

Legislation & Policy Committee Meeting, April 20, 2022, 9:30am

Legislative Update

FY23 Budget (enc)

Alan reported on the current FY23 budget process. He stated that the Senate is reporting out their DHHS budget recommendations at 12:30 this afternoon. House is not in session this week, so a proposed budget is expected from them sometime next week. He reviewed the document that contains CMHAs top priority items that is being shared with legislators, which includes local match draw down (Section 928), funding for CCBHCs, Behavioral Health Homes and Opioid Health Homes, Michigan Essential Health Provider Program Expansion for BH Professionals, Direct Care Wage increase, better coordination with Mental Health in school funding, and suggested boilerplate on Deemed Status to avoid the tremendous amount of duplication in the accreditation process. Carl Rice wondered if the Association could advocate for funding for ALL CCBHC sites – not just the 13 that are currently being funded. Bob Sheehan answered this question. (See item VI – second bullet). Group wondered if the Michigan Education Association had any idea how they would like to approach spending of the \$425 Million. Alan stated that the Association has not reached out to them until the Budget is agreed upon and the appropriations finalized.

HBs 4925 – 4928 – Whiteford Bills (enc)

Alan reviewed the Questions and Concerns document that the Association is currently working on which will identify concerns with eliminating the PIHP system, concerns over losing the CMHs as centers of mental health leadership and excellence and show how the constant attempts to redesign the system is harmful. Other items covered in this document were concerns over capitation rates and SUD Network questions. Alan reported that he has learned that the House does not intend to move these bills until lame duck. Rep. Whiteford met with Northern Region representatives this past Monday. Alan stated that many of the questions included in this document were asked of her at this meeting. Christine Gebhard stated that she supports capitation payments but does not seem to approve of a managed care organization set-up. Christine stated that she continues to seem open to suggestions and input on these bills. She is also very outspoken on her opposition to the Shirkey legislation. Jim Johnson wondered if anyone knew whether she was still opposed to Miliman. Christine stated that Rep. Whiteford was still against the use of Miliman's services. Jim stated that without a rate certification process, a fee for service model may need to be used. Alan believes that with no movement projected on this package until lame duck, there is likely not a chance of this being passed through the Senate. Alan will send this Questions & Concerns document to this group once it is finalized. Joanne Sheldon asked if there is still a chance that Rep. Whiteford and Rep. Brabec could work together on a new package. Alan stated that there is still a chance of them working together toward that.

SBs 597 & 598 – Financial Integration Bills (enc)

Alan reviewed 2 documents issued in the packet that counter the claims being made by the Shirkey administration of what SBs 597 & 598 would accomplish. These are a sort of “myths vs. facts” reporting of this legislation. Alan stated that there is a quiet sort of uneasiness within the Senate due to the lack of movement on this package, but Sen. Shirkey will likely make a big push for this in lame duck after the election. Many in the group are using the maps and lists of counties who have passed resolutions against this proposed legislation, and it seems to be very powerful and persuasive. Group wondered if any Senators have been identified as coming around to not supporting this legislation who originally voted to pass it. Alan stated not concretely, but how votes may be swayed AFTER the elections remains to be seen. He does not have the votes today, but that could change tomorrow, next week, or during lame duck.

HB 5165 – National Health Service Corps (NHSC)

Alan stated that this legislation would align the state's ability to pay scale. This bill was moved out of the House but has seen no movement in the Senate. The Association is hopeful that this bill is not being stalled in the Senate due to its importance for our system as a penalization for recent advocacy against SBs 597 & 598.

HBs 5968 & 5969 – Opioid Settlement Funds (enc)

Alan reported that the Opioid Settlement Funds will total around \$700-\$800 million. Half would go to local units of government, and half would go to the State. The first bill would create a “trust fund” which would hold the State's portion. The second bill creates an advisory commission and talks about opioid liability litigation. Senate Bills moved through the Senate to the House floor, and the House Bills moved through the House to the Senate floor. Alan stated there is no parameters established yet for local spending, but this is being discussed among the SUD Directors and the Attorney General's office.

SB 992 – Children's Group Home Safety Intervention (enc)

Alan stated that this bill would allow for emergency level use of seclusion and restraint in order to protect the child concerned in group homes. Many group homes have had to close due to not being able to use these methods. The need for these types of tools as an option can help keep these facilities open.

Policy Updates – Bob Sheehan

MDHHS BH Reorganization (enc)

Efforts around reduction in administrative burden and addressing the behavioral health workforce shortage

Bob reported that discussions took place recently at the March Directors' Forum with the Department. CEOs from our system expressed to leadership at the State that there does not seem to be a sense of urgency among the State around reducing

administrative burden to address the workforce shortage. Bob sent a document yesterday to the Department with suggestions to help address this issue.

Michigan's State Demonstration CCBHC initiative and CCBHC Expansion site (enc)

Bob stated that after speaking with Erin Emerson, there are concerns that the process is not figured out yet, funding is not adequate, and only 13 sites are included in the projections. Before the expansion, any numbers to be projected would be a guess. Bob then reported that the grant period has been extended from 2 years to 4 years. Jim Johnson reported that there are some funds being rolled out other than Medicaid dollars. Bob stated that currently, if you have an expansion grant, dollars can be used a little more flexibly, but when that grant goes away, trouble can arise. Ability to make the certifications is also a concern.

Mi Kids Now initiative

Meeting is scheduled next week with Phil Kurdunowicz and Lindsay McLaughlin to get an update.

Discussion of transition from state hospitals to community settings (enc)

Bob reviewed the handout provided in the packet regarding Disability Rights Michigan and recent court cases being brought against CMHs. He stated that there have been a series of meetings to provide a clear picture of barriers to transition of some persons served in state hospitals to community settings. Jim Johnson stated that DRM are starting to get active in residential settings, but not with lawsuits that he was aware of. Selena Schmidt reported that she is a DRM board member, and they are indeed looking at lawsuits for residential settings, but none are scheduled at this time. She reported that she continues to work with that board to help enlighten them on the reality of the damage done by this judicial process. Eric Doeh agreed, stating that he is also encouraging collegial collaboration with DRM as opposed to adversarial by use of the Court system. Bob Sheehan stated that the efforts to show how these court proceedings encourage line jumping and does not help the overall problem. Group discussed differences in placement for adults vs. children. Bob reported that currently there are pilots being operated for children called PRTFs (Psychiatric Rehabilitation Treatment Facilities), but intensive home-based services are needed. Jim Johnson stated that St. Clair CMH is working with Sen. Lauwers to create legislation (SB 992) to allow for the use of emergency use of seclusion and restraint.

Michigan's developing crisis system (Michigan Psychiatric Care Improvement Project – enc)

Bob reported briefly on 988, MICAL, warm lines, mobile response teams, and short-term crisis residential setups.

Other

Any interest in Board Member Vice Co-Chair position

Monique asked if any Board Members were interested in filling the Vice Co-Chair vacancy. Kay Randolph-Back indicated she would like to fill this position. Group agreed by consensus to appoint Kay to the Vice Co-Chair position.

The next meeting of the Legislation & Policy Committee is scheduled for Wednesday, June 22, 2022 at 9:30am. This meeting will be held in-person AND via Zoom.

Meeting adjourned at 10:45am.