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Life and Health

200 St. Paul Place, Suite 2700, Baltimore, Maryland 21202
Direct Dial: 410-468-2170 Fax: 410-468-2204
Email: david.cooney@maryland.gov
410-468-2000 1-800-492-6116
TTY: 1-800-735-2258
www.insurance.maryland.gov

September 19, 2023

Ms. Laurie Beebe
Provider Network Manager
Wellfleet Insurance Company
P.O. Box 15369
Springfield, MA 01115

Re: Wellfleet 2022 Network Adequacy Access Plan Filing

Dear Ms. Beebe:

The Maryland Insurance Administration (“Administration”) has completed its review of the Wellfleet Insurance Company (“Wellfleet”) 2022 Network Adequacy Access Plan (the “Wellfleet 2022 Access Plan”) filed on July 1, 2022, supplemented with additional information and documentation on March 14, 2023. This filing was made pursuant to § 15-112(c)(2)(i) of the Insurance Article and COMAR 31.10.44¹.

In Maryland, Wellfleet offers Student Health Insurance Plans (“SHIP”) to colleges and universities and contracts for network provider services through Cigna Health and Life Insurance Company (CHLIC)’s Preferred Provider Organization (PPO) and Open Access Plus (OAP) plan provider networks. Separate network adequacy access plans were filed for each of these provider networks.

Travel Distance Standards

Plan enrollment under Wellfleet SHIPs occurs before students have a local address. The student demographic data Wellfleet uses to create the access reports includes addresses reported by students. For students whose address at the time of enrollment is outside of Maryland, Wellfleet uses the school’s administrative address as a proxy.

¹ COMAR 31.10.44 was revised, effective May 15, 2023. The 2022 Network Adequacy Access Plans were filed and reviewed for compliance under the version of COMAR 31.10.44 that was effective prior to May 15, 2023. All references to COMAR 31.10.44 in this letter apply to the pre-May 15, 2023 version.

The Administration noted in the Wellfleet 2021 Access Plan determination letter that in accordance with COMAR 31.10.44.04A(1), “The distances listed in §A(5) of this regulation shall be measured from the enrollee’s place of residence.” The Administration stated that it expects Wellfleet to demonstrate an effort to obtain the resident addresses of students throughout their period of enrollment and to use those addresses as the basis for travel distance compliance measurement in access plan filings.

Additionally, the Administration requires a rationale whenever a school’s address is given as proxy for a student’s residence when determining compliance with the travel distance standards in COMAR 31.10.44.04, along with the number of students for which each reason applies.

In its March 14, 2023 letter, Wellfleet sufficiently described its efforts to obtain the resident addresses of students throughout their period of enrollment, and reported that it used the school’s administrative address as a proxy for a student’s address in the 2022 Access Plan for the following instances because local residential addresses were not available by the July 1, 2022 filing time:

- for 324 students who reported an out-of-state home address at the time of enrollment in the PPO network; and
- for 29 students who reported an out-of-state home address at the time of enrollment in the OAP network.

Wellfleet 2022 PPO Access Plan

The Administration’s review of the Wellfleet 2022 PPO Access Plan has found that the access standards in COMAR 31.10.44.04 were not met for the following, based on the data self-reported by Wellfleet. All other access standards in COMAR 31.10.44.04 were met.

- In suburban areas, Other Behavioral Health/Substance Use Facilities must be within 25 miles of enrollee residence. Other Behavioral Health/Substance Use Facilities met the required standard for 99.5% of suburban enrollees, leaving 1 enrollee outside the travel distance standard in zip code 21842.

Wellfleet 2022 OAP Access Plan

The Administration’s review has found that the Wellfleet 2022 OAP Access Plan has met the travel distance standards in COMAR 31.10.44.04, based on the data self-reported by Wellfleet.

Travel Distance Waiver Request

The criteria that must be met in order to qualify for a waiver of a standard are set forth in COMAR 31.10.44.07. The Administration “may find good cause to grant the network adequacy waiver request if the carrier demonstrates that the physicians, other providers, or health care

facilities necessary for an adequate network: (1) Are not available to contract with the carrier; (2) Are not available in sufficient numbers; (3) Have refused to contract with the carrier; or (4) Are unable to reach agreement with the carrier.”

The Administration has considered Wellfleet’s request for waiver for the travel distance standard for Other Behavioral Health/Substance Use facilities. The waiver request was made for the PPO network on July 1, 2022, with additional information to support this request filed on March 14, 2023.

Please be advised that the Administration has found good cause to grant the request for 1 year because providers are not available to contract with the carrier or not available in sufficient numbers, as evidenced by the following information which was presented by Wellfleet:

- A description of efforts to locate any additional facilities within the required distance standard for zip code 21842, using external sources such as the public provider directories of other carriers, analytics services, and online searches;
- Continued monitoring of deficient areas for available providers to recruit; and
- Documentation of repeated efforts to contact a facility to close the Other Behavioral Health / Substance Abuse Facility gap in zip code in 21842;

Appointment Waiting Time Standards

Wellfleet 2022 PPO Access Plan and 2022 OAP Access Plan

The data self-reported by Wellfleet in the 2022 Access Plan indicates that the required standard of 72 hours for urgent care was met for 90% of enrollees, representing a deficiency of 5 percentage points. The required standard of 10 calendar days for non-urgent behavioral health/substance use disorder services was met for 94% of enrollees, representing a deficiency of 1 percentage point. Wellfleet stated that the compliance reports were based on provider surveys only and did not include its contracted urgent care centers or virtual care only providers who are available 24/7.

The data self-reported by Wellfleet shows compliance with the Appointment Waiting Time Standards for routine primary care, preventive visit / well visit, and non-urgent specialty care. Supporting documentation, including provider survey results, were included in the 2022 Wellfleet access plans to validate the reported values.

Appointment Waiting Time Waiver Request

Wellfleet submitted a waiver request for the appointment waiting time standards on July 1, 2022, with additional supporting documentation submitted on March 14, 2023. The waiver request was filed pursuant to COMAR 31.10.44.07.

Please be advised that the Administration has found good cause to grant the request for 1 year because providers are not available to contract with the carrier or not available in sufficient numbers, as evidenced by Wellfleet's description of its efforts to locate additional behavioral health / substance use disorder services, using external sources such as the public provider directories of other carriers and online searches.

Furthermore, Wellfleet also provided the following information to demonstrate its efforts to improve appointment waiting time metrics reported by network providers:

- A listing of behavioral health providers CHLIC added to the network since 2022 or with whom CHLIC is currently in contract negotiations;
- A description of efforts to provide guidance to network providers regarding behavioral health access, including educating them on the importance of complying with Maryland's network adequacy appointment wait times standards and when to consider an appointment request as urgent;
- A description of a planned expansion of walk-in convenience clinics in the network to provide additional options for after-hours urgent care; and
- A statement that CHLIC is clarifying provider survey questions regarding urgent care availability to address a point of confusion that CHLIC believes may have inadvertently resulted in unfavorable survey responses.

In granting the waiver requests for the only access plan standard in COMAR 31.10.44 where deficiencies were reported in the Wellfleet 2022 Access Plans, the Administration has determined that the Wellfleet 2022 Access Plans comply with § 15-112 of the Insurance Article and COMAR 31.10.44.03C.

This determination letter is limited to review of the Wellfleet 2022 Access Plans for the PPO and OAP networks, and is independent of the Administration's review of any other Network Adequacy Access Plans and submissions in connection thereof which are filed by Wellfleet.

Wellfleet has the right to request a hearing on this determination letter in accordance with § 2-210 of the Insurance Article. A request for a hearing must be made in writing and received by

Ms. Laurie Beebe
September 19, 2023
Page 5

the Administration within thirty (30) days of the date of this letter. The rules for requesting a hearing are set forth in COMAR 31.02.01.

Very truly yours,

A handwritten signature in black ink, appearing to read "David Cooney". The signature is fluid and cursive, with a large initial "D" and a long, sweeping tail.

David Cooney
Associate Commissioner
Life and Health