

National Association for Behavioral Healthcare

Access. Care. Recovery.



Executive Committee Call April 13, 2020 Minutes

Roll Call

Present: Members: Pat Hammer, Board Chair; Michele Gougeon, John Hollinsworth, Karen Johnson (for Matt Peterson), Eric Kim, Mary Pawlikowski (for Jameson Norton), Chris Roussos, Mark Covall

Staff: Shawn Coughlin, Kirsten Beronio, Maria Merlie, Julia Richardson, Sarah Wattenberg, Emily Wilkins, Jessica Zigmond

Absent: Matt Peterson, Jameson Norton

I. Minutes Approval

A motion was made and seconded to approve the Minutes. The Executive Committee (EC) voted unanimously to approve the minutes from Feb. 10 and March 13.

II. Behavioral Healthcare Guidance and Regulatory Update

Shawn Coughlin said the first portion of the \$100 billion of the *CARES Act* dollars started to be distributed on Friday, April 10 to those who had an existing Medicare provider number. Shawn said NABH members have reported they have already started seeing that money in their accounts. Two more tranches are expected, with the second release of funds in the next 7-10 days. This second portion is expected to be around \$30 billion and to Medicaid providers and those in rural areas. The remaining funds from the \$100 billion will have some submission requirement, meaning providers will have to submit pandemic-related costs receive reimbursement.

NABH joined about 40 other organizations to submit a request to the House Appropriations Committee asking for a \$38 billion fund earmarked for behavioral healthcare companies.

NABH has seen a lot of waivers related to workforce and other waivers related to EMTALA, utilization review, and more. Also, the U.S. Labor Department released *CARES Act* guidance to ensure how telehealth should work and that payment levels be maintained.

The Centers for Medicare & Medicaid Services (CMS) released its proposed 2021 Inpatient Psychiatric Facility Prospective Payment System (IPF-PPS) rule on Friday, April 10. The agency said it expects payments to IPFs to increase by 2.4% in fiscal year 2021, boosting the federal per diem base rate to \$817.59 from \$798.55. CMS also said it estimates total IPF payments to increase by \$100 million next year.

III. Legislative Update

Shawn reported that NABH has sent several advocacy letters to Capitol Hill leaders and relevant federal agencies since the start of the Covid-19 pandemic. Please see NABH's Covid-19 resource [page](#) for the letters.

Shawn reminded EC members about a memo from NABH consultant Meiram Bendat on April 7 that summarized the recent legal developments that support NABH's efforts to advance meaningful access to behavioral healthcare throughout the country.

In his memo, Meiram noted that on March 30, the Rhode Island Office of the Health Insurance Commissioner (OHIC) announced that UnitedHealthcare Insurance Company and UnitedHealthcare of New England, Inc. would pay a \$350,000 penalty and contribute \$2.85 million to a community mental health fund due to a panoply of violations that impeded patient access to mental healthcare.

IV. White House Behavioral Healthcare Leaders Call

NABH was invited to a White House Conference Call for mental healthcare providers on Thursday, April 9. President Trump, Vice President Pence, HHS Secy. Alex Azar and SAMHSA Administrator Ellie McCance-Katz participated. President Trump thanked behavioral healthcare providers for their work, especially providing services during this time.

The president recognized NABH to ask a question. Shawn referenced the IMD exclusion and requested a blanket waiver—or, even better, to enact the president's 2021 budget proposal. HHS Secy. Azar said he and CMS Administrator Seema Verma were planning to discuss this topic.

V. Communications Update

Jessica Zigmond reminded EC members about NABH's Covid-19 resources page, which includes PDFs, virtual toolkits, external links, and other resources during the pandemic. NABH is currently developing an "interactive comments" section on the Covid-19 resources page that would allow NABH members to post questions and answers about challenges and best practices that members are implementing.