

Legislation & Policy Committee Meeting, March 14, 2018, 9:30am

Legislative Update

FY19 Executive Budget

Alan reviewed the "Bills to Watch" document. He then reported on the Governor's proposed budget, stating that the last public hearing of the House and Senate regarding the budget has taken place. The Legislature will be returning from their Spring Break on March 9, and will be sending out their versions of the budget. The next 6-8 weeks after that they will fine tune those versions, and will likely have the final version of the budget in early June. In the Governor's version, the item that sticks out as very different from last year is the Autism services line, having jumped up from \$105 Million to \$199 Million. Alan believes that the Senate may convene a meeting solely to review the reasons for this increase, which is explainable by details of the services expanding from 0-5 years old to 0-21 years old. Group discussed details of capitation for Autism Services. Alan asked the group to send any questions, concerns, successes, etc., regarding Autism, to him so that he can bring that to any hearings that the Senate may hold in the near future. He stated that this topic will likely be added to the March 20-21 Agenda for the Directors' Forum for discussion. Alan stated that the Lt. Governor's office contacted our Association for the Autism Alliance, asking for support in this issue. Alan went on to report that he gave testimony regarding budget items such as Direct Care Wages, Boilerplate section 298, Boilerplate section 994 (deemed status), Local Match and the DAB issue. Alan stated that regarding DCW increase, he testified that the \$45 Million was not enough to implement this. The actuaries reworked the numbers and found that the revised needed amount was \$64 Million. Alan stated that the 298 language in the Boilerplate was a continuation of last year's language. He is going to ask for Boilerplate language to be added allowing PIHPs to add money into their ISF and have it count as an expenditure. This will help to close the circle of the DAB issue in fixing how it is dealt with.

Alan stated that the 3 chosen 298 Pilot sites are Saginaw, Genesee, and West Michigan/HealthWest (jointly). No implementation or contracts can take place until the 1115 Waiver has been approved for Michigan. Group discussed possible implementation dates, and if this topic would affect the Gubernatorial election. Alan spoke about other changes that will need to take place prior to implementation, such as legislative, as well.

House CARES Task Force Update

Alan reviewed several bills that have stemmed from the House CARES Task Force recommendations. He gave details of HB 5085 (earmarks 4% of liquor sales tax dollars for SUD services), HB 5439 (electronic inpatient bed registry), HB 5460 (basic life support training in drug overdoses), HB 5461 (allows administering of opioid antagonist by trained individuals), HB 5524 (teachers training in Mental Health First Aid), HB 5487 (credentialing requirements) and HB package 5450-5452 (allows those previously convicted of minor felonies and misdemeanors to work in some mental health care jobs).

Following were House Bills that were discussed:

HB 5439 – Electronic Inpatient Bed Registry

HB 5524 – Mental Health First Aid for teachers

HB 5487 – Universal Credentialing

Alan reported that this bill would only apply to Medicaid health plans. They will now be using the CAQH credentialing, which does not apply to social workers and many others in the behavioral health field. Alan stated that we were pulled out of this bill due to that.

HB 5619 – Priority Status

Alan stated that this bill recommends that CMHs prioritize populations, adding a whole host of diagnoses. This bill also struck the term "most severe", opening this up to the Mild/Moderate population, with no funding being attached to it. Children in Foster Care would also become a priority population – again with no funding attached to it. Alan testified against this bill on behalf of the Association stating that there is not enough money to fund this.

Following were Senate Bills that were discussed:

SB 823 – Medication Access

Alan reviewed the testimony distributed in the packet, given by Mark Reinstein of the Mental Health Association in Michigan. He stated that this bill would ensure that our services remain carved out for access to medication.

SB 897 – Medicaid Work requirements

Senator Shirkey's bill would add work requirements under the Medicaid program. Currently, Healthy Michigan does not have work requirements, but individuals who no longer meet HMP criteria, and are able-bodied would be moved off of Healthy Michigan and over to the Marketplace Exchange. Regarding this Bill, Alan stated that the definition of "able-bodied" is going to be worked on by a coalition being formed. Alan stated that this bill could pass.

DAB issue

Alan stated that he, Bob Sheehan, Brad Casemore and Richard Carpenter have a meeting tomorrow with key legislators and the Department to present facts related to this issue, in the hopes that the miscalculations in the payment rates can be corrected. He reported that Rehmann did a study showing the movement of the DAB population to the HMP/TANF programs, and how this migration is seeing a lower rate being paid to the PIHPs for the same services. He stated that the Department has said that the change in the DAB rates is not necessarily shifting to another population; they are simply "falling off". Alan stated that this is not an appropriations issue; the money has already been sent to the Department, it just hasn't been paid to the PIHPs, in the form of

incorrect rates being used. Alan stated that the Department seems to be willing to do a legislative transfer of about \$30 Million, but they are waiting for a report from the PIHPs before that happens. This transfer will likely happen in mid-April if it is approved. Alan stated that he will be suggesting a supplemental as well.

Policy Updates – Bob Sheehan

HCBS Status

Bob Sheehan stated that the rules for compliance were changed. HCBS stands for Home and Community Based Services.

Approx. 800 sites have been put under Heightened Scrutiny because of these rule changes. The deadline to come into compliance fully is now in 2022.

Employment First Initiative

This initiative is to help our clients find work. We have partnered with MARO, DD Council and MDHHS to implement this initiative. Technical assistance and payment reform are being addressed in this initiative. Group discussed details of levels of work for consumers with different levels of disabilities. Bob stated that MARO gave a pre-conference presentation on employment at the Winter Conference that was well attended. Group discussed the fact that employment services were not in the Mental Health Code as a required service. Lisa Morse informed the group that 'employment services' has been added to Contract Negotiations.

School Community Health Alliance policy work

Bob reported that SCHAMI (the School Community Health Alliance of Michigan) is working with Medicaid to increase funding for school age health care to be offered through the schools. Some parents are concerned that if they already have a primary care provider, they would not want another provider. Group discussed the involvement of the Michigan Primary Care Association and FQHC's in this initiative, and how services are becoming more integrated.

Other business

Discussion on Gun Violence

Bob Sheehan stated that the Op-Ed he distributed a couple of weeks ago has seen a lot of distribution across the state. He spoke about keeping metal detectors out of schools, and the need to reach out to these troubled young adults, and not isolate them in the form of suspension and expulsion. Group discussed having SCHAMI follow up on this. Blaming the mentally ill and hardening our schools is not the answer. The basic causes need to be explored and addressed.

Alan then reviewed a handout that was distributed to the group from the Michigan Sheriff's Association. The MSA Notes on School Safety memo outlined a proposal from them for future actions surrounding the topic of gun violence in schools. It spoke about school resource officers, hardening schools, effectively dealing with threats, etc. Alan stated that everyone should have this on their radar and be prepared for multiple discussions in the near future. Group discussed the need for some kind of plan of action from the Association's standpoint. Group liked the idea of School Resource Officers, and discussed possible ideas of funding for those. Group discussed whether or not programs such as "Okay to Say" were being analyzed to see what types of calls were being received. Alan stated that this was monitored, and he will look into obtaining those findings.

Group voted to establish a workgroup to form recommendations on the topic of Gun Violence in Schools and include that both the Policy and Legislative views be taken into consideration during the development of those recommendations.

Meeting adjourned at 11:14am.