



TO: The House Committee on Behavioral Health
FROM: Larry Conner MA, LPC, COPACT President
DATE: February 17, 2021
SUBJECT: HB 3046

Chair Sanchez and members of the Committee,

My name is Larry Conner. I am a Licensed Professional Counselor and the President of the Coalition of Professional Associations for Counseling and Therapy. COPACT advocates for the 6,300 Licensed Professional Counselors (LPCs), Marriage Family Therapists (LMFTs), and Registered Interns who provide clinical mental health diagnosis and treatment to over 100,000 Oregonians each week through their work in agencies, universities, corrections, health clinics, rehabilitation, and private psychotherapy practices.

Thank you for this opportunity to express COPACT's support for HB 3046 with amendments. I have been working as a Licensed Professional Counselor for the last 34 years. Over the last fifteen years Oregonians in need of mental health care have become deeply frustrated with the challenges of finding a therapist who takes their insurance. One reason for this is that insurers have inadequate in-network panels in terms of total number of providers and the number of paneled specialists. Insurers have failed in honoring the requirements defined by DCBS to have adequate provider panels.

Insurers have also engaged in strategies to reduce payments to providers to the extent that private practitioners are reluctant to accept clients from major insurers because they are not paid enough to stay in business. These strategies are two-fold. First there are typically very low reimbursement rates which change randomly. For example, in 2009, Regence Blue Cross reduced its master's level reimbursement by 55%. Three years later they reduced them by another 30%. These changes were issued without comment or justification. Following that, Regence, along with most other insurers, announced they would only reimburse for 45-minute therapy sessions, without any clinical justification, thus reducing even further the amount of reimbursement paid to providers. These random cuts have left many providers with the option of either resigning from provider panels or to ignore clients requesting paneled services because, if the provider accepts too many of those insured clients, they will not be able to meet their financial obligations to their businesses and their families. All the therapists I know are deeply troubled by the situation where they are asked to choose between helping a person in need and meeting their own financial obligations. We all are in this profession because we care deeply about relieving human suffering, and to have finances come in the way of that is emotionally and spiritually challenging.

The second most common troublesome strategy is insurers engaging in utilization review strategies which reject payments to providers often after the services have been rendered. These reviews are abrupt, capricious, intimidating, time consuming, and often lead to the provider paying a lot of money back to the insurer. What is most troubling is the rationale for the review is not clinical. Each insurer decides what kind of condition they pay for and how much, but never with any clinical or statistical explanation for those conclusions. We are not informed of these limitations and in fact they are never published for us to see. To providers, it appears that insurers are focused on only one outcome, reducing their outlay of funds, regardless of the effect on consumers and providers, and they will use any rationale to achieve that goal.

Additionally, insurers are making it harder for enrollees to find out-of-network providers when they an in-network provider isn't available. A recent review of all of the individual policies on the insurance exchange in Oregon found that only one insurer offered any kind of out-of-network benefits to its members. That included Gold policies as well as Silver and Bronze. Thus, many Oregonians are having trouble accessing mental health services from providers paneled with their insurance companies, and also have no options to seek out of network care.

The end result is that mental health clients find it very hard to get the care they need either in-network or out-of-network. COPACT is deeply troubled by this circumstance, which is the primary reason we have worked hard with a large coalition of provider and consumer groups to write HB 3046. Oregon cannot afford to remain behind the rest of the country in offering quality mental health care to its citizens. COPACT is hoping that HB 3046 will have a positive effect on these problems because it will require insurers to open their provider panels, to stop capricious steep reimbursement cuts and to stop unneeded utilization reviews.

A corollary concern HB 3046 will address is that it will help therapists in private practice remain there so more persons can get help. To become a Licensed Professional Counselor, Licensed Marriage and Family Therapist, or Licensed Clinical Social Worker, a person needs to complete three years of graduate training. At the end of their graduate school, they may owe up to \$150,000 in graduate school loans in addition to whatever they carry from undergraduate studies. With the insurance reimbursement rates as low as they are currently, those graduates will have an impossible task of making enough income to pay off those loans. The US Bureau of Labor and Statistics has published data from 2019 that shows that therapists have the lowest average income of all the masters level professions in Oregon at \$53,600. COPACT's concern is that incoming graduates will have no way to pay off the school loans they carry. Because of this, many of them will leave the field, thus further decreasing the access to care for vulnerable and suffering clients. We also believe the lower income is a deterrent for persons seeking to join the profession. At this time when we are talking so much about increasing the mental health workforce in Oregon, the income of mental health providers needs to be a major focus of that discussion.

The problems HB 3046 is trying to address are severe. Please consider how important this legislation is for all Oregonians and support the passage of HB 3046.

Thank you for this opportunity to speak on behalf of this worthy piece of legislation.

Sincerely,

Larry Conner MA LPC
COPACT President