

KMHC LEGISLATIVE ISSUES – 2020 GA

KMHC Legislative Agenda: Behavioral Health IS a priority – Invest in it!!

BUDGET, MEDICAID, HEALTH SERVICES & ACCESS:

**OUR FIRST AND MOST IMPORTANT PRIORITY IS THE BIENNIAL BUDGET,
TO PRESERVE THE CMHC SAFETY NET BY ADEQUATELY FUNDING
PENSIONS AND BEHAVIORAL HEALTH SERVICES**

Increase funding to the CMHCs to repair and strengthen the public safety net of services.

Assure continuation of funding to help the CMHCs pay their pension costs.

Strengthen HB 1 (2019 Special Session) as a protection for CMHCs and other quasi governmental agencies as they struggle with the pension system and rising costs.

Provide funding for increased health and mental health professionals as referenced in SB 1 (2019 Regular Session)

TAX REFORM

We support Increasing available revenue, but not by increasing taxes on the lowest income bracket. We oppose granting additional tax breaks or tax credits.

BEHAVIORAL HEALTH / HEALTH ISSUES

****DEVELOP AN SMI WAIVER:** Directs the Cabinet to develop a 1915 waiver for persons with Serious Mental Illness; waiver would provide supported housing and supported employment.

****PROHIBIT MEDICAID FROM CHARGING COPAYS ON SERVICES:** Would prohibit DMS from instituting or keeping copay or other cost-sharing requirements.

****GAMBLING PREVENTION & TREATMENT:** Establish funding through assessment of current gaming entities and any new gambling or betting venues for education, awareness, prevention and treatment of problem gambling provided by certified gambling counselors and CMHCs.

MENTAL HEALTH FIRST AID: Encourage widespread training of Mental Health First Aid across the Commonwealth, with costs being paid by establishing a Trust Fund which would collect donations, grants, etc.

EATING DISORDERS COUNCIL: Establish an Eating Disorders Council to foster public education on eating disorders, address barriers created by lack of insurance coverage, and provide training of health professionals to identify early signs of eating disorders.

SEXUAL ASSAULT NURSE EXAMINERS: Strengthen the requirement for hospitals to have SANE nurses accessible 24/7 to examine victims of rape and sexual assault.

CREATE A MEDICAID TAC FOR WAIVERS: Create a Technical Advisory Committee (TAC) for the 1915(c) Waivers to represent concerns of Medicaid recipients in waiver programs, their families, advocates and providers to the Medicaid Advisory Council (MAC).

CONSUMER PROTECTION & WELFARE

****PROHIBIT SURPRISE BILLING:** Require insurers to pay for out-of-network providers to prevent consumers from “surprise billing” when they have chosen an in-network facility.

****BICYCLE HELMET BILL:** Require children under the age of 12 to wear a helmet when riding a bicycle to protect against brain injury; called TJ’s Law.

** = Previously supported by KMHC 1 of 2

****PROHIBIT CONVERSION THERAPY:** Makes anyone who provides it subject to disciplinary action by their licensure board; prohibits using public funds to pay for conversion therapy.

****PROTECTION AGAINST PAYDAY LENDERS:** Protects individuals from the high interest rates charged by payday lenders. Federal legislation may be coming to address the problem.

LEGALIZING MEDICAL MARIJUANA: 33 states now have legalized medical marijuana. KMHC affirmed its neutral position on the legislation. The coalition supports changes at the federal level to make more research on cannabis possible.

PRESCRIPTION DRUG COSTS: Requires all insurers to count (and “accumulate”) copays and financial assistance paid by drug companies and other third parties toward the individual’s deductible and maximum-out-of-pocket costs.

SOCIAL JUSTICE ISSUES

****SMI AND THE DEATH PENALTY:** Exclude those with serious and persistent mental illness from the death penalty.

****RESTORATION OF VOTING RIGHTS -** Allow Kentuckians to vote on amending Section 145 of the KY Constitution to require the automatic restoration of voting rights after a person completes their sentence for a felony offense.

OPPOSE: ** DRUG TESTING OF PUBLIC ASSISTANCE RECIPIENTS: If filed, would require Kentuckians receiving public assistance to have a screening for a substance use disorder.

PROVIDER ISSUES

LIMITS ON MCOs: Restricts the number of MCOs allowed to operate Medicaid programs in the state to three, based on criteria around value and performance. Would raise reimbursements for rural providers to match those in the closest urban center.

****RESTRICT PRIOR AUTHORIZATION ON MAT SERVICES:** Prohibits MCOs or insurers from instituting Prior Authorization requirements on the provision of Medication Assisted Treatment (MAT) services for those with opioid addiction.

****OPPOSE: OMNIBUS REORGANIZATION OF ALL LICENSING BOARDS:** Legislation was the state’s response to a Supreme Court case involving anti-trust actions by the NC Dental Board, where the Court ruled that there must be state oversight of licensure boards to prevent anti-trust actions by “market participants”. With a change in Administration, movement on this is unlikely.

ISSUES BEING DISCUSSED FOR POSSIBLE LEGISLATION

RED FLAG LAW (ERPO): Emergency Risk Protection Order to remove guns from the possession of someone who is a danger to self or others. Hopefully being crafted as a Public Protection/Public Safety issue, not as a Mental Illness issue.

PLUG GAP BETWEEN INCOMPETENCY AND INVOLUNTARY COMMITMENT: Problem highlighted with case in Louisville of individual found incompetent to stand trial for rape and not admitted to Central State Hospital because “he would not benefit from treatment”. Was released and then allegedly attacked an 8 year-old-girl resulting in a traumatic brain injury and sexual assault. Gap is between KRS 504 and KRS 202A provisions and lack of secure facilities.