

Melissa Todd, Ph.D. | Licensed Psychologist

1849 Willamette #5 | Eugene, OR 97401 | ph: 541-513-6336 | fax: 541-600-3320

03/14/2023

Re: HB 2455

To: House Committee on Behavioral Health and Health Care

Chair Nosse and Members of the Committee,

My name is Melissa Todd, and I am a psychologist in Eugene. I represent the Oregon Independent Mental Health Professionals (OIMHP), a legislative advocacy group dedicated to strengthening mental health parity and increasing access to quality mental health care in Oregon. As a member of OIMHP, I advocated for SB 860 (2017) and HB 3046 (2021), and I served on the Rulemaking Advisory Committee for HB 3046 in 2021 and 2022. I am also the vice-president of the Western Oregon Mental Health Alliance (WOMHA), a multidisciplinary, independent practice association of behavioral health providers located throughout the greater Portland, Salem, and Eugene areas. Today, I respectfully ask for your support of House Bill 2455, a bill that seeks to place sensible limitations on audits and recoupments of claims that are damaging to behavioral health providers and access to behavioral health care.

As a solo practitioner, I am a small business owner, the sole source of income for my business, and I conduct all of my own administrative duties. In the world of behavioral health, this arrangement is commonplace. A few years ago, I received a notice from an insurer that they were asking for a refund of paid claims for two clients covering a period of approximately 15 months. Both clients were covered under a student health plan, which I billed as the primary insurer without knowing they were both also covered under a parent's plan which made the student plan secondary. One client was unaware of their own double coverage, while the other simply did not report the other policy to me because they thought they could choose which plan to use. In other words, both the clients and I made honest mistakes and as a result I did in fact owe the insurer a refund. Under Oregon law, I was obligated to pay the refund within 30 days or the insurer could choose to recover the amount by withholding payment of future claims. While the true primary insurers now owed me payment of these claims, under Oregon law I could not request payment earlier than six months after I informed them of their responsibility. This put me in a significant bind, so I reached out to the insurer requesting the refund and asked if they could hold off on recouping payment from future claims until I received payment from the other insurers.

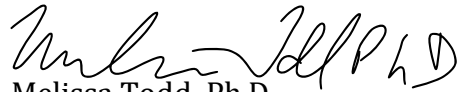
I was told that they would hold off, which they were not obligated to do by contract or law, and I was grateful. However, the insurer did not stick to their word and my next reimbursement payment from them was for \$0; they had recouped the money I owed them from a future payment anyway. Since I submit claims on a monthly basis, the amount was substantial and represented more than half of my income that month. When I followed up with the insurer, they admitted their mistake and apologized, but did not offer to pay me the amount they had recouped. They also continued to recoup from subsequent claims.

This example may sound like small potatoes, especially to an insurance company or even a medical group; for me, it was a major and unexpected loss of income which caused significant financial burden and emotional distress.

HB 2455 contains a provision that would direct insurers to allow behavioral health providers to use a repayment plan of up to three years, which would have allowed me the time to receive payment from the other insurers without incurring a major loss of income in the process.

Please pass HB 2455 to protect access to behavioral health care for all Oregonians by ensuring that behavioral health providers have more rights in the claims auditing and recoupment process.

Respectfully,

A handwritten signature in black ink, appearing to read 'Melissa Todd, Ph.D.', written in a cursive style.

Melissa Todd, Ph.D.
Licensed Psychologist