



## Mental Health Association in New York State, Inc.

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### MHANYS 2019 Legislative Agenda

The 2019 Legislative Agenda is a strategic blueprint that reflects MHANYS public policy priorities and guides its advocacy activities. The agenda also serves as a vehicle to communicate to the general public, lawmakers and government entities MHANYS positions on a variety of behavioral health issues. This year's agenda continues ongoing efforts to improve access to services and housing, increase mental health literacy and secure a sufficient, quality workforce capable of serving the mental health needs of all New Yorkers.

Preserving and enhancing crucial funding for New York's mental health care system, including an adequately paid workforce and necessary investment in community based services and housing, will be the focus of this year's State Executive Budget policy initiatives. In 2019 MHANYS seeks to build upon past legislative accomplishments that elevate public awareness and impact the mental health literacy of millions of New Yorkers. Fighting stigma, training thousands in Mental Health First Aid and supporting the mental health needs of schools will enhance the public's ability to assist others in need or in crisis and foster timely access to mental health services.

#### Executive Budget-Related Initiatives

**Mental Health Workforce Investment:** The historic under-funding of mental health workers employed by non-profit agencies has caused significant recruitment and retention challenges over the years. Wage disparity has continued to grow larger and larger over time between workers employed by the state and those employed by not-for-profit agencies in similar jobs. Minimum wage proposals for state workers and select sectors of the private labor market without commensurate wage increases for workers employed by non-profit agencies will further compound this disparity and jeopardize the viability of community-based mental health agencies.

This year MHANYS is urging the Governor and the Legislature to:

- Provide an annual 2.9 percent cost of living adjustment (COLA) predicated on the Consumer Price Index (CPI) for all staff as of January 1, 2019 (an estimated \$140 million), and;
- Develop a mental health workforce recruitment and retention incentives program including, but not limited to, tuition reimbursement benefits designed to attract people to and maintain them in the field of mental health care.

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#### HEALTHY MINDS FOR A HEALTHY NEW YORK

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**Housing:** Over the past several decades the funding for the various NYSOMH sponsored/licensed/funded mental health housing programs in New York that are home to people with mental illness and those in recovery has not kept pace with inflation, rising administrative costs and the increasing demands of serving people with co-occurring conditions and the management of complicated medications regimens. New York is a national leader in caring for those with major psychiatric disabilities. However, without increased resources, many housing providers will have to consider closing or reducing the number of units to meet financial challenges.

Currently, there are approximately 40,000 New Yorkers with serious psychiatric disabilities participating in these housing programs. These vulnerable residents usually enter the system from state psychiatric centers, prisons, and jails. Housing providers can receive \$7,600 to \$25,000 per person, per year, depending on housing model and geography – these levels are not enough for providers to provide quality care and to comply with their obligations under contract and regulations. Also, by adequately funding community-based mental health housing, our taxpayers will not have to pay for the costs of much more expensive institutionalization, hospitalization, emergency care, incarceration, and homelessness.

MHANYS joins the “Bring it Home: Better Funding for Better Care” campaign in requesting \$120 million in funding structured as follows:

- Add \$20 million to the \$10 million that the Governor included in his proposed budget;
- Move the final funding number of \$30 million to begin in the fourth quarter (January 1, 2020), which would provide the annualized funding of \$120 million that is needed for these programs. This action would not only help the most vulnerable New Yorkers, but would also help to mitigate the fiscal impact on the 2018-19 State Fiscal Year budget.

**Community Investment:** Continued reduction in state psychiatric hospital beds, which includes the reduction of census and possible long-term facility closures, is expected to result in a cost savings this year. In 2013 MHANYS played a lead role in working with the state to secure commensurate funding for community-based mental health services such as supported housing, peer support, crisis intervention, and family engagement services.

MHANYS supports \$5.5 million funding in the Executive Budget and urges continued support for community investment.

**Crisis Intervention Teams:** Advocate for additional funding for statewide Crisis Intervention Teams (CIT) including the expansion of programs beyond counties that have CIT.

**Veterans and Military Families:** Advocate for renewed funding to continue the Joseph Dwyer Peer to Peer Project and expand the program to include additional counties. We would also advocate for greater involvement of families within the funding model.

**Enhanced School-based Mental Health Services:** Advocate for the funding of several enhancements for schools to support more school social workers and therapeutic after-school mental health services.

**Behavioral Health Parity:** We are strongly supportive of two recent changes to Behavioral Health Parity. The passage of the new parity law will provide greater public information about Health plans and their lack of coverage of Behavioral Health Benefits through the Department of Financial Services (DFS) Web Site. The second piece is this year's budget include funding to create greater scrutiny of health plans based on the hiring of more staff at DFS and DOH who will be able to monitor plans. The integral piece from MHANYS end is the continued recognition of the Non Quantitative Treatment limits that plans has used to reject benefit claims (i.e., medical necessity, pre-authorization, provider network, etc.)

### **Schools, Mental Health Literacy and Public Awareness Initiatives**

**School Mental Health Resource and Training Center:** In 2018 the NYS Assembly invested \$1 million in the *School Mental Health Resource and Training Center* to ensure that schools succeed in meeting the legislative intent of these laws. The Center was established by the Mental Health Association in New York State, Inc. (MHANYS).

With the first year of Legislative funding, MHANYS developed the infrastructure of the Resource Center, including state-wide staff available for technical assistance and training, and a dynamic interactive website. This has positioned the Resource Center to support a school's efforts in sustaining K-12 mental health instruction and providing professional development to school personnel.

Many additional schools are discovering the value of the Resource Center every day. This growth underscores the significant need that schools have for mental health instruction, guidance and training.

MHANYS is committed to helping schools succeed in responding to the mental health education law and annual mental health training for school personnel. Toward this end MHANYS is pleased that the proposed Executive Budget for 2019 includes up to \$500 thousand to fund the Resource Center. To continue the growth and sustainability of this valuable investment, MHANYS is requesting an additional \$1 million in 2019.

**Funding Mental Health Literacy:** Advocate for additional funding for training in Mental Health First Aid (MHFA), MHFA for Older Adults, Youth Mental Health First Aid and other versions of MHFA tailored for special populations such as older adults.

**Adverse Childhood Experiences (ACEs):** A growing number of communities are using trauma-informed and resilience-building practices based on the knowledge about the prevalence and consequences of adverse childhood experiences. State and local level ACEs data can be an important tool in developing behavioral health prevention initiatives and ACEs testing can reveal important predictive and diagnostic information about individuals. MHANYS will seek legislative interventions to increase public awareness about ACEs and increase the voluntary use of ACEs testing in settings such as education, primary care setting, public health departments, social services agencies, faith based organizations and in criminal justice.

### **Special Populations**

**Geriatric Mental Health:** MHANYS will advocate for a complete legislative review of the progress made since the passage of the Geriatric Mental Health Act of 2005 with the goal of enhancing and strengthening the impact of Geriatric Mental Health Services Demonstrations Grants Program and the Interagency Geriatric Mental Health Planning Council. Toward this end, MHANYS will advocate for: 1) an increase in funding for the Demonstrations Grants Program from \$2 million to \$4 million; and 2) a legislative hearing(s) and/or other methods of drawing attention to the mental health needs of aging New Yorkers.

**Prohibiting Conversion Therapy:** MHANYS Supports legislation to amend the education law, in relation to prohibiting mental health professionals from engaging in sexual orientation change efforts with a patient under the age of eighteen years. This legislation would also expand the definition of professional misconduct with respect to mental health professionals.

**Discrimination Against Parents with Psychiatric Disabilities:** Advocate for the elimination of NYS Social Services Law (SSL), subdivision 4 of §384-b which discriminates against parents diagnosed with a psychiatric or developmental disability and can result in the termination of parental rights.

**Protection of Vulnerable Populations: Justice Center Statute Amendment:** Advocate that Adult Care Facilities (including adult Homes) that serve individuals with psychiatric disabilities and have licensed capacity less than 80 beds be subject to the powers, authority and protection of the Justice Center. Currently they are exempt.

**Helping People with Addiction Disorders:** MHANYS recognizes that addiction disorders, including substance use disorder and problem gambling, are themselves mental health disorders and are often co-morbid with other mental health disorders such as depression and anxiety. MHANYS is committed to joining in partnership with other organizations committed to fighting the opioid epidemic in New York and to increase access to services for people with gambling addictions