



Danna E. Mauch, PhD  
President and CEO

Ambassador (ret.) Barry B. White  
Chairperson of MAMH Board of Directors

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July 21, 2022

The Honorable Charles D. Baker, Jr.  
Governor, Commonwealth of Massachusetts  
24 Beacon Street, Room 280  
Boston, MA 02133

Dear Governor Baker:

**Re: Behavioral Health Provisions in FY23 Conference Committee Budget**

Thank you for your continued advocacy for behavioral health (BH) supports and services. Your championship has been instrumental in securing a FY23 state budget that will adequately fund programs and services for individuals with BH conditions. With the pandemic, there is increased demand for BH services and a corresponding strain on service providers. We have been fortunate to have your and your team's leadership on these issues during your tenure as Governor.

With respect to the FY23 Conference Committee budget, we write to register our concern with one provision and to note our appreciation for the inclusion of many important initiatives and programs.

**We oppose** the earmark in DMH line item 5095-0015 for a pilot program at Taunton State Hospital to admit individuals with high acuity BH and dual diagnoses who would be diverted after presentation at an emergency department (ED) in the southeast region. While we acknowledge the serious and widespread problem of ED boarding, particularly for people with BH needs, we respectfully believe that there are better ways to redress this problem. These solutions include investment in a range of prevention and promotion strategies, support for the 988 crisis system, implementation of the Executive Office of Health and Human Services (EOHHS) Roadmap (including the BH Help Line, Community BH Centers, BH urgent care, and crisis stabilization services), workforce development programs, and support for housing supports and services.

The Commonwealth is pursuing such strategies through ongoing and new investments in An Act Relative to Immediate COVID-19 Recovery Needs (Chapter 102 of the Acts of 2021), the FY22 and FY23 budgets, FY22 supplemental budgets, and the mental health omnibus bill. For example, thanks to your leadership the FY23 budget includes \$10M (\$6M youth; \$4M adults) for the Department of Mental Health (DMH) emergency department (ED) diversion initiative. Likewise, provisions in the omnibus bills, including the youth ED boarding data portal and the requirement that EDs have licensed mental health professionals available during all operating hours, also offer direct interventions. The MassHealth Intensive Hospital Diversion (IHD) for Youth program likewise seeks to tackle this problem directly. Your health care bill would provide relevant investments as well.

Additionally, MAMH believes it is critically important to offer statewide parity for people seeking BH emergency care, so that they, like people seeking emergency care for physical health conditions, can access care in the community through the well-established system of community-based general and specialty hospitals. Sending some individuals and families in the Commonwealth to public facilities and others to private facilities for

behavioral health treatment, simply on account of geography, furthers inequities and moves Massachusetts backward in terms of achieving the goal of behavioral health parity. For these reasons, we urge that you veto this provision.

**We strongly support** many other important provisions in the FY23 Conference Committee budget to advance BH in the Commonwealth. We take this opportunity to note key items.

### **Children/Adolescents**

- DMH 5042-5000 - \$150K for MAMH and the BIRCh Center to continue collaborating on the School Mental Health Technical Assistance Center to aid school administrators, teachers, and staff.
- DESE 7061-0028 - \$6M for Multi-Tiered Systems of Support (MTSS) for K-12 schools.
- DESE 7066-1123 - \$4M for mental health grants to community colleges and state universities.
- OCA 0930-0101 - \$3.5M for a state Center on Child Wellness and Trauma.

### **Roadmap**

- Outside sections 22 and 65 establishing the Behavioral Health Access and Crisis Intervention Trust Fund and authorizing a payor surcharge.
- EOHHS 4000-0300 - \$550K to maintain and operate Network of Care Massachusetts.
- Outside section 150 requiring the Health Policy Commission (HPC) to analyze the BH Help Line and BH crisis intervention services and make recommendations for developing an equitable and sustainable funding mechanism.

### **Jail Diversion**

- EOHHS 4000-0300 - \$1M for the Middlesex County Restoration Center for continuation of a pilot program to establish the Center (and outside section 142).
- DMH 5046-0000 - \$2M above the amount made available in FY22 for the DMH jail diversion program.
- DPH 4512-2020 - \$3.61M for a grant program to municipalities to respond to crisis situations, with preference given to municipalities that employ alternative emergency response.

### **Housing**

- DMH 5046-2000 - \$24.616M, which will annualize the cost of the three new Safe Havens created in FY22.
- DHCD 7004-0102 - \$110M to shelter providers to serve individual homeless adults.
- DPH 4512-0200 - \$10M to the Bureau of Substance Abuse Services (BSAS) for low-threshold housing.
- DPH 4512-0200 - \$10M for BSAS family supportive housing.

### **Workforce Development**

- DMH 5095-0017 - \$20M for loan forgiveness for clinical BH workers across DMH.
- EOHHS 4000-0100 - \$1M for EOHHS to conduct a public information campaign on opportunities for the healthcare and BH workforce (and outside section 136 related to the same EOHHS campaign).
- DPH 4513-2020 - \$5.5M for loan forgiveness through the Behavioral Health Outreach, Access and Support Trust (BHOAST) Fund, including \$3M for child psychiatrists at health centers and community mental health centers.
- DPH 4513-2020 - \$2.5M to address ED boarding through staffing investments and rate incentives to operationalize existing capacity and promote culturally and linguistically competent workforce development.

## Cross-Cutting Initiatives

- DPH 4513-2020 - \$20M for the BHOAST Fund to provide, in addition to the workforce development programs described above:
  - \$3.532M for school telehealth pilot.
  - \$500K for mental health workforce pipeline program.
  - \$1M for public awareness campaign to raise awareness about BH services.
- DMH 5011-0100 - \$145K for the establishment of a special commission on the history of state institutions for people with intellectual or developmental disabilities or mental health conditions (and outside section 144).

## In addition to the outside sections noted above, we further highlight these important outside sections:

- Section 17: Substance Use Disorder (SUD) Trust Fund - \$105M for residential treatment and to expand 24-hour diversionary care; \$135M to expand access to medication assisted treatment (MAT); \$35M to support evidence-based peer and paraprofessional recovery services; and \$80M to ensure appropriate assessments for levels of care using American Society of Addiction Medicine (ASAM) criteria and to support integration of physical health, mental health, and substance use care across all provider settings.
- Section 69: Requiring the Department of Corrections (DOC) and the Massachusetts Sheriffs Association to report on the use of all facilities, including number of beds, housing unit function, average daily out of cell time on each unit, average count per unit, etc.
- Section 116: Establishes a pilot program, subject to appropriation, for the delivery of MAT for opioid use disorder at all county correctional facilities.
- Section 138: Requiring EOHHS to study the prescribing and treatment history, including court-ordered treatment and treatment in the criminal legal system of people who suffered fatal overdoses from 2019-2021, and annually thereafter.
- Section 145: Requiring HPC to conduct an analysis and issue a report on the ongoing effects of COVID-19 on BH-related boarding in EDs, medical/surgical units, or observation units. HPC will also review ED boarding in other states and best practices to address the problem.
- Section 146: Requiring UMass Amherst, in consultation with EOHHS, to study the feasibility of establishing a Massachusetts School of Health Sciences Education and Center for Health Care Workforce Innovation at the UMass Mount Ida campus.
- Sections 71 and 177: Requiring state and county correctional facilities to provide prisoners with voice communication services, including phone calls, free of charge to the prisoner or person receiving the call.

Overall, the FY23 budget represents the thoughtful and expansive work of Massachusetts government at its finest. We are grateful for your continued advocacy and insightful leadership in these efforts. Please continue to look to us as a resource for questions or concerns.

With gratitude,

A handwritten signature in black ink that reads "Danna Mauch". The signature is written in a cursive, flowing style.

Danna Mauch, PhD  
President and CEO, MAMH

c. The Honorable Marylou Sudders, Secretary of Health and Human Services, Commonwealth of Massachusetts; Tim Buckley, Chief of Staff, Office of the Governor; Katherine Holahan, Deputy Chief of Staff for Legislative Affairs, Office of the Governor; Bekah Diamond, Chief of Staff, EOHHS; Lauren Peters, Undersecretary for Health Policy, EOHHS; Robert McLaughlin, Legislative Director, EOHHS