

## Legislation & Policy Committee Meeting, January 19, 2022, 9:30am

### Legislative Update

#### Budget Items & General Updates (enc)

Alan reported that the Legislature completed their work for 2021 on December 15. He stated that the Senate did not act on SBs 597 & 598 but did finalize an end-of-the-year supplemental appropriations measure (HB 4398). He gave details of SUD Block Grant, MH Block Grant and several other items that were included in that Supplemental. There will be several more supplementals seen early this year appropriating Federal ARPA and Covid relief funds. The Revenue Estimating Conference was held last Friday which reported a surplus of almost \$6 Billion over what was anticipated. The Governor will likely release her budget proposal for FY23 the first week of February. She will hold the State of the State address next week. Alan reported that the Governor was holding mental health discussions last week in the Traverse City area, but none of the CMH Directors from that region were included in those discussions. Alan has reached out to the Governor's office with information to help guide her in any discussions she may be looking to include in the State of the State address. Group wondered what the best way was to make sure the right people were made aware of these discussions. Alan stated that with Meghan Groen no longer acting as liaison to the Governor's office on Health Policy issues, it has been difficult to make sure we're notified on these issues and types of meetings. Group wondered if we could use the Association's relationship with Senator Stabenow as leverage with the Governor. Bob stated that there really wasn't. Alan reported that the House has put together a School Safety Task Force, that will likely have some form of mental health component to it. Gun control, school safety and technology will likely be part of this as well.

#### HB 5165 – National Health Service Corps (NHSC) (enc)

Alan reported that this bill would align Michigan with the Federal Guidelines as far as ability to pay. The NHSC has been utilized in the past for repayment of loans, and several CMHs lost staff due to the State of Michigan being out of compliance in their ability to pay according to the federal sliding fee discount program. This bill corrects that error.

#### HB 5593 – Court Ordered Treatment (enc)

Alan stated that this bill looks at court ordered treatment. Changes to certain wording in the language is needed to reflect "treatment using the CMHSP clinical assessment of the defendant", NOT "treatment using the CMHSP finding of incompetency". Bob stated that if a client is found incompetent to stand trial, often that client may eventually be deemed competent due to treatment from the CMHSP. Work alongside the Department is being done on this bill at this time.

#### HB 5467 – Open Meetings Act (enc)

Alan reviewed a document that clarified the only reason a member would be allowed to participate remotely in any give open meeting, would be due to military duty. The way the OMA was interpreted prior to Covid was that a Board member could participate remotely if a physical quorum was present. This loophole was closed after emergency orders went into effect due to the Covid pandemic. Alan stated that there did not seem to be a lot of legislative support to return to a pre-Covid understanding of the Open Meetings Act, or to move any legislation that would allow that.

#### SBs 637 & 638 – Mobile Crisis teams (enc)

These bills enact legislation for boilerplate and establishes proof of concept for funding these programs. \$5 Million was put into these and hopefully will get increased. These were passed and are now Public Acts.

#### SBs 597 & 598 – Financial Integration Bills

Alan reported that advocacy against this legislation continues to be strong by the Association and its members. Senator Shirkey discussed this on a local TV program late last year and mentioned that he would have about 60 days in the beginning of 2022 to move these bills out of the Senate. There will likely be a push by Senator Shirkey to this effect in the next month or so. Group wondered what the procedure was to get these bills off the floor and up for a vote. Alan stated that the majority floor leader makes that decision. Senator Shirkey will not push to have this put up for a vote until he's sure he has enough votes to pass it. Chip Johnston stated that Wayne Schmidt, who was previously in support of this legislation now has concerns with it. Alan stated that there were about 10 Senators who might be open to voting in opposition of this legislation. Group then discussed which Senators were in support of this legislation and which were not. Some felt that this was not on the Governor's radar as a high enough priority. Bob and Alan agreed that the Association shares this concern. The Department's lack of involvement in the process is very frustrating. Group expressed hope in the fact that the Governor's office is getting pressure from the Unions on this issue. Kay Randolph-Back wondered if campaign contributions would play as large a part with the redistricting coming with Senators in particular, and if there was anyone that could be influenced positively due to that redistricting. Alan stated that this remains to be seen, but the redistricting could play a large part in who will be supportive of our cause. These legislators still need the votes, so that can only be helpful for the Association.

#### House Behavioral Health Reform Update (HBs 4925-4929)

Alan reported that last year, Representative Whiteford introduced HBs 4925-4929, which would replace the 10 PIHPs with one ASO (Administrative Service Organization) and move core functions to the Department. The House Health Policy held a couple of hearings but did not move them forward. She then held many listening meetings to gather feedback and suggestions and will be redeveloping this legislation. She has reached out to the Association for details in any redesign efforts that she will be putting forth in the future. Alan reviewed the document shared with the group that gives details of key concepts and core components to be supported and how to keep it a public system, such as local control, payment arrangements, access to care, risk bearing, SUD

network organization/management, and keeping the public safety net model. Bob Sheehan stated that not having the PIHPs mentioned in the legislation is still very concerning. Group wondered if it was unconstitutional to shift authority to an ASO. Bob Sheehan stated that it was constitutional. Alan stated that a reworked set of bills will likely be seen from Representative Whiteford's office in the next couple of weeks. He will send anything that comes out to the group for review and to develop an opinion on the legislation.

Policy Updates – Bob Sheehan

KB lawsuit settlement (MI Kids Now) (enc)

Bob reported that the MI Kids Now initiative has received a letter from the Association, in partnership with ACMH and the Michigan Federation for Children and Families outlining the frustrations in the movement on services and programs coming out of this. A meeting with David Knezek will take place later this week.

Crisis Stabilization Units (enc)

Certification criteria have been laid out in the Concept Paper that was issued to the group in the packet. No discussion.

MiCAL (enc)

Bob reviewed the documents included in the packet which included a memo from the Department outlining how the statewide crisis line will work (988) and PowerPoint informational slides on the rollout of MiCAL. Some in the group expressed frustration over the lack of recognition for the rural community's concerns. Bob stated that he felt that Public Sector Consultants are listening to these concerns and paying attention to them. Diane wondered how to tap into the Rural Development group recently formed by the Governor through the Department of Agriculture. Bob Sheehan stated he will be reaching out to them to find out how to get a seat at the table.

Threat Assessment (enc)

Bob reviewed a document outlining the responses to the school shooting and threat assessment resources. Melissa Reeves will be working with a partnership formed by the Association, State Police Office of School Safety, MDHHS, the Michigan Department of Education, and others on this topic.

There was no other business.

The next meeting of the Legislation & Policy Committee is scheduled for Wednesday, March 16, 2022 at 9:30am. This meeting will be held in-person AND via Zoom.

Meeting adjourned at 11:01am.