

Legislation & Policy Committee Meeting, January 16, 2019, 9:30am

Legislative Update

Lame Duck Review

Alan reviewed the Bills that passed and those that did not pass during the Lame Duck session last month. He stated that almost 400 Bills passed, with Governor Snyder vetoing 55 of them. This was more vetoes than in his previous seven years combined. Alan reviewed the Supplemental Budget that was passed and reviewed a couple of bills that impacted behavioral health. The CARES Task Force Hotline was passed, along with an Emergent Peer Recovery Coach Services Pilot. Other items in the Supplemental were the Direct Care Wage increase, Lakeshore Regional, and Autism Train the Trainer funding. Alan stated that the SUD Licensing Rules were passed by the JCAR. LARA plans on drafting a second round of licensing rules and will not enforce the rules passed in December. He then reviewed revisions to Kevin's Law stating that key language was removed from the Bill that would have required the state pay for any additional costs this bill would require. Alan stated that the Association will likely create a chart or form to track costs related to this which can be used with the Department and Legislation to try and obtain reimbursement after the fact.

Alan then reviewed the items that did not pass in Lame Duck. Among these were the bills that would have allowed Law Enforcement to access the MAPS system, which could have led to discrimination against those in recovery, the House CARES Task Force Bill package and the "Raise the Age" package of bills. He stated that the lack of any action regarding 298 was a good thing. Bob Sheehan stressed the hard work put in by Alan Bolter in the SUD area, thanking him for those efforts. Group wondered what the future of the House CARES Task Force bills looked like. Alan stated that they may be reintroduced.

2019 Senate Committee Chairs

Alan reviewed the documents provided to the group in the packet which listed the Senate Committee Chairs and their Committee assignments. He stated that Governor Whitmer will hold the 'State of the State' address on Tuesday, February 5th, with a preliminary budget proposal likely to be released sometime in March.

2019/2020 CMHAM Legislative and Policy Platform

Alan reviewed the proposed Legislative and Policy Platform that was presented in the packet. The four sections listed in this document were Adequate Funding Levels, Policy Reforms, Regulatory Reforms and Protecting the Public Safety Net. Alan reviewed the suggestions under each of the 4 categories, asking the group to approve this platform for the Association to use as a guideline in dealing with Legislators, and as a unified front for what the Association's position is on these topics. Group discussed Risk Reserve and whether the lack of payment from the State for the last 20 years was actionable, or if we could request retro payment for any or all of these funds. Group then discussed the differences in underfunding in one area or another. For example, one CMH may have enough local match but be severely underfunded in Medicaid dollars, while another CMH may have enough Medicaid funding while lacking in local match dollars. Group continued to discuss other funding issues. Alan continued to review items in this document under Policy Reforms. Alan informed the group that the Children's Issues Committee recommended adding Behavioral Intervention Teams for school systems under the Policy reform section. Alan then reviewed the Regulatory Reforms section and the Protect the Public Safety Net section with the group.

Group voted to accept the Legislative and Policy Platform as presented, with the addition of 1) supporting Behavioral Intervention Teams in school systems to include gun violence under the Policy Reforms section, 2) co-funding for outpatient services to the Mental Health Code definition of recipient under the Regulatory Reforms section, and 3) SED to the first page of the document under the Medicaid Rates section.

Policy Updates – Bob Sheehan

HCBS

Bob reported that March 2019 is when everyone must be in compliance.

Network Adequacy Standards

Bob stated that these standards are an unfunded mandate, and that we have been in contact with the State letting them know that they must fund these if they are going to make them requirements, not just suggestions.

Crisis Services – Clarification of Right to Hold

Bob stated that this topic is being discussed with the State for clarification of when it is not okay to hold someone when they have been brought in for behavioral health reasons.

Physical Management Training for Parents

Bob stated that currently there is no method to teach parents and caregivers how to use any type of physical management when it is needed. He stated that the Association is working with the State to find a way to accomplish this. He will keep the group updated.

The next meeting of the Legislation & Policy Committee is scheduled for Wednesday, March 20, 2019, 9:30am, CMHAM office, Lansing.

Meeting adjourned at 10:56am.