



August 11, 2022

Maryland Insurance Administration
200 St. Paul Place
Baltimore, MD 21202
Networkadequacy.mia@maryland.gov

RE: COMAR 31.10.44 Network Adequacy Regulations

The Maryland Academy of Nutrition and Dietetics (MAND), is an organization representing approximately 1,200 licensed dietitians and nutritionists, dietetic interns, and students within the state of Maryland. The opportunity to present our perspective on how Network Adequacy affects the work of dietitians and nutritionists before the MIA and key stakeholders is greatly appreciated.

We reviewed the proposed revisions posted to the MIA website and thank the MIA for acknowledging our comments and recommendations outlined in our testimony from throughout the process by the inclusion of dietitians and nutritionists as a provider that needs to be taken into account by regulated carriers in Maryland.

The language from the proposed revisions is noted below:

pages 4-7 - Section .05 Travel Distance Standards.

.... "A.(4) All other providers and facility types included on the carrier's provider panel but not listed in the chart A(5) of this regulation, including physical therapists, *and licensed dietitian-nutritionists*, shall individually be required to meet maximum distance standards of 15 miles for Urban Areas, 40 miles for Suburban Areas, and 90 miles for Rural Areas."

.... "B.(4) All other providers and facility types included on the carrier's provider panel but not listed in the chart A(5) of this regulation, including physical therapists, *and licensed dietitian-nutritionists*, shall individually be required to meet maximum distance standards of 15 miles for Urban Areas, 40 miles for Suburban Areas, and 90 miles for Rural Areas."

We strongly support this language and feel it is an important recognition of the role licensed dietitian-nutritionists play in the health care delivery system and will help to improve access to care for those we treat and work with on a daily basis.

Telehealth:

During the course of the COVID pandemic telehealth has proven to be an important tool allowing for timely and uninterrupted care for many of our patients. Moving forward telehealth will continue to provide an important mechanism to build out insurer networks, but we want to make certain that it does not come at the expense of insurers contracting with licensed dietitian-nutritionist providing in person care. We ask that the regulations establish that patient preference and patient-provider clinical decision making is central to the decision to utilize telehealth. We want to ensure that patients are not disincentivized from gaining access to services provided in person, or without any unnecessary hurdles.

To the extent carriers can use telehealth to satisfy network adequacy standards, we want it to be clear that it is voluntary on the part of the enrollee, that it is not conditioned on the use of a carrier's preferred vendor, and that the payment for the telehealth service remains the same for the in-person service. While not all services can be provided via telehealth, those that are should be paid accordingly.

We thank the MIA for this robust and inclusive process as revisions to the network adequacy regulations are developed and considered. MAND welcomes the opportunity to be a resource and partner in this important undertaking.

Sincerely,

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