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For information, contact:
Matthew Celentano, Executive Director

July 16, 2021

Lisa Larson
Regulations Manager
Maryland Insurance Administration
200 St. Paul Place, Suite 2700
Baltimore, Maryland 21202

Re: Network Adequacy and Telehealth

Dear Ms. Larson:

On behalf of the League of Life and Health Insurers of Maryland, Inc. (League), thank you for the opportunity to provide comments on the incorporation of telehealth into the evolving network adequacy standards. The League is the state trade association representing life and health insurance companies in Maryland.

The League appreciates the work the Maryland Insurance Administration (MIA) has done on this issue from the 2021 Session to date and the collaborative process throughout. The League would like to thank the MIA for its consideration of the comments made throughout the network adequacy regulatory process, comments during the 2021 Session, and corresponding workgroups including the industry. While the process has addressed some of the questions and concerns we raised, the discussion still leaves a number of topics of interest for League members.

The League certainly appreciates the discussion that consumer choices and preferences between in-person services and telehealth services must be considered, but the entire discussion to members is really about options. If carriers are covering telehealth because it is now considered as on-par with an in-person service, and is reimbursed at the same level as mandated in SB 3/HB 123, then it should count towards the regulation as the same. Either the service is the same or it is not.

Carriers provide many options to their beneficiaries in which the consumer can choose, telehealth just extends those options further. As we can all surely agree upon after exhaustive discussions last fall and throughout the spring during the legislative journey, stakeholders agree that telehealth is a critical part of the health care access roadmap, and to treat it differently within the network adequacy regulatory structure would be to diminish its value. If there is to be payment parity within telehealth services

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indicating a same level of effective care, then surely carriers should be able to account for those services in the regulatory framework.

The MIA should not determine if the network is adequate based on the preference of the consumer alone. A network should incorporate more variables including telehealth options, in-person opportunities, facilities, and providers. These baseline variables are more inclusive than choice, they ensure a variety of care advantages are available to every beneficiary. The nature of the network built will provide options, regardless of what any individual member prefers and selects for their care. If the MIA chooses to evaluate network adequacy as related to the choices of consumers at any given moment in time without all available options presented to them, it will have the unintended consequence of providing a snapshot of what was chosen without acknowledging the multitude of options built for the consumer by the carrier. The lack of look-in at those choices will also be missing the significant work done by carriers to pivot to meet the needs of the insureds – it won't capture the fluid nature of networks to address needs.

The most appropriate way to ensure that all Marylanders have access to medically appropriate care that is within their spectrum of choices is to measure adequacy based upon on the entire breadth and availability of services available. Once again, we would suggest that either the services and the appropriateness is the same or it is not. To adopt a different standard would lessen the impact of the effectiveness. The MIA should replicate this approach in network adequacy standards and treat telehealth that is deemed medically appropriate the same as an in-person doctor's visit.

Thank you, again, for the opportunity to provide this feedback on the network adequacy regulations and how to apply telehealth services. Should you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew Celentano", with a long horizontal line extending to the right.

Matthew Celentano
Executive Director
The League of Life and Health Insurers of Maryland, Inc.