



September & October 2020 Policy Report

LCPCM has continued to stay busy in Annapolis since the end of summer. As we get closer to the 2021 Maryland Legislative Session, things are ramping up with a new focus on how the session will be conducted, including how LCPCM will continue to advocate before the legislature and executive branch.

2021 Legislative Session

In mid-September House Speaker Adrienne Jones and Senate President Bill Ferguson announced they would not convene a special session this fall, as many advocacy groups had requested. They cited the need for sufficient time to develop “thoughtful solutions” while also awaiting clarity from the federal government on what financial assistance might be available to support states facing large deficits.

With this news, there is a renewed focus on the upcoming legislative session. While nothing is set in stone, we are preparing for a mostly virtual experience. Instead of coming down to Annapolis to meet with legislators and in-person providing testimony for key bills, Public Policy Partners will be working with LCPCM in pivoting to a remote format, including virtual meetings and bill hearing.

Please stay tuned in the coming months as we discuss hot topics for session including Medicaid rate increases, health safety measures, and the proposed interstate compact.

Professional Counselors – Interstate Compact

As we summarized in August, the Council of State Governments (CSG) has released a [Draft Compact](#) for professional counselors. LCPCM has been busy the past two months reviewing the proposal and identified some areas of concern. Following a series of national presentations summarizing the compact, LCPCM’s leadership met with CSG (and submitted written comments) to propose additional safeguards be added to the compact that would prohibit a single accrediting body, such as CACREP, from influencing practices in states that join the compact. In essence, LCPCM wants to ensure that states are not required to adopt CACREP requirements.

It is anticipated that the Drafting Committee will be reviewing comments this month; and we can expect the final compact language to be released in November, in time for states to introduce legislation in 2021. As reminder, the proposal establishes that the compact is not effective until 10 states enact legislation.

Maryland Board of Professional Counselors and Therapists

At the September meeting, it was announced that the Board is moving forward in filling a variety of positions, including the Executive Director position, which became vacant this summer. In addition, the Board has finalized its [2020 Annual Report](#). Of note, LCPCs and LGPCs continue to make up 60% of all licenses/certificates issued by the Board.

Telehealth

Medicaid: The current federal Public Health Emergency Order is set to expire on October 23, 2020. The U.S. Department of Health and Human Services has indicated that they plan to extend the emergency order for an additional 90 days. If this occurs, Medicaid rules for telephonic and non-HIPAA platforms will continue into 2021. The Maryland Medicaid program is paying close attention to this date and continues to review the possibility of maintaining home settings as an originating site if/when the federal order is not renewed.

Private Insurance Carriers: The Maryland Health Benefit Plan is studying how to provide more information to consumers about telehealth coverage. The Exchange will be publishing draft standards for insurance in the near future. The standards will require carriers to provide the Exchange with basic telehealth coverage information, which will then be provided to consumers through the Exchange's web tool to help consumers select plans. There will be an opportunity for public comment, and this will provide a great opportunity for advocacy on this topic.

Medicaid Enrollment

In July, Public Policy Partners reported enrollment data from the Maryland Medicaid Program, which was up over 18,000 individuals from late February through May 22 of this year. As you can see from the chart, the growth in enrollment continues to increase. One attributing factor comes from Medicaid deferring all redeterminations until the end of the year. If the federal government extends the federal Public Health

Emergency Order into 2021, Maryland Medicaid will further extend the redetermination deadline, meaning participants who may no longer qualify for Medicaid can remain enrolled in the program.

