Dear Speaker DeLeo & Chairman Michlewitz:

We are writing as a coalition of organizations representing clients, providers and professionals who are concerned with access to mental health services in the Commonwealth. We believe insurance practices like retroactive takebacks of payments, often referred to as “clawbacks”, adversely impact the availability of vital behavioral health services to the public.

We ask for the inclusion of Amendment #817 in the FY2020 House Budget. This amendment sets reasonable parameters around the health insurance practice of retracting provider payments for services that were previously authorized and paid for by the insurer.

When providers deliver a service in good faith and in compliance with eligibility rules, they should be compensated without fear of insurance companies taking back these reimbursements months or years after the services were provided. Such insurance practices contribute to the growing number of providers who refuse to accept insurance and consequently contribute to limiting patient access to behavioral health services.

Currently, at least 24 other states have statutes on the books that protect health care providers from this practice. This legislation has been filed for multiple legislative sessions and received a favorable report from the Committee on Financial Services last session. We believe it is time to restrict this unfair practice and we are seeking your support to do so.

Thank you for your consideration.

Sincerely,

ANAMassachusetts
Association for Behavioral Healthcare
Health Law Advocates
Massachusetts Association for Mental Health
Massachusetts Association of Behavioral Health Systems
Massachusetts Health & Hospital Association
Massachusetts Psychiatric Society
Massachusetts Psychological Association
Mental Health Legal Advisors Committee
NAMI Massachusetts
National Association of Social Workers, Massachusetts Chapter
SEIU 509

cc: Vice Chairwoman Denise Garlick, House Committee on Ways and Means
    Representative James O'Day