

Maryland General Assembly Legislative Session 2024 Report

Historically Successful Section for NAMI Maryland Advocacy

NAMI Maryland members advocated for 8 priority bills in the 2024 legislative session and 6 of them passed the General Assembly!

2024 Legislative Priorities At-a-Glance

- **HB932/SB791:** Utilization Review - **PASSED**
- **HB586/SB453:** Assisted Outpatient Treatment - **PASSED**
- **SB202:** Caregiver Tax Credit - **PASSED**
- **HB93/SB162:** Landlord/Tenant Liability to Pay Rent - **PASSED**
- **HB1423/SB990:** Step Therapy/Fail First – **Withdrawn by Sponsor**
- **HB993/SB974:** 988 Funding - **PASSED**
- **HB61/SB270 (HB1036/SB1037):** Re-Entry Services - **PASSED**
- **HB400/SB124:** Behavioral Health Annual Visit Wellness Coverage – **Did not receive a vote**

The Maryland General Assembly introduced over 2,500 bills in the 2024 session. NAMI Maryland tracked 113 bills and provided testimony on 69 pieces of legislation, dealing with mental health parity, insurance, treatment programs, prescription drug costs, early intervention, substance use, and behavioral health.

During weekly affiliate advocacy meetings, NAMI Maryland staff and advocates updated local NAMI leaders on the status of priority legislation. Additionally, we hosted our annual virtual Advocacy Day, where more than 150 NAMI volunteers held 50 meetings with key decision-makers. During those meetings, NAMI members shared their personal experiences and made genuine connections with state legislators. Many legislators and staff, we've learned, have their own stories to share, too.

During the 2024 session, we amplified our grassroots advocacy efforts by bolstering our Action Alert System. **758 advocates generated 5,270 emails to legislators**, urging support of critical legislation that impacts people with lived experience and the mental healthcare system in our state.

2024 Legislative Priorities and Outcomes

- **HB932/SB791: Utilization Review - PASSED**
 - o Utilization review, also known as utilization management, is the process used by insurers to decide whether the requested mental health care is medically necessary, efficient, and in-line with accepted medical practice.
 - o The current process causes unnecessary delays and denials, meaning individuals with mental health conditions cannot receive the mental healthcare they desperately need in a timely, effective manner.
 - o This bill now prohibits insurers from denying a request for a medication renewal for mental health conditions if the insurer has already approved the drug and the patient has been shown to be successful on that medication.
 - o ***This bill is headed to the Governor's desk for his signature.***

- **HB586/SB453: Assisted Outpatient Treatment Programs (AOT) – PASSED**
 - After more than 20 years of advocacy, Maryland will now have assisted outpatient treatment.
 - A small subset of Marylanders suffers from **serious mental illness**, often caught in a revolving door of emergency room visits, jail, and homelessness. These individuals typically lack insight into their need for treatment and have an inconsistent history of engaging in treatment.
 - AOT is a practice where civil courts work with the mental healthcare community and an individual living with mental illness to create a court-ordered outpatient treatment plan. The practice encourages partnership among the court, participants, providers, and the community to foster a person's participation in a treatment plan.
 - This bill establishes AOT programs across the State of Maryland. A petition for AOT can be made by either the director of a Mental Health Program receiving state funding or by an individual at least 18 years old who has legitimate interest in the welfare of the respondent.
 - ***This bill is headed to the Governor's desk for his signature.***

- **SB202: Caregiver Tax Credit – PASSED**
 - Family caregivers in Maryland provide an estimated **710 million hours of unpaid care** for older parents, spouses, and other loved ones each year.
 - This legislation establishes a tax credit for expenses incurred by family caregivers throughout the year, which would provide much-needed relief to those who shoulder the responsibility of unpaid caregiving.
 - As amended, this bill establishes the Caregiver Expense Grant Program in the Department of Aging to award grants up to \$2,500 to certain caregivers.
 - ***This bill is headed to the Governor's desk for his signature.***

- **HB93/SB162: Landlord/Tenant Liability to Pay Rent – PASSED**
 - This bill makes it so someone with a mental illness is not liable for more than 2 months' rent if the tenant has to break their lease due to their mental health condition.
 - ***This bill is headed to the Governor's desk for his signature.***

- **HB1423/SB990: Step Therapy/Fail First – Withdrawn by Sponsor**
 - Step-therapy – or “fail first” – is a form of prior authorization in which an insurance company requires you to demonstrate unsuccessful treatment or “fail first” on certain medications before they cover the medication your doctor recommends.
 - This bill would have prohibited private insurers and Medicaid from applying step-therapy/fail-first protocols for drugs that treat certain mental illnesses, including bipolar disorder, schizophrenia, major depression, post-traumatic stress disorder, or a medication-induced movement disorder associated with the treatment of serious mental illnesses.
 - ***This bill was withdrawn by the Sponsor in the House and did not receive a vote in the Finance committee in the Senate, effectively killing the bill. However, we anticipate this bill will be re-introduced next session and we will continue to work diligently on the issue.***

- **HB933/SB974: 9-8-8 Funding – PASSED**
 - The 9-8-8 Suicide and Crisis Lifeline provides immediate crisis intervention and support. When someone contacts 9-8-8, a trained crisis counselor will answer, listen to the person, provide

support, and share resources as needed. Crisis counselors are trained to help in a variety of crisis situations.

- In 2022, Maryland established the 9-8-8 Trust Fund to provide dedicated funding for 9-8-8—but **no permanent funding source was established.**
- This bill establishes a permanent funding mechanism for 9-8-8 services through a \$0.25 per month 9-8-8 telecom fee to develop and implement Maryland's 9-8-8 system.
- This bill will support state behavioral health crisis response services including: the coordination of crisis-call centers, mobile crisis team services, crisis stabilization centers, and other acute behavioral health care services.
- ***This bill is headed to the Governor's desk for his signature.***

- **HB61/SB270 | SB1036/HB1037: Re-Entry Services – PASSED**

- This bill would create a program within the Division of Correction that would provide formerly incarcerated individuals and individuals on probation with certain services, including assistance obtaining vital documents, information regarding housing, assistance in obtaining transportation, mental health services, substance use counseling and prevention services, and many other wrap-around services.
- *Unfortunately, this particular bill did not receive a vote in Committee in either Chamber.*
- ***However, SB1036/HB1037 establishes a Task Force on the Creation of a Division of Returning Citizens and Expanded Re-Entry Services. This Task Force will develop a plan to expand the services for individuals in the State after release from incarceration.***
- ***SB1036/H1037 is headed to the Governor's desk for his signature.***

- **HB400/SB124: Behavioral Health Annual Visit Wellness Coverage – Did not receive vote**

- This bill would require private insurers and Medicaid to provide coverage and/or reimbursement for annual behavioral health wellness visits.
- ***This bill did not receive a vote in Committee in either Chamber, effectively killing the bill. However, we anticipate it will be re-introduced next session and we will continue to work for its passage.***

Other Bills of Interest...

- **HB204/SB164: Mental Health Training- Coaches – PASSED**
 - This bill requires the State Department of Education and the Maryland Higher Education Commission to develop guidelines for public schools and other public institutions of higher education on mental health conditions.
 - These guidelines will specifically teach sports coaches to recognize signs and symptoms of mental illness and behavioral distress in students who participate in athletic programs.
 - ***This bill is headed to the Governor's desk for his signature.***

- **HB539/SB567: Student Withdrawal Policy Reimbursement of Tuition and Fees - PASSED**
 - This bill requires public higher education institutions to allow a student to withdraw from the school under extenuating circumstances, including mental health issues.
 - This bill also requires that the public institution refund the student for any tuition and/or additional fees paid by the student for that semester.
 - ***This bill is headed to the Governor's desk for his signature.***

- **HB195/SB817: Purple Alert Program - PASSED**
 - This bill establishes a Purple Alert Program to disseminate information to assist in locating a missing person who has a cognitive impairment, mental health disorder, intellectual or developmental disability, or brain injury.
 - This bill also requires the Department of State Police to adopt guidelines and develop procedures for issuing a Purple Alert and allows the Department to consult with relevant stakeholder organizations to develop non-stigmatizing procedures for the program.
 - ***This bill is headed to the Governor's desk for his signature.***

- **HB1074/SB684: Mental Health and Substance Use Disorder Benefits | Sunset Repeal and Modification of Reporting Requirements - PASSED**
 - Parity is when insurers treat mental health at the same level as physical health.
 - This bill alters certain reporting requirements on health insurance carriers as it relates to compliance with the federal Mental Health Parity and Addiction Equity Act.
 - Health insurance carriers now have stricter reporting requirements, ensuring parity compliance. It also establishes ways that the Maryland Insurance Commissioner may enforce the federal Mental Health Parity and Addiction Equity Act.
 - ***This bill is headed to the Governor's desk for his signature.***