DRAFT 5/25/20

National Council for Behavioral Health

Association Executives Teleconference Summary Notes

Tuesday, May 19, 2020

2:00 – 3:00 p.m. ET

Participants: Laura Aldinger, Jeremy Blair, Alan Bolter, Matt Brooks, Melanie Brown-Woofter, Gian-Carl Casa, Danette Castle, Tom Chard, Lauri Cole, Phaedre Cole, John Coppola, Paul Curtis, Terry Dosch, Lori Doyle, Mark Drennan, Annette Dubas, Candy Espino, Mark Fontaine, Doyle Forrestal, Robyn Garrett, Amanda Gilman, Lauren Grimes, Shannon Hall, Lisa Henick, Kimberly Higgs, Heather Jefferis, Julia Jernigan, Lee Johnson, Mark Levota, Marvin Lindsey, John Magnuson, Brent McGinty, Pete Nielsen, Jin Palen, Jorge Petit, Michelle Ponce, Sarah Potter, Cherryl Ramirez, Mary-Linden Salter, Flora Schmidt, Andrea Smyth, Christine Stoner-Mertz, Julie Tessler, John Tessoni, Kerran Vigroux, Ellyn Wilbur, and Mary Windecker.

Staff in Attendance: Frankie Berger, Michael Petruzelli, Neal Comstock, Brett Beckerson Rebecca Farley David, Stephanie Katz, Diane Mallard, Joel Nepomuceno.

**Summary Notes:**

Chair Doyle Forrestal (CO) welcomed Kerran Vigroux, new Executive Director of the New Hampshire Providers Association.

**COVID-19 Policy Update**

Presented by Frankie Berger and Michael Petruzelli

Michael Petruzelli stated the House introduced and passed a $3 trillion COVID-19 relief bill, the Health and Economic Recovery Omnibus Emergency Solutions Act (HEROES Act) in the past week. He noted that they also passed legislation allowing for remote voting. Michael said that while the Senate is in session, it is just focused on nominations, judges, and political appointments. He said the Senate is not focused on the HEROES act and there are no indications that they will take it up.

Michael said that the HEROES Act includes:

* $3 billion in new money to the Substance Abuse and Mental Health Services Administration (SAMHSA) including,
  + a $1.5 billion Substance Abuse Prevention and Treatment block grant,
  + a $1 billion Mental Health block grant, and
  + And the remainder for SAMHSA programs.

He said the HEROES Act also includes:

* the Medicaid Re-Entry Act (which would allow a restart of Medicaid coverage for incarcerated individuals up to 30 days before their release),
* designation of 988 as the national suicide-prevention hotline number,
* replenished many CARES Act funds, and
* requiring 12.5% of spending for the Paycheck Protection Program (PPP) to go to non-profits with more than 500 employees.

Michael emphasized that the HEROES Act does NOT include the $38.5 billion we have been advocating for to help behavioral health providers. He explained that this is a Democratic only bill and we are unsure how Republicans will move forward in the Senate, whether they start from scratch, or take pieces of the bill. Michael said that the Senate will most likely not consider pandemic relief legislation until at least June. The National Council has been in discussion with Senators and key staff on next steps.

Andrea Summerville (WY) asked what the chances are of the proposed increase in federal medical assistance percentage (FMAP) for Medicaid and CHIP. Michael replied that the chances of a further FMAP increase are very low.

Matt Brooks (IN) stated that states now may not reduce the FMAP for units of government. He stated many community mental health centers fall under the definition of a unit of government. Matt asked if we have heard of any members returning all or a portion of the funds they received through the PPP after reviewing the eligibility language. Michael stated he has not heard of any organizations returning money. Heather Jefferis (OR) said that some Oregon members have returned part of the PPP funding they received as a result eligibility constraints. Chris Stoner-Mertz (CA) stated that a few of their members have also returned funds as well.

Julie Tessler (VT) asked if the FMAP 6% increase will continue past July 1. Michael stated it expires in July.

Shannon Hall (MD) asked if there was any discussion of SAMHSA doing a second round of emergency funding. Michael stated there has not.

Doyle asked Michael if he anticipates any movement before the July recess on the bill and Michael replied that he does. Michael stated that it is getting more challenging to pass trillion dollar legislative pandemic relief packages when the message continues to be that we need to open back up, people will be getting back to work, and that it is safe to go back to work.

Laurie Cole (NY) stated it is difficult to follow the money allocated to behavioral health. It would be useful to have a chart that looks at each piece of legislation that has been distributed and what funds still remain. Michael said we will get a chart to the group this week. Laurie also mentioned an article in *POLITICO* which reported that there is a bipartisan group of Senators that has proposed $500 billion in appropriations for state and localities. She asked if there is any more information on this. Michael replied that federal money to states has been a sticking point. He elaborated that President Trump initially was against giving more money to states, but now he believes that we cannot let states go bankrupt.

Jinny Palen (MN) asked if we have any more information from CMS on the duration of the national emergency and telemedicine waivers associated with that. Frankie Berger replied that the national emergency does not have to be over for the reopening of the economy. She stated that the public health emergency will be ongoing until 2021 and we have been making a push for telehealth to continue after the public health emergency ends. Stephanie Katz confirmed that the two are not linked legally, but that as the economy begins to reopen, we will see a push to lift the public health emergency. Jinny asked if the National Council has a sense of when the emergency will be lifted, and Michael said that we do not.

Chris asked if any states allow Medicaid reimbursement for behavioral health services delivered through texting. Frankie stated she has heard some states have allowed reimbursement for texting and that we would find out more.

Heather asked if there will be more information coming on CMS language that came out this past weekend regarding managed care directed payments. Frankie mentioned that we have reviewed but have not yet undertaken a deep dive.

Tom Chard (AK) stated that in Alaska, our ask is boiling down to continuing telehealth authority and additional funds. He stated that a common question he receives is how he would use the additional funds. Tom asked how other states are answering the question of “what would you do with the money?” Heather stated that in Oregon, they often respond by saying that preserving the behavioral health workforce is a top priority. Shannon stated she is doing survey related to these issues. Michael asked that Association Executives share survey results with the National Council as we need this information to paint the picture of the state of behavioral health organizations as we work to educate Senate on the need for additional funding for behavioral health.

Mary Linden Salter (TN) stated that in Tennessee, enthusiasm for telehealth is waning and they are starting to see an increase in overdoses and relapses. She said that providers would like to begin in-person meetings again.

Mary Windecker (MT) stated in Montana, her members are having a hard time accessing Federal Emergency Management Agency (FEMA) disaster relief funds. She asked if other states are hearing about difficulties accessing FEMA funds. Robyn Garrett (GA) stated that it may take anywhere between 3-6 months to receive FEMA funding. She also said business interruption insurance may be a better option.

Frankie introduced two new members of the National Council staff, Stephanie Katz and Brett Beckerson.

**Announcements**

Presented by Neal Comstock

Neal gave an overview of the June meetings we recommend that Association Executives participate in and specifically highlighted:

* Tuesday, June 16 – Association Executives (expanded) meeting,
* Wednesday, June 17 – Corporate Partners and Affiliate Members meeting,
* Thursday, June 18 – Public Policy Committee (the Public Policy Committee

consists of all members of the Board of Directors and all

Association Executives),

* Tuesday, June 23 – Public Policy Institute, and
* Wednesday, June 24 – Hill Day at Home.

Doyle asked that Association Executives send her, Jeannie, and Neal any suggested agenda items for the expanded Association Executive meeting.

**Open Discussion**

(Discussions organized by topic. Not all discussions included)

Julia (OK) inquired about how some people receiving services now must now apply for unemployment insurance, but because of the increase in unemployment benefits, this puts their income at a range too high to qualify for Medicaid, and thus our members do not get reimbursed for services provided to them. Frankie stated she heard that this is happening to other states and she will reach out to Julia to follow up.

Julia also asked about waivers for services provided to intellectual or developmental disability (IDD) persons. Robyn replied that there are provisions for retainer payments for IDD services and there is a limit for 30 days.

Mark Drennan (WV) asked if any other states have applied for disaster waiver. He said that he is asking for amendments to the states’ Section 1135 waiver and he is also asking the state to apply for Section 1115 waiver.

Matt asked others and/or the National Council to share any infographics on telehealth services and financial burdens.

**Next Association Executives Teleconference**

May 26, 2020 2:00 PM ET