National Council for Behavioral Health

Association Executives Teleconference Summary Notes

Tuesday, May 5, 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, Phaedre Cole, John Coppola, Paul Curtis, Terry Dosch, Lori Doyle, Mark Drennan, Annette Dubas, Candy Espino, Mark Fontaine, Doyle Forrestal, Eric Foster, Robyn Garrett, Linda Grant, Mandy Gilman, Lauren Grimes, Lisa Henick, Heather Jefferis, Lee Johnson, Mark Levota, Marvin Lindsey, John Magnuson, Brent McGinty, Jinny Palen, Jorge Petit, Carolyn Petrak, Cherryl Ramirez, Flora Schmidt, Malory Shaughnessy, Andrea Smyth, Julie Tessler, John Tessoni, and Mary Windecker.

Staff in Attendance: Chuck Ingoglia, Jeannie Campbell, Brett Beckerson, Frankie Berger, Neal Comstock, Rebecca Farley David, Sara Haywood, Stephanie Katz, Diane Mallard, Joel Nepomuceno, Joe Parks, Michael Petruzelli, Sarah Surgenor, Mohini Venkatesh, Reyna Taylor

**Summary Notes:**

**Housekeeping:**

Neal Comstock encouraged participants to use the “raise hand” function of Zoom in order to give everyone who would like a chance to participate.

**COVID-19 Policy Update**

Presented by Reyna Taylor

Reyna Taylor provided an update on Federal legislation. She said that Senators have returned to Washington but there is not yet anything being discussed on COVID-19 relief. Instead, the Senate is in session to discuss pending nominations. Reyna discussed how House Democratic leaders are formulating a strategy to bring a new COVID-19 legislative relief package to the House floor, possibly next week.

She also summarized the status of funds from the previous the Coronavirus Aid, Relief, and Economic Security (CARES) Act package ($175 billion) that allocated $30 billion in Medicare payments and another $20 billion based on revenue. Reyna mentioned that another $10 billion is allocated for hospitals in “hot spot” counties (with high COVID-19 cases) and an additional $10 billion to rural providers affected by loss revenue. She stated that we believe payments will go out on Friday. Reyna also said HHS (Health and Human Services) has $400 million in reserve, so there will be another pocket of funds to be distributed.

Reyna also said that we have helped prepare a bipartisan letter from a number of Senators led by Senators Debbie Stabenow (D-MI), John Cornyn (R-TX), Catherine Cortez Masto (D-NV), and Dan Sullivan (R-AK), asking for dedicated funding for Medicaid-dependent mental health and substance use treatment providers.

Reyna then opened the discussion to questions.

Doyle Forrestal (CO) asked if payments are already going out from the $30 billion in Medicare funding and the $20 billion rural and hot spot funding. Reyna responded that from what we have heard, some have begun to receive payments, but that the payments are small because they are based on total revenue and that this is not enough to keep many behavioral health providers operating. She also said that our surveys show that most of our organizations have less than three months of cash on hand and the payments that have been received will not be enough to cover ongoing expenses.

John Coppola (NY) asked if the National Council is requesting those on the call to write to their Senators. Reyna stated that this has already been done and there are 26 signees on the letter.

Malory Shaughnessy (ME) asked who the Senators are who presenting the letter. Reyna said that the National Council will distribute the letter so Association Executives can see who has signed.

Doyle asked how money will be distributed in hot spot counties. Reyna said that the top 100 hot spot counties are receiving funds and much of it will go to hospitals. Doyle asked if self-insured unemployment agencies will receive funding. Doyle also asked if providers that received small payments that focus on Medicaid can count on additional funding. Reyna stated that small providers will receive additional funding, with Medicaid providers receiving payments. Reyna also stated the Centers for Medicare and Medicaid Services (CMS) is allowing state agencies to appeal initial issue of allocation of funds toward them. Chuck Ingoglia stated that CMS sent out a request to state Medicaid agencies for information about providers they have reimbursed. The idea is to figure out how much additional payments are needed by providers and how to disperse funding.

Doyle asked if there is a portal for COVID-19 providers to seek funding. Reyna said there is a registration process and we will follow up with a link to the portal.

Robyn Garrett (GA) asked if states are deciding how to disburse funds and asked why states would have the ability to decide on distributing funds if the process is overseen by CMS. Reyna stated that the states and CMS have not agreed on the algorithm and we are not sure if the funding will go to states or providers. She stated that providers are the ones most in need so we hope funds will go directly to providers. Robyn echoed Reyna’s sentiments that funds go directly to providers. Robyn asked if they need CMS guidance for Medicaid. Joe Parks said if it is a fee-for-service, organizations would only get a federal match if they provide service. Joe also mentioned on the managed care side, capitation rates have already been set. He stated that on the managed care side, there is cash building up due to under-utilization. Joe added that 85% of the funds need to be used or the funding goes back to the state (medical loss ratio). Joe stated that managed care has the most flexibility and the most cash. Chuck stated the two data points they will be using are calendar year financials from 2018 and 2019.

Mark Drennan (WV) stated he knows of three managed care organizations (MCOs) that are running numbers and he is expecting them to be sitting on cash. He believes none are close to 85% or less to make argument valid. He asked if others think that MCOs “monkey” with these numbers or are they the financials confirmed? Mark also asked is there is a better place to find verified financials. Joe stated this is an auditing questions and the practice varies widely by state based on the state’s bandwidth and politics.

Mark also asked if Medicaid agencies can raise their own rates without CMS permission. Joe stated that this varies by the state plan. Paul Curtis (CA) stated that some California counties have gone ahead and changed the rates recognizing higher costs in fee for service.

Reyna said that we are looking forward to the upcoming fourth COVID-19 CARES package. She stated one of the aspects we are looking to change is prohibition on funding for organizations with more than 500 employees. Reyna also emphasized that our request for $38.5 billion for behavioral health providers is necessary for our members to keep providing mental health and substance use treatment.

Rebecca Farley-David shared that CMS is expanding telehealth service codes to include audio only encounters for behavioral health providers.

Doyle asked if the $38.5 billion we seek in funding is new money or is part of the originally approved funds. Reyna stated that we are trying to get the most funding possible. Chuck said he does not expect the COVID-19 emergency order to be lifted anytime soon and he expects this opportunity for funding to continue for another year.

**Announcements**

Presented by Jeannie Campbell

Jeannie Campbell discussed the upcoming virtual Hill Day at Home. She said that we have outlined the agenda and that the Public Policy Institute will take place on June 23rd from 12 pm-4 pm. This will be a mix of general sessions and breakouts and include Members of Congress. Jeannie stated we already have more than 700 registrants. She added that we have sent out the working draft agenda which will include part live and part recorded aspects of the meeting. In addition, everything will be available on the National Council website. Reyna also stated that the Advocacy Awards will focus on the COVID-19 pandemic.

**Open Discussion**

Matt Brooks (IN) asked if they are expected to create their own Zoom meeting with legislators during the virtual Hill day. Reyna stated that the actions will be based on action alerts from the Policy Institute.

Jeannie gave an update on our order of face masks from China. She stated that the masks have arrived from China late Sunday and are now in route to the distribution center. Members who have ordered masks will receive an email from UPS with shipping information.

John Coppola stated that he was recently interviewed by a reporter from *The National Journal* in which he discussed the impact of the COVID-19 pandemic on behavioral health programs. He mentioned the National Council’s efforts in the interview.

Mark Fontaine (FL) asked how many people can log in for the virtual Hill Day. Jeannie stated that thousands and thousands can participate with the forum including virtual chats and breakout sessions. Doyle asked about the platform being used and Jeannie said that we will plan to have another meeting to discuss the platform and share information with those who may be planning on moving their conferences virtually. Sara Haywood stated we are putting together a folder of resources for Association Executives to use in planning for future meetings.

Mary Windecker (MT) shared that they had a virtual candidate town hall in Montana that was very well attended.

Matt Brooks stated they are looking at marketing campaigns to promote community mental health centers. Mark Fontaine stated that what Matt is doing is very smart on creating messages and editorials on how quickly behavioral health providers has pivoted to get the job done during the pandemic. He said that likes the fact that the editorial will emphasize the flexibility we are showing during the pandemic and this is a story that needs to be told. Mark also stated that there is talk about the state budget being cut next year and we need to begin thinking about that and how to address this upcoming challenge. Reyna stated that we need to make it clear that if budgets are cut, then the investment they have made in the past in fighting the opioid crisis will go to waste.

**Next Association Executives Teleconference**

May 12, 2020 2:00 PM ET