Maryland
Hospital Association

House Bill 808- Maryland Medical Assistance Program and Health Insurance - Step Therapy, Fail-First Protocols, and Prior Authorization - Prescription Drugs to Treat Serious Mental Illness

Position: *Support*
February 19, 2026
House Health Committee

MHA Position

On behalf of the Maryland Hospital Association's (MHA) member hospitals and health systems, we appreciate the opportunity to comment in support of House Bill 808. This bill will eliminate barriers to care and increase access to critical prescription drugs used to treat serious mental illness. Increased access to behavioral health care will enable hospitals to discharge patients who no longer need emergency department or acute care services to more appropriate care settings, alleviate bottlenecks in hospital throughput, and reduce emergency department wait times.

Due to rising prescription drug costs, health payers, including private carriers and the Maryland Medicaid Program, increasingly require patients to undergo step therapy, which is a process where the patient must first try and fail on another drug—often a less expensive variation—before being allowed to step up to the more expensive medication. Additionally, health payers frequently require patients to apply for prior authorization, where a health care provider must obtain permission from a patient's health plan before accessing critical prescription drugs. While these practices theoretically can control cost, improper use of step therapy and prior authorization delays access to necessary drugs and can lead to negative health outcomes. MHA supports proposals to reduce unnecessary delays and expedite patient access to medications

HB 808 would ensure access to prescription drugs to treat serious mental illness in two ways. First, the bill would exempt prescription drugs used to treat serious mental disorders from step therapy protocols. Studies show step therapy may inadvertently reduce antidepressant use and increase overall and mental health-specific inpatient and emergency room expenditure and utilization.[1] Second, this bill would prohibit Maryland health payers from applying prior authorization requirements for prescription drugs used to treat serious mental illnesses. Reforms

[1] "The Effects of Antidepressant Step Therapy Protocols on Pharmaceutical and Medical Utilization and Expenditures," The American Journal of Psychiatry, Oct. 1, 2010. ajp.psychiatryonline.org/doi/full/10.1176/appi.ajp.2010.09060877

to streamline prior authorization for prescription drugs to treat serious mental illness would reduce unnecessary delays to critical behavioral health care services.

The U.S. has a severe behavioral health crisis, which was only exacerbated by the COVID-19 pandemic.[2,3] While not the silver bullet, medications serve an important role in treating mental health disorders, and access to prescription drugs should be protected. Maryland hospitals support this bill's efforts to eliminate barriers to affordable behavioral health care coverage. We look forward to our continued partnership with the state and the legislature to create sustainable solutions for access to affordable, comprehensive health insurance coverage.

For these reasons, we request a favorable report on HB 808.

For more information, please contact:
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[2] "The US' growing mental health crisis, in 6 charts," Advisory Board, Oct. 7, 2022. www.advisory.com/daily briefing/2022/10/07/mental-health-crisis

[3] "Increased need for mental health care strains capacity," American Psychological Association, Nov. 15, 2022. www.apa.org/news/press/releases/2022/11/mental-health-care-strain