

# National Association for Behavioral Healthcare

Access. Care. Recovery.



## Executive Committee Call April 12, 2021 Minutes

### Roll Call

#### Present:

Members: Jameson Norton, Board Chair; Mark Covall, Frank Ghinassi, Pat Hammer, John Hollinsworth, Tom Kenny, Eric Kim, Matt Peterson, Dominic Sirianni

Staff: Shawn Coughlin, Maria Merlie, Julia Richardson, John Snook, Sarah Wattenberg, Emily Wilkins, Jessica Zigmond

#### Absent:

Staff: Kirsten Beronio

### I. Updated Membership Directory

Jessica Zigmond provided a brief update that the association has enhanced its online membership directory, which now lists all members alphabetically by name. Previously, members were searchable through the impact map. Now website users can search by name also.

### II. NABH Committee Meetings Update

Shawn said we are scheduling our standing committee meetings virtually this spring. As of April 12, these are scheduled for the following dates:

Youth Services: April 28

Unit: April 30

Quality: May 17

Education and Research Foundation: May 19

Managed Care: May 27

### III. Parity Update (EBSA and Portal)

Shawn said the U.S. Labor Department (DOL) issued guidance on parity last week. Specifically, DOL issued guidance on new implementation requirements for the *Mental Health Parity and Addiction Equity Act* (MHPAEA) that the *2021 Consolidated Appropriations Act* requires.

The guidance tracks with NABH's advocacy efforts. DOL has issued guidance on new implementation requirements for the *Mental Health Parity and Addiction Equity Act* (MHPAEA) that the *2021 Consolidated Appropriations Act* requires.

Enacted on Dec. 27, 2020, the *2021 Consolidated Appropriations Act* requires group health plans and health insurance issuers offering group or individual health insurance to perform and document analyses of how they comply with MHPAEA in their application of non-quantitative treatment limits (NQTLs) to mental health/substance use disorder (MH/SUD) benefits, compared with their application of NQTLs to medical/surgical

benefits. NABH sent members an Alert about this and included a story in the April 9 edition of *CEO Update*.

Mark Covall added that this is a significant step. We continue to be frustrated with parity implementation, but this is a “real opportunity” to have a higher level of accountability. He said it will be interesting to see how the plans actually deal with it, but it could be an important step forward.

Shawn reminded the EC about the Managed Care portal, which will allow NABH members to enter examples of denial of care from payers.

Eric Kim, who has seen a demo of the portal, said the portal is intuitive and easy to use.

#### **IV. OSHA Letter**

Shawn reported that NABH learned of several examples in which the Occupational Safety and Health Administration (OSHA) reviewed NABH members’ activities related to safety protocols. Often OSHA came back with recommendations that did not align with the standards of care that NABH members provide.

On April 8, NABH, the National Association of State Mental Health Directors, the National Alliance on Mental Illness, and the National Council on Behavioral Health sent a letter to James Frederick, the principal deputy assistant secretary of Labor for Occupational Safety and Health, that expressed concern about certain OSHA policies and implementation actions that do not align with other requirements that inpatient psychiatric facilities must follow to ensure both patient safety and quality care. For instance, one OSHA requirement calls for fully enclosing nursing stations with plexiglass—a practice that prevents patient-staff interactions that are critical for quality behavioral healthcare.

NABH alerted members about this letter, which is posted on the association’s website, in the April 9 edition of *CEO Update*.

#### **V. Youth Services White Paper – Landing Page**

Jessica Zigmond provided a brief update on the new Youth Services landing page, which will go live on Tuesday, April 13. The page includes NABH’s new academic white paper on residential treatment and accompanying social media messages for members to post and share.

NABH expects to post other youth-related resources on the page this year.

#### **VI. 988 Crisis Care Developments**

John Snook said this is the moment for 988. It is the priority of both mental health policymakers and SAMHSA staff. This underscores the potential this has to change addressing mental health crises in America.

This changes the seven-digit hotline to a three-digit crisis response number, and the change will be completed by July 2022.

Every state has to implement this change and operationalize the program, which looks slightly different in each state. NABH has been able to add context so that programs understand inpatient care.

John said T Mobile came out early on this and made the number live, but then pulled back a little.

Frank Ghinassi said if this results in a surge, we want to be careful that the surge is met with all of the places caring for patients and that the funding streams align with that.

**VII. Google Update**

Google has agreed to allow a second organization, in addition to LegitScript, to do certifications of addiction treatment programs for Google Ads. Google also decided to hire the vendor that we have been partnering with: G2/Verisk. G2 already has business with Google so the transition should be smooth. The onboarding of the vendor will begin no sooner than July of this year.

Mark Covall added that this is great news and it shows persistence pays off. He asked if there would be two vendors: LegitScript and Google. Sarah said for the moment, there would be two vendors.

**VIII. NABH Champions PAC Campaign Launch**

Julia said NABH will start its campaign this Wednesday, and members can expect to receive an e-mail then (Wednesday, April 14).

**IX. MACPAC Focus on Behavioral Health**

Shawn mentioned that MACPAC highlighted behavioral health in its last meeting on Friday, April 9, so we will include in update in this week's *CEO Update*.

**X. Legislative and Regulatory Update**

Shawn said the Senate Finance Committee will host confirmation hearings on Andrea Palm for HHS deputy secretary and Chiquita La-Sure Brooks for CMS administrator.

John Snook said we are seeing a Congress that is polarized in a way it hasn't in a long time, but one area where there is agreement is behavioral healthcare. For instance, the administration has recently called for:

\$1.6 billion for mental health services grants  
\$3.9 billion for the SUD block grant

This shows how interested the Biden administration is in these issues. The dysfunction on the Hill makes it more difficult to get things accomplished, but this gets this moving.

Shawn reported that the Centers for Medicare & Medicaid Services (CMS) last week [proposed](#) a 2.1% Medicare payment increase to the per-diem base rate for inpatient psychiatric facilities (IPF) for fiscal year (FY) 2022.

This adjustment would increase the per-diem base rate to \$833.50 from \$815.22 and the electroconvulsive therapy (ECT) rate to \$358.84 from \$350.97.

In the rule, CMS proposed several changes for inpatient psychiatric care in 2022, such as aligning an IPF policy regarding displaced residents from IPF closures and closures of IPF teaching programs with the policy changes that the agency made final in its FY 2021 IPPS rule. NABH sent an Alert to members and included an updated in the April 9 edition of *CEO Update*.