

**COALITION FOR WHOLE HEALTH
WASHINGTON UPDATE – HEALTHCARE REFORM**

Overview

Three Committees in the House, Energy and Commerce, Ways and Means and Education and Labor, have completed their work on healthcare reform (HCR) legislation, *America's Affordable Health Choices Act of 2009* (H.R. 3200). Over August, Congressional staff will combine the versions of the bill as passed by the House Committees so H.R. 3200 can be voted on by the full House in September.

The Senate Health, Education, Labor and Pensions (HELP) Committee has reported a bill and the Senate Finance Committee must complete its work when Congress reconvenes in September. Once the Finance Committee finishes its work, the two bills will be melded and brought to the Senate floor for a vote by mid to late September.

Differences between the House and Senate bills will be negotiated and that compromise version is tentatively scheduled to be voted on by both chambers before year's end.

Mental Health & Addiction Prevention, Treatment and Recovery Key Provisions

- Addiction & mental health are included in the proposals' minimum benefits packages. Specific benefit levels will be left to a board or commission
- The Wellstone/Domenici parity law must be applied to all plans
- The House Education and Labor Committee passed a provision to include mental health and substance use disorder services, including screening and brief interventions, as covered preventative services
- The House Energy and Commerce Committee passed a provision to include the Substance Abuse and Mental Health Services Administration (SAMHSA) in the list of federal agencies that will be consulted for the development of a national prevention and wellness plan
- The House Energy and Commerce Committee passed a provision to authorize workforce development grants for providers of mental health and substance use disorder services

SIDE-BY-SIDE COMPARISON OF SUD/MH PROVISIONS IN THE HEALTHCARE REFORM BILLS

	SENATE FINANCE OPTIONS PAPERS	SENATE HELP COMMITTEE AS REPORTED ON JULY 15, 2009	HOUSE TRI-COMMITTEES* AS REPORTED IN JULY 2009
Inclusion of SUD/MH in the minimum benefits package	✓ Requires SUD/MH services as part of the minimum benefit package	✓ Requires SUD/MH services as part of the minimum benefit package	✓ Requires SUD/MH services as part of the minimum benefit package
Application of Wellstone Domenici parity law to all plans	✓ Requires plans in the exchange, individual and group markets to adhere to Wellstone/Domenici	✓ Requires plans in exchange (which includes the public plan), individual and group markets to adhere to Wellstone/Domenici	✓ Requires plans in exchange (which includes the public plan), individual and group markets to adhere to Wellstone/Domenici
New Grant Programs	Not specified	<ul style="list-style-type: none"> ✓ Includes mental health workforce development funds ✓ Authorizes primary care-behavioral health co-location grant program at the Substance Abuse and Mental Health Services Administration (SAMHSA) 	✓ Energy and Commerce-approved bill authorizes workforce development grants for providers of MH/SUD services; authorizes \$60 million for the program
Inclusion of relevant federal SUD/MH agencies	Not specified	✓ Creates a “National Prevention, Health Promotion and Public Health Council;” the Director of the Office of National Drug Control Policy (ONDCP) is included as a Council member	✓ Energy and Commerce-approved bill adds SAMHSA to list of agencies consulted for the development of a national prevention and wellness plan
MH/SUD screening & prevention	✓ Includes tobacco cessation, but MH/SUD prevention is not specified	<ul style="list-style-type: none"> ✓ In a section authorizing community health team grants aimed at supporting medical homes, the bill includes a provision to include SUD prevention, treatment and MH service providers as eligible grantees ✓ Requires SUD/MH services be provided at school-based community health centers ✓ Permits state or local health departments receiving grant funds through a Department of Health and Human Services (HHS) public health grant program, administered through the Centers for Disease Control and Prevention, to enter into contracts with MH/SUD providers ✓ Includes an HHS education and outreach campaign on the benefits of prevention; section contains a requirement that the campaign disseminate information about the preventative work done by SAMHSA 	✓ Education and Labor Committee-approved bill requires MH/SUD services, including screening and brief interventions, to be covered, reimbursable preventative services

340B	Not specified	✓ Expands discount pharmaceutical pricing (340B) to MH/SUD block grant treatment providers	✓ Expands discount pharmaceutical pricing (340B) to MH/SUD block grant treatment providers
Medicare, Medicaid & Federally Qualified Health Centers	✓ Not specified	✓ Not specified	<ul style="list-style-type: none"> ✓ Covers Licensed Professional Counselors and Marriage and Family Therapists in Medicare, Rural Health Clinics, and Federally Qualified Health Centers ✓ Energy and Commerce-approved bill clarifies that Medicaid can pay for Therapeutic Foster Care (TFC) and includes definition of TFC based on S. 1217 – Medicaid Services Restoration Act of 2009 ✓ Energy and Commerce-approved bill includes provision to temporarily suspend, rather than revoke, Medicaid benefits for individuals upon their release from public juvenile facilities ✓ Energy and Commerce-approved bill with provision requiring states provide as a state plan amendment to CMS each year, their provider rates for the coming year, and how they came to those rates <p>Thus, CMS, each year, would have the ability to enforce the current Medicaid law which requires that provider rates be sufficient to ensure that enough providers are available to provide the covered services</p> <ul style="list-style-type: none"> ✓ Energy and Commerce-approved bill requires “Federally-Qualified Behavioral Health Centers” to be certified by SAMHSA

*Except where noted, provisions are included in all three versions of the House bill as reported by the Committees