

2020 First Extraordinary Session

HOUSE RESOLUTION NO. 42

BY REPRESENTATIVES GREGORY MILLER AND HILFERTY

A RESOLUTION

To urge and request the Louisiana Department of Health to seek approval of a Medicaid demonstration waiver which would authorize Medicaid reimbursement for inpatient treatment of serious mental illness in hospitals and psychiatric facilities.

WHEREAS, the decades-long exclusion of Medicaid payments for healthcare facilities and providers classified as "institutions for mental diseases" (IMDs) is a contentious feature of our nation's mental health system; and

WHEREAS, the IMD exclusion prohibits the use of federal Medicaid funds for care provided to most patients in residential mental health and substance use treatment facilities with over sixteen beds; and

WHEREAS, this funding prohibition was intended to encourage a transition away from institutionalization of people with mental illness and toward community-based treatment models; and

WHEREAS, the actual effect of the IMD exclusion has been the creation of a major barrier in access to care by persons with severe mental illness, as residential and inpatient treatment are critical components in the continuum of psychiatric care; and

WHEREAS, since November of 2017, states have been allowed to apply to the federal Medicaid agency, the Centers for Medicare and Medicaid Services, for a waiver of the IMD exclusion for individuals with substance use disorder and, as of November of 2018, for individuals with serious mental illness; and

WHEREAS, this waiver allows Medicaid to reimburse IMDs with more than sixteen beds for treating patients with mental illnesses; and

WHEREAS, Louisiana has obtained an IMD waiver for substance use disorder treatment, but has not requested an amendment to the waiver to also include treatment for serious mental illness; and

WHEREAS, persons in crisis or in need of stabilization or acute care may require the type of structured inpatient treatment that IMDs provide, and the Medicaid program is a vital source of mental health funding; and

WHEREAS, lifting the IMD exclusion could help lessen the disparities in access and funding between outpatient systems and more acute levels of care and thereby reduce this state's shortage of psychiatric beds; and

WHEREAS, the premise that reducing funds for inpatient care will lower institutionalization rates disregards the fact that our current system often results in confinement of people with serious mental illness in institutions such as jails and prisons and also leads to inappropriate utilization of emergency departments and unspecialized hospital beds; and

WHEREAS, many people with mental illness in this state who need treatment are instead being held in jails because there may be no appropriate treatment options available to them; and

WHEREAS, by seeking an amendment to its existing Medicaid waiver, this state could secure additional funding for much-needed enhancements to our mental health treatment system, provide more effective mental health care to individuals with serious mental illness, and, over time, curtail the number of people with mental illness who are unnecessarily confined in our jails, prisons, and hospitals.

THEREFORE, BE IT RESOLVED that the House of Representatives of the Legislature of Louisiana does hereby urge and request the Louisiana Department of Health to seek approval of a Medicaid demonstration waiver which would authorize Medicaid reimbursement for inpatient treatment of serious mental illness in hospitals and psychiatric facilities.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the secretary of the Louisiana Department of Health.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES