

May 21, 2026

The Honorable Nnamdi O. Chukwuocha
Chair
House Health & Human Development
411 Legislative Avenue
Dover, DE 19901

The Honorable DeShanna Neal
Vice-Chair
House Health & Human Development
411 Legislative Avenue
Dover, DE 19901

Re: American Medical Association **strong support** for Delaware Senate Bill 22, “Fair Standards in Mental Health Care”

Dear Chair Chukwuocha and Vice-Chair Neal:

On behalf of the physician and medical student members of the American Medical Association (AMA), I write in strong support of Senate Bill 22 (SB 22), an Act to support “Fair Standards in Mental Health Care.” Delaware, similar to states across the nation, faces considerable challenges in accessing timely, affordable, evidence-based care for mental health and substance use disorders. This affects children, adolescents and adults across the board, including those who are insured.

It is a sad truth that having insurance benefits and paying monthly premiums does not mean that health insurers live up to the promise of access to care. Not only do individuals and families experience dead-ends when trying to find a physician in-network, they too often face situations where no one is accepting new patients, forcing them to try and find much more expensive, out-of-network care.

And even if an individual or family member does find in-network care, all too often they must navigate delays, denials and other administrative barriers that leave patients unable to obtain the care recommended by their physician or other health care professional. These delays and denials can have devastating consequences for someone in a mental health crisis or who needs ongoing care for a substance use disorder, including the onset of debilitating symptoms, relapses, and sometimes tragic outcomes.

The AMA strongly supports SB 22 because it provides straightforward, meaningful steps to close the gaps, provide individuals value for their premium dollar, and help ensure that coverage works as intended. Major provisions of SB 22 that the AMA strongly supports include:

- Requiring coverage of the full continuum of medically necessary care for mental health and substance use conditions, consistent with generally accepted clinical standards.
- Ensuring that medical necessity determinations are based on criteria developed by non-profit, professional medical associations – specifically, the ASAM Criteria for substance use disorders, which Delaware already requires, and the LOCUS family of criteria for mental

health conditions – rather than proprietary, financially-driven criteria that lead to delayed and denied care.

- Improving timely access to care by setting clear standards for network adequacy and requiring coverage of out-of-network care when in-network physician or health care providers are not available.
- Strengthening protections against restrictive utilization management practices that can delay or disrupt care, including limits on prior authorization and concurrent review in key circumstances.
- Expanding access to life-saving medications and ensuring they are available without unnecessary barriers.

Together, these provisions will help ensure that patients can access the right care, at the right time, in the right setting, without facing unnecessary administrative hurdles.

This legislation is especially critical at a time when demand for behavioral health services continues to rise. One in five Delaware residents experiences a mental health issue each year. Delays in care not only worsen health outcomes for individuals, but also increase costs across the healthcare system, including costs associated with avoidable emergency department visits and hospitalizations. The AMA has long warned about proprietary, financially-driven criteria. When insurers use opaque, unvalidated tools to make coverage decisions, patients are wrongly denied care and have little meaningful basis to understand why or to appeal. Delaware already requires use of the ASAM Criteria for substance use disorders. Yet no equivalent protection exists for other mental health conditions. SB 22 brings that same transparency and accountability to every patient, regardless of diagnosis. By aligning coverage with clinical best practices, this bill will improve outcomes while supporting a more efficient and effective healthcare system.

For the above reasons, the AMA strongly urges a “Yes” vote in the Delaware House Health and Development Committee. Thank you for your consideration.

If you have any questions or if we can provide further information, please do not hesitate to reach out to me directly at 312-464-5288 or John.Whyte@ama-assn.org.

Sincerely,



John Whyte, MD, MPH

cc: Medical Society of Delaware