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On Behalf Of: WOMHA  
Committee: House Committee On Behavioral Health  
Measure, Appointment or Topic: HB4028

I am a Psychologist practicing in Salem and a WOMHA member. I am writing in support of HB 4028 because health insurance audits and clawbacks place a significant burden on behavioral health providers, which creates downstream negative effects on Oregonians who need behavioral health care.

Current Oregon law allows insurers too much leeway and significantly disadvantages solo behavioral health providers and small practices.

Unfortunately, I have experienced both unfair clawbacks and being bullied by manipulative tactics portrayed as 'medical management' by insurance companies. Each of the numerous instances has cost me time that could be better spent with clients and money that should be helping sustain my practice. Continued exercise of such enormous power on a whim without sensible limitations or basic transparency requirements, means insurance companies are effectively reducing accessibility to mental health services. Restricted treatments, siphoned available time and energy, and financially crippled practices shouldn't be part of becoming a contracted provider and the longer they remain on the table, the smaller the list of providers taking insurance will become.

Of particular note for me was an instance where I was seeing a client regularly for an hour long therapy session, 90837, and their file was 'randomly selected' for an audit. I attempted to ascertain exactly what was being requested and after spending a significant amount of time trying to contact the insurance company, I was finally given some clarity as to what they were requesting. I quickly supplied the information and continued my work with this client. Weeks later, I received notification that her sessions were denied and I needed to reimburse the company for the sessions it had previously covered. I immediately called them and was put in touch with a representative, (not a behavioral health provider in any capacity), who affirmed the notice I had been given. When I asked for their reason, he stated that I was not utilizing the therapy modality that the insurance company felt was the 'most evidence based practice' for the client's condition. He stated that the only way to possibly have this client's sessions covered would be to change my therapy modality and complete their appeal form(s) and submit them along with an updated treatment plan aligning with that modality. The modality they wanted me to use was Exposure Therapy because of the diagnoses. According to the 'medical management rubric' this insurance company utilized, of which he couldn't provide me with any details that would allow me to look it up myself or even verify its existence, my best course of action was to gradually expose my client to the specific trauma that had caused her PTSD and Anxiety while helping her to manage her symptoms. I asked if they had read the diagnostic summary or the treatment plan I had provided where it clearly stated that her diagnoses stemmed from severe emotional and sexual abuse as a

child which was then compounded by being sexually assaulted as an adult and he said they had. They were refusing to cover therapy for a victim of sexual abuse because, based on their audit, a clinician needed to be working toward exposing her to being sexually abused. And when I asked who I needed to contact to appeal this decision or who his manager was or if there was anyone I could talk to about this heinous decision, I was told there was nothing I could do. They would no longer cover 90837 for this client.

Fortunately, I had only seen this client for a few sessions so the amount the insurance company recouped didn't completely wipe out my practice. However, this never should have been allowed to happen in the first place; insurance companies shouldn't be able to hide behind unknown 'medical management' practices. HB 4028 is sensible law reform that will support behavioral health providers who want to take insurance and increase access for all Oregonians. We need HB 4028!