) are afforded timely and consistent access to language services in healthcare and public benefits programs.
 - Strengthening medical debt collection protections for low-income patients and families
 - Monitoring changes to healthcare and public benefits on the federal and state level
 - Protecting access to public benefit programs, including SNAP, TANF, Medical Assistance and the Maryland Children's Health Insurance Program

HEALTH RIGHTS LEGISLATIVE HIGHLIGHTS

Strengthening Patient Protections against Medical Debt Collection

- *Medical Debt Protection Act* – HB 565 | SB 514

Improving Maternal Health Outcomes

- *Public Health – Maryland Prenatal and Infant Care Grant Program Fund* – HB 1349 | SB 777
- *Maryland Medical Assistance Program – Eligibility* – SB 923
- *Maryland Medical Assistance Program – Doulas (Doula Pilot Program)* – SB 163





Eliminating Health Inequities

- *Prohibition on Vending Machine Sales of Drugs and Medicines – Repeal* – HB 107/ SB 499





MEDICAL DEBT PROTECTION ACT

- Sponsored by Delegate Charkoudian and Senator Feldman
- Unanimous passage in House and Senate
- As it was introduced:
 - Prohibited hospitals from filing lawsuits for debts under \$1,000
 - Prohibited wage garnishment if patient is uninsured or qualifies for free or reduced-cost care
 - Prohibited liens on the patient's home
 - Prohibited body attachment and arrest warrants
 - Required hospitals to offer monthly payment plans with fair interest rates
 - 180 day wait to report unpaid debts to credit reporting agencies and 60 days after appeals to insurance companies or financial assistance are exhausted
 - Screen patients for eligibility for financial assistance before suing
 - Race, gender and income data reporting annually to HSCRC

MEDICAL DEBT PROTECTION ACT

What advocates wanted	VS.	What Advocates Achieved
No lawsuits for debts under \$1,000		Unofficial moratorium on ALL medical debt lawsuits until January 2022
No wage garnishment if patient is uninsured or qualifies for free or reduced-cost care		“
No liens on patient’s home		“
No body attachment or arrest warrants for unpaid debts		“
Hospital payment plan with specific requirements described in legislation		HSCRC is required to develop payment plan guidelines with input from stakeholders; no lawsuits until hospital has implemented the plan

MEDICAL DEBT PROTECTION ACT

What advocates wanted	VS	What Advocates Achieved
No claims against estates of deceased patients who owed a debt on hospital bill		Only if the deceased patient was known by hospital to be eligible for free care <u>or</u> if the value of estate after tax obligations is less than half of the debt owed
Cannot report debt for 180 days after issuing hospital bill, hospital cannot report adverse information to consumer reporting agencies or commence a lawsuit		“
Hospitals must notify all patients with medical debt about the availability of installment payment plan for the debt.		“
HSCRC must release a report annually on the number of patients sued; reported or classified by hospitals as bad debt; and total dollar amount of hospital charges provided to patients but not collected by the hospital for patients who are covered by insurance and those without insurance.		Including out-of-pocket costs for patients covered by insurance

MARYLAND PRENATAL AND INFANT CARE GRANT PROGRAM FUND

- Sponsored by Delegate Sample-Hughes and Senator Elfreth
- Provides grants to federally qualified health centers, hospitals and other prenatal care providers to increase access to prenatal care
- Priority on awarding grants given to prenatal care providers that propose to serve communities with high number of births to Medicaid beneficiaries; high rates of infant mortality; and high rates of preterm births.
- Amended to:
 - Include behavioral and oral health services necessary for maintaining a healthy pregnancy
 - Additional grant priority to counties or municipalities with high rates of infants with low birthweight
 - Coordination with Maternal and Child Health Bureau in MDH
 - Grants used for purpose of improving pregnant health outcomes in the communities serves and collecting data to determine how to expand on successful elements of program to other communities

MARYLAND MEDICAL ASSISTANCE PROGRAM – ELIGIBILITY (POSTPARTUM COVERAGE)

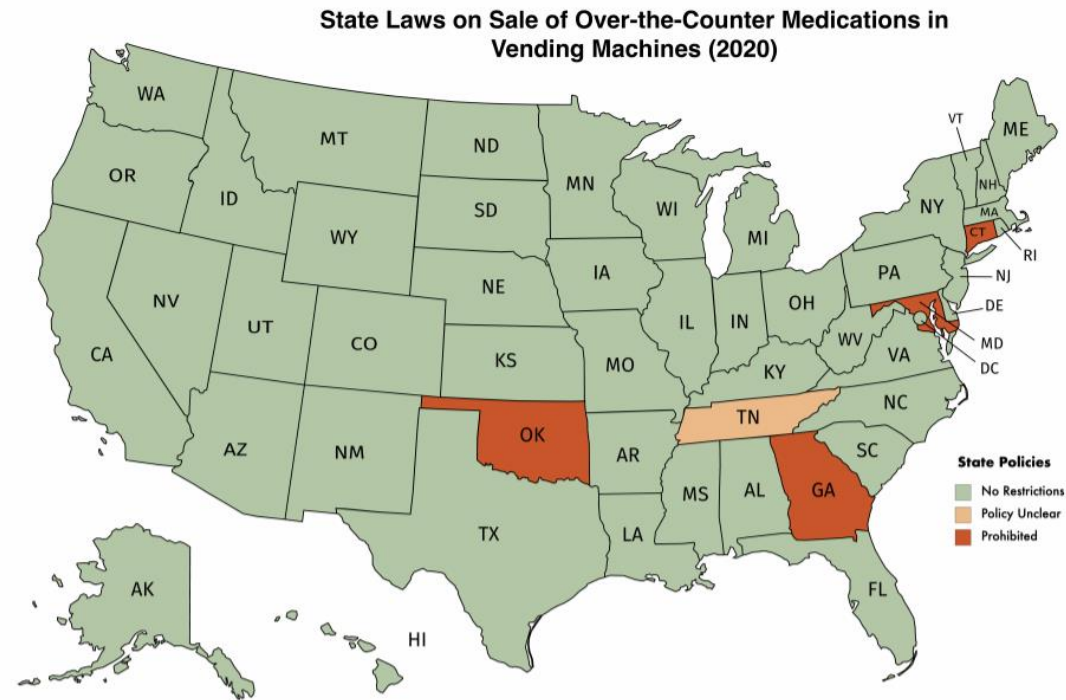
- Sponsored by Senator Washington
- Extends Maryland Medicaid postpartum coverage for medical and other health care services from 60 days to one year.
- Amended to:
 - Include dental coverage
 - Remove requirement for MDH to develop written materials for beneficiaries and adopt regulations on care coordination between providers on the beneficiary disenrollment
- Governor has already allocated funding in the budget

MEDICAL ASSISTANCE PROGRAM – DOULAS

- Sponsored by Senator Ellis
- Required Maryland Medicaid program to submit waiver to CMS to cover doula care; defined certified doula
- Amended to:
 - Strike requirement for Medicaid to cover doula care statewide
 - Establish a doula pilot program in Baltimore City, Charles County and Prince George's County
 - Require MDH to evaluate program effectiveness based on:
 - Breastfeeding initiation rates
 - Postpartum visits to participating doulas
 - Surveys to collect feedback from participating doulas and program recipients
 - Passed Senate; died in House committee

PROHIBITION ON VENDING MACHINE SALES OF DRUGS AND MEDICINES – REPEAL

- Sponsored by Delegate R. Lewis and Senator Lam
- Repeals the ban on the sale of over-the-counter (OTC) medication in vending machines.



FURTHER READING

- *Medical Debt Protection Act – HB 565 | SB 514*
 - [Consumer Groups Say Medical Debt Bill Is a First Step, But More Is Needed – Maryland Matters](#)
 - [Public Justice Center News Alert on Medical Debt Protection Act](#)
 - [HSCRC Analysis of the Impact of Hospital Financial Assistance Policy Options on Uncompensated Care and Costs to Payers](#)
- *Public Health – Maryland Prenatal and Infant Care Grant Program Fund – HB 1349 | SB 777*
- [MD Vital Statistics Annual Report \(2018\)](#)
- *Maryland Medical Assistance Program – Eligibility – SB 923*
 - [Baltimore Sun - MD Lawmakers, Advocates tout 'huge wins' in health legislation](#)
- *Maryland Medical Assistance Program – Doulas (Doula Pilot Program) – SB 163*
 - [Women are Dying in Childbirth: Doulas are Part of the Solution - National Health Law Program](#)
- *Prohibition on Vending Machine Sales of Drugs and Medicines – Repeal – HB 107/ SB 499*
 - [OTC Use Statistics - Consumer Healthcare Products Association](#)