

KY MENTAL HEALTH COALITION ADVOCACY PRIORITIES – 2010

Behavioral Health IS a priority – Invest in it!!

Background: In June, 2001 the Statewide HB 843 Commission recommended an increase in funding for community-based behavioral health services of \$25M new dollars each year of the biennium for the next ten (10) years. Had this recommendation been acted upon, Kentucky would have moved from a ranking in the bottom ten states in General fund dollars for MH/SA/MR/DD services to a ranking of 25th in state funding.

Community-based behavioral health services have been chronically underfunded:

- No increase in state funding since 1998 to address the rising cost of doing business
- Medicaid rates frozen since 2001 at the 1999 cost-report level

New funding would help to mend and sustain the statewide system of care and increase the availability of community-based behavioral health treatment for the growing number of Kentuckians who are seeking services.

Increased funding and regional flexibility would give each CMHC region the opportunity to implement or strengthen programs which divert individuals in crisis from hospitalization and readmission, from the criminal justice system, from homelessness or potential suicide to immediate, effective services in the community.

Despite the economic downturn, we continue to support a significant investment in behavioral health services. When the economy was good, there was no increase in behavioral health funding. The need does not go away, even if the funding dollars are not available!

INVEST IN MEDICAID: Urge the Governor and General Assembly to continue to invest general fund dollars into the Medicaid Program, particularly in addressing the Medicaid deficit and then investing funds to assure continued services for the growing number of Kentuckians who are eligible.

- Provide funding to include Substance Abuse treatment in the array of Medicaid services so that individuals with co-occurring mental health and substance abuse disorders may be appropriately treated.
- Reimburse Peer Support services delivered by those consumers who have completed DBHDID-approved training and who have passed the KPS examination to become Kentucky Peer Specialists.
- Set a reimbursement rate for non-psychiatric physicians working in the CMHCs to provide medication management and physical health services.
- Continue outreach to uninsured children in Kentucky to enroll those who are eligible in either Medicaid or KCHIP.

INCREASE REVENUE: Increase revenue to the State General Fund sufficient to eliminate recent and potential budget cuts and to provide sufficient funding to accomplish the objectives stated above.

We urge the Governor and legislators to examine and consider all possible sources for generating new revenue to the State General Fund, including comprehensive tax reform, increasing the cigarette excise tax, applying a tax to services not currently taxed and

closing tax loopholes. If expanded gaming is enacted, a percentage of the income generated should be designated for the treatment of gambling addiction and for treatment of associated human services issues such as substance abuse, mental health, domestic violence and child abuse.

OTHER ADVOCACY INITIATIVES:

(Not listed in priority order)

DEATH PENALTY AND SEVERELY MENTALLY ILL PERSONS: Exclude from the death penalty individuals found to be severely mentally ill at the time of the capital offense if committed after passage of the Act.

HB 16 – Reps. Floyd & Owens as primary Co-Sponsors – will be introduced in the House early in the session and we will urge a hearing in the House Judiciary Committee. Activity now is focused on gaining additional co-sponsors, particularly on the Judiciary Committee, and asking organizations to sign on to endorse the legislation.

EMPLOYMENT OPPORTUNITIES:

- Provide tax credits up to \$25,000 for those employers who contract with a nonprofit agency or work center for work performed by individuals with disabilities.

HB 10 – Rep. Siler – Last session’s version passed the House and was assigned to the Senate A & R Committee, but was not heard. The version for 2010 is a modification based on feedback from Senate leadership.

- Increase employment opportunities for individuals with disabilities by giving agencies who train these individuals second level purchasing preference with state agencies.

SB 42 – Sen. Kerr – gives not-for-profit Community Rehabilitation Programs (CRPs) an opportunity to provide services needed by governmental bodies by giving the CRPs co-equal status as a second level purchasing preference.

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.

HB 70 – Crenshaw – This bill has passed the House for several sessions, but has never had a hearing in the Senate. PAR, KFTC, ACLU, League of Women Voters have worked hard on this legislation for years. They are looking for other organizations to endorse the legislation and to work for its passage.

CRIMINAL JUSTICE AND BEHAVIORAL HEALTH:

- Allocate increased funding for community-based Substance Abuse treatment programs in conjunction with Adults Drug Courts. Expand and fund Adolescent Drug Courts and Substance Abuse community treatment programs for adolescents.
- Establish greater coordination and availability of community-based programs, including Medicaid funding, for individuals with MH/SA who are exiting the criminal justice system.

GAMBLING PREVENTION & TREATMENT: Establish funding through assessment of lottery, race tracks and registered charitable gaming entities for education, awareness,

prevention and treatment of problem gambling provided by certified gambling counselors and CMHCs. (HB 137/FN in 2008 GA)

KENTUCKY FAMILY TRUST: Creates a trust program to manage funds for the benefit of persons with special health care needs, with funds acting as a supplement to state-provided assistance for designated expenses.

HB 155 – Rollins, Riner – introduced and assigned to House Appropriations & Revenue Committee.

SUICIDE PREVENTION TRAINING: Requires CHFS to post suicide prevention awareness and training information on its web page; requires every public middle & high school administrator to disseminate suicide prevention awareness materials to all students annually. (HB 51 – Rep. Belcher) Senator Seum has introduced legislation which would require principals, guidance counselors, and teachers to complete a minimum of two hours of instruction in suicide prevention each school year. (SB 65 – Sen. Seum)

DOMESTIC VIOLENCE PROTECTIVE ORDERS: Permit dating partners to be among the class of persons defined as “unmarried couple” allowed to obtain domestic violence protective orders. (HB 30 – Rep. Jenkins, Richards, Marzian; this is the primary legislative objective of KDVA.)

AUTISM INSURANCE MANDATE – Requires private insurers to pay for treatment services provided to individuals who are diagnosed with an autism spectrum disorder. (SB 13 – has been filed by Sen. Jones; it mandates insurance coverage for diagnosis and treatment. Rep. Brinkman is currently drafting a somewhat different version of the legislation to address regulation of ABA providers as well as the mandated coverage by insurers (HB 159 – Reprs. Greer and Brinkman). Recommend sharing information with KMHC members and remaining neutral until all legislative proposals are available for review, but support the need to access appropriate treatment.)

CHILDREN’S PSYCHIATRIC TREATMENT – Jimmie Lee has introduced legislation (HB 231) with the intent of bringing children back to Kentucky who have been sent to treatment facilities out of state. (Recommend not taking a position until the bill can be reviewed, but support the need for children to be served and supported close to home and the participation of providers in Kentucky in planning for additional services within a continuum of care.)

For a complete listing of all bills of interest to KMHC member organizations and monitored during the 2010 KY General Assembly session, please contact KMHC at 1-877-894-0222, see www.advocacyaction.net or email Christin at actionoffice@bellsouth.net to sign up for email alerts.