

Small Business Compliance Guide for Regulation 31.10.21.02-1

What does this regulation do?

SB0631/HB0599 requires certain carriers to use the most recent treatment criteria developed by the American Society of Addiction Medicine for addictive, substance-related, and co-occurring conditions for all medical necessity and utilization management determinations for substance use disorder benefits. The purpose of changing COMAR is to allow for the Uniform Treatment Plan Form (Form) to be updated so carriers have the information to comply. It is also important to note that when a private review agent (PRA) requires a health care provider to submit a treatment plan for authorization of mental illness or substance use disorder services, the PRA will be required to use the updated Form and is not permitted to request any additional information from the provider that is not requested on the form.

Who does this regulation impact?

Carriers, healthcare providers, private review agents, large and small employer groups.

What must I do to comply with the changed regulation?

Use the Uniform Treatment Plan Form to include the six Dimensions of the American Society of Addiction Medicine (ASAM) criteria for substance user disorder treatment. The six dimensions are:

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|---|----|-----|----|
| 1. Acute intoxication and/or withdrawal potential | Lo | Med | Hi |
| 2. Biomedical conditions and complications | Lo | Med | Hi |
| 3. Emotional, behavioral, or cognitive conditions and complications | Lo | Med | Hi |
| 4. Readiness to change | Lo | Med | Hi |
| 5. Relapse, continued use, or continued problem potential | Lo | Med | Hi |
| 6. Recovery/living environment | Lo | Med | Hi |

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When do the changed requirements go into effect?

The new requirements apply to policies, contracts, and health benefit plans issued, delivered, or renewed in Maryland on or after January 1, 2020.

Is there an additional cost/fee to comply? If so, how much?

No.

Who at the Maryland Insurance Administration can I contact if I have additional questions about the regulations and how to comply?

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