

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 or the Mayor; and

WHEREAS, there is a service gap in the coverage for treatment of mental illness in the United States and this gap is significant for low income people who are in need of mental health treatment; and

WHEREAS, the gap in coverage for the low income population is known as the Institutions for Mental Disease (IMD) exclusion which prohibits the use of federal Medicaid financing for patients age 21 to 65 living in residential facilities with more than 16 beds; and

WHEREAS, in 1965, the Social Security Act was amended to establish the federal Medicaid and Medicare program with a built in IMD exclusion; and

WHEREAS, the intention of the IMD exclusion was to prevent states from shifting the responsibility and cost of in-patient psychiatric care to the federal government, but the states have been unable to provide adequate coverage to meet the need; and

WHEREAS, in Section 1115 of the Social Security Act, the United States Secretary of Health and Human Services has the authority to waive specific provisions of health and welfare programs such as Medicaid; and

WHEREAS, in November 2018, the Centers for Medicaid and Medicare Services announced that the federal government would consider state applications for IMD exclusion waivers which would allow Medicaid coverage for IMD treatment to patients with severe mental illness; and

WHEREAS, there is a significant number of individuals with severe mental illness in the homeless population in California and in Los Angeles specifically; and

WHEREAS, the City of Los Angeles should request the State to apply for the 1115 Medicaid waiver to allow for the expansion of Medicaid coverage for the excluded population in need of in-patient mental health treatment inasmuch as mental illness treatment is important to the City residents who have been excluded from this treatment in the past;

NOW, THEREFORE, BE IT RESOLVED, that the City Council, by the adoption of this Resolution, hereby includes in its 2021-2022 State Legislative Program, a request that Governor Gavin Newsom direct the California Department of Health Care Services to apply for the Section 1115 Medicaid waiver in the Social Security Act to allow for the expansion of Medicaid coverage to the excluded population that is in need of in-patient mental health treatment.

PRESENTED BY:



JOE BUSCAINO

Councilmember, 15th District

SECONDED BY:



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