

Legislation & Policy Committee Meeting, April 15, 2020, 9:30am

Legislative Update

Budget Update

Alan stated that there was limited activity in the Legislature recently. Most activity was centered around COVID-19 Executive Order extensions. Alan stated that the extension of the State of Emergency does not affect the extension of the Stay Home order. The Budget will be the top focus once the Legislature comes back into session. Alan reviewed the Senate Fiscal Agency document that detailed federal stimulus dollars which total almost \$5 Billion. These dollars are earmarked for specific programs already. The economic loss forecasted for the State this year is anticipated to be around \$1 to \$3 Million, with another \$3 to \$4 Billion next fiscal year. The State Rainy Day fund may be utilized for funding, as well as dollars from vetoes seen recently. Typically, the State has a Revenue Estimating Conference in May, but this year there may not be enough data to hold this conference. There may be an Estimating Conference in June for better data. Optional services under Medicaid may be addressed by the Legislature as well.

Safe Workplace workgroups

Alan reported that this group, formed last week by Senator Shirkey, is hoping to have results by late next week. The group is discussing precautions needed to reopen workplaces, as well as what types of workplaces are going to be reopened first. There will likely be a slow, gradual ramp-up for workplaces to get back to normal.

COVID-19 related Executive Orders

Alan stated that there is a running list of executive orders up to 2020-48. He stated that these continue to be updated/changed daily and he will continue to keep the group updated on these. Group discussed how the federal dollars coming into the State will go out. Alan stated that there are 90 days to get this money out to the different partners, programs, etc. The Administration is trying to figure it out in a "triage" method, and some money may become bottlenecked at the State level till it is all figured out.

HB 5178 – Credentialing Legislation (Review)

Alan spoke about HB 5178 which would provide for uniform credentialing of certain disciplines in Mental Health including PA's, Psychologists, Nurse Practitioners and LMSW's, among others. Lisa K. Morse reviewed this bill, stating that there were some questions on this legislation, so she recommended changes. Some sections were removed, which is a good thing, but she still has some confusion to certain sections – nothing that raises red flags. With the timing of COVID-19, there is plenty of time before this moves in the legislature to solve these issues.

Mental Health Transportation

Alan spoke about a request from Senator McBroom's office about involuntary transportation of individuals receiving mental health services from the Upper Peninsula to the Lower Peninsula. There seems to be concern about the cost for this legislation and who would bear those costs. Alan is working to find out how this would work. Maribeth stated that she understood the challenge for the UP. She stated that LifeWays stopped utilizing Police in the past but have been using millage dollars for Ambulance transport recently. She stated that using Ambulance is a good option but figuring out ways to cover the cost in your own regions is going to be key. Group then discussed, if the transport is being done at request of police force for involuntary individuals, why wouldn't Police force be responsible for covering this cost anyway. Alan stated that he will take this feedback to Senator McBroom, and keep this committee updated. Lisa K. Morse stated that she will review this as well and give feedback to Alan when she's done.

Policy Updates – Bob Sheehan

COVID-19 Policy Issues – Section 1135 and Appendix K Applications (enc)

Bob stated that a lot of information has been coming from the State and the Association is sending this along to its membership. He then spoke about the Section 1135 Waiver and Appendix K Applications. He stated that the 1135 Waiver was approved by the federal government. This waives pre-authorization for our clients, allows existing pre-authorizations to continue, and relaxes enrollment for providers of Medicaid encounters. These are temporary, beginning March 1, 2020 and lasting until COVID-19 issues abate. The waiver also allows for Medicaid to be used in temporary setups (such as pop-up testing sites), or settings (such as supports needing to be moved due to COVID-19 risks or issues).

Bob stated that Appendix K addresses issues that providers are experiencing due to lower encounters as a result of COVID-19. This would allow retainer payments from CMHs and PIHPs to these providers by approval from the Federal Government. Christine Gebhard wondered if this has been submitted or not. Bob stated that we're just not sure. It was to be submitted sometime last week or this week. The language about retainer payments 'should' be in Appendix K, and the Association is hopeful that it is, but this is also uncertain.

Bob then spoke about success stories that the Association is highlighting during the COVID-19 pandemic. He stated that the Governor's office reached out to the Association for some of these stories to be used in an upcoming press conference.

System Redesign Policy Issues (enc)

Bob stated that the System redesign process is stalled for now until the end of the pandemic. He stated that several different scenarios could come about after the pandemic ends:

1. The redesign proposal could fade away... this is not likely to happen;
2. The Health Plans could create their own carve in... this is also not likely to happen;
3. The State could go back to a Public/Private integrated plan (or SIP), or;
4. Our system could stand up and propose a plan that works best for our clients.

The Association will likely move toward Option 4. The details of how the Association would do this will be brought to the Executive Board for approval of initiatives.

Mark Witte asked about movements on CCBHC. Bob stated that this variable could be favorable for the Public Mental Health System. Eight sites in Michigan received funding to provide 9 essential services. Michigan looks to be approved as a CCBHC site, so those 9 essential (or Core) services would be more likely to be adopted in any integrated plan moving forward with system redesign.

Kay Randolph-Back asked, when System Redesign comes back on the radar, what could be done to bring efforts to scale on integrating physical and mental health. Bob stated that the document that the Association will be building will address how to support real, true integration of services. Often, when other interests are talking about integration, they are referring to fiscal integration. The Association will work with the State to make sure true Clinical integration is what is truly being addressed.

Other – No other business.

The next meeting of the Legislation & Policy Committee is scheduled for Wednesday, June 17, 2020, 9:30am, CMHA office, Lansing.

Meeting adjourned at 10:48am.