

REPORT OF THE CHIEF LEGISLATIVE ANALYST

DATE: November 18, 2021

TO: Honorable Members of the Rules, Elections, and Intergovernmental Relations Committee

FROM: Sharon M. Tso *KEY*
Chief Legislative Analyst

Council File No.: 21-0002-S156
Assignment No.: 21-10-0764

SUBJECT: Resolution (Buscaino – O’Farrell) to Support HR 2611 (Napolitano).

CLA RECOMMENDATION: Adopt the attached Resolution (Buscaino – O’Farrell) to include in the City’s 2021-2022 Federal Legislative Program SUPPORT for HR 2611 which would repeal the Medicaid Institutions for Mental Disease payment prohibition and help provide adequate inpatient and or residential mental health treatment beds for individuals in need of critical services.

SUMMARY

Resolution (Buscaino – O’Farrell) was introduced on August 10, 2021 and states that there are significant gaps in coverage in the U.S. healthcare system for individuals with mental illness that often lead to homelessness. The Resolution states that Medicaid is the largest payer of mental health services and it is important to expand Medicaid coverage.

H.R. 2611 (Napolitano), also known as the Increasing Behavioral Health Treatment Act, is currently pending in Congress and would repeal the Medicaid Institutions for Mental Disease (IMD) payment prohibition and would require states to submit a plan to increase access to outpatient and community-based behavioral health care.

The Resolution recommends that the City support HR 2611 inasmuch as it would provide vulnerable populations in the City who have mental illnesses with the necessary care and services they need and potentially help reduce the number of individuals who fall into homelessness.

BACKGROUND

On April 16, 2021, House Representative Grace Napolitano introduced HR 2611, which would repeal the Medicaid IMD payment prohibition and require states to submit a plan to increase access to outpatient and community-based behavioral health care. The IMD payment prohibition is a policy that prohibits the federal government from providing Medicaid matching funds to states for services delivered to certain Medicaid-eligible individuals who are in hospitals or nursing facilities that provide diagnostic services, treatment, or care to people with mental diseases.

The Increasing Behavioral Health Treatment Act will remove the IMD exclusion for states that have submitted a plan to increase access to outpatient and community-based behavioral health care services, increase availability of crisis and stabilization services, and improve data sharing and coordination between physical and mental health and addiction treatment providers.

Los Angeles County supports HR 2611, and, if the federal legislation passes, the County will be able to develop the necessary in-patient and care services for people with serious mental illness. Support of HR 2611 will help provide adequate inpatient and residential mental health treatment beds for individuals in need of these critical services.

BILL STATUS

04/16/21	Introduced in House.
04/16/21	Referred to the House Committee on Energy and Commerce.
04/19/21	Referred to the Subcommittee on Health.


Pranita Amatya
Analyst

Attachment: 1. Resolution

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, there are significant gaps in coverage in the U.S. health care system for individuals with serious mental illnesses that often lead to homelessness; and

WHEREAS, Medicaid is the largest payer of mental health services in the country and it is necessary to expand Medicaid coverage; and

WHEREAS, it is important to provide in-patient beds to individuals experiencing mental health crises who, without the services, often end up in the prison system or on the streets; and

WHEREAS, currently pending in Congress is a bill, H.R. 2611, the Increasing Behavioral Health Treatment Act, which would repeal the Medicaid Institutions for Mental Disease (IMD) payment prohibition and would require states to submit a plan to increase access to outpatient and community-based behavioral health care; and

WHEREAS, the IMD payment prohibition is a policy that prohibits the federal government from providing Medicaid matching funds to states for services delivered to certain Medicaid-eligible individuals who are in hospitals or nursing facilities that provide diagnostic services, treatment, or care to people with mental diseases; and

WHEREAS, the Increasing Behavioral Health Treatment Act will remove the IMD exclusion for states that have submitted a plan to increase access to outpatient and community-based behavioral health care services, increase availability of crisis stabilization services, and improve data sharing and coordination between physical, mental health, and addiction treatment providers; and

WHEREAS, Los Angeles County supports H.R. 2611 and, if the federal legislation passes, the County will be able to develop the necessary inpatient and care services for people with serious mental illnesses; and

WHEREAS, it is in the City's interest to support the Increasing Behavioral Health Treatment Act because it would provide vulnerable populations in the City who have mental illnesses with the necessary care and services they need and potentially help reduce the number of individuals who fall into homelessness;

NOW, THEREFORE, BE IT RESOLVED, with concurrence of the Mayor, that by adoption of this Resolution, the City of Los Angeles hereby includes in its 2021-22 Federal Legislative Program SUPPORT of H.R. 2611, Increasing Behavioral Health Treatment Act, which would repeal the Medicaid Institutions for Mental Disease payment prohibition and help provide adequate inpatient and or residential mental health treatment beds for individuals in need of critical services.

PRESENTED BY:

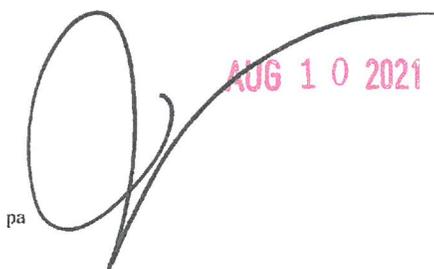


JOE BUSCAINO
Councilmember, 15th District

SECONDED BY:



ORIGINAL



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