

2023 Regular Session

HOUSE RESOLUTION NO. 262

BY REPRESENTATIVE FREEMAN

A RESOLUTION

To urge and request the Louisiana Department of Health (LDH) and the state Department of Education (DOE) to create a task force to study the expansion of seat availability for adolescents in long-term psychiatric residential treatment facilities (PRTF) across southeast Louisiana and to submit its findings by February 1, 2024.

WHEREAS, according to the Kaiser Family Foundation (KFF), ninety percent of adults in the United States believe that the country is facing a mental health crisis, perhaps as a result of the COVID-19 pandemic; and

WHEREAS, the KFF also stated that the public's mental health and well-being in this country have been affected in a variety of ways as a result of the isolation and instability associated with the pandemic; and

WHEREAS, as a result of the impact of the pandemic, the emphasis on the mental health of students has increased along with the awareness of the importance of school-based mental health services; and

WHEREAS, the only facility that New Orleans public schools can send students experiencing severe mental health crisis for overnight care is located in Shreveport, Louisiana, which places an undue on burden on the parents and students; and

WHEREAS, parents often decline mental health treatment for their child because of the distance, which places the child at a disadvantage; and

WHEREAS, requiring LDH to promote the long-term sustainability and expansion of school-based mental health services could be beneficial to students and parents alike; and

WHEREAS, additionally, there are several policy changes that LDH can employ to drastically increase the amount of mental health services provided by schools; and

WHEREAS, by requiring LDH to use the administration fee that is already collected to build an internal billing system like many other states already have, Louisiana school districts would be able to receive an extra ten percent of their Medicaid expenses and fund a position at DOE to support school-based Medicaid services; and

WHEREAS, in addition to funding a position at DOE, the administrative fee could be utilized to increase school reimbursements and reduce school administrative burdens; and

WHEREAS, DOE currently has one position dedicated to supporting and providing technical assistance, and it is currently being funded by the Elementary and Secondary School Emergency Relief (ESSER) fund; and

WHEREAS, this position is providing most of the technical assistance and professional development to schools on the school-based Medicaid program and is necessary to continue after the ESSER funds are depleted; and

WHEREAS, in order to continue the ESSER funding, LDH should use a portion of the existing administrative fee to fund this position at DOE permanently; and

WHEREAS, other states have similar positions in their education agencies that are funded using the administrative fee that the Medicaid agency collects and require the administrative fee generated by the Medicaid agency to cover program expenses only; and

WHEREAS, the Bipartisan Safer Communities Act provides support for mental health service programs throughout the country, particularly in schools; and

WHEREAS, the Bipartisan Safer Communities Act instructs the Centers for Medicare and Medicaid Services (CMS) to update the regulations around the school-based Medicaid program in order to reduce the administrative burden on schools and, while they have not been announced yet, these guidelines are expected in the summer of 2023; and

WHEREAS, administrative burdens on schools could be reduced by requiring LDH to make changes to the school-based Medicaid program as allowed by the recently-released CMS guidelines; and

WHEREAS, in order to meet this requirement of making changes to the school-based Medicaid program, LDH will need to submit a Medicaid state plan amendment (SPA) to take advantage of the new guidelines established by CMS; and

WHEREAS, LDH would have to submit a SPA no later than October 2023, which includes updates allowed by the newly released guidance; and

WHEREAS, this legislature should also consider providing additional funding to build a pipeline of school-based mental health professionals by increasing scholarships, debt forgiveness, or other methods; and

WHEREAS, these program changes, if implemented, are expected to significantly reduce, or eliminate, the need for schools to bill for Medicaid services.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby urge and request the Louisiana Department of Health and the state Department of Education to create a task force to study the need to expand the number of seats serving adolescents in long-term psychiatric residential treatment facilities across southeast Louisiana.

BE IT FURTHER RESOLVED that the following individuals shall serve as members of the task force:

(1) The secretary of the Louisiana Department of Health or his designee.

(2) The assistant secretary of the Louisiana Department of Health office of behavioral health or his designee.

(3) The president of the State Board of Elementary and Secondary Education or his designee.

(4) The assistant superintendent of the state Department of Education or his designee.

(5) The president of the Louisiana Psychological Association or his designee.

(6) The president of the Louisiana Psychiatric Medical Association or his designee.

(7) The president of the Louisiana Hospital Association or his designee.

BE IT FURTHER RESOLVED that the Louisiana Department of Health and the state Department of Education may choose to include nonprofit and private providers of long-term psychiatric residential treatment facilities to serve on the task force.

BE IT FURTHER RESOLVED that the members of the task force shall appoint a chairman at the convening of its first meeting.

BE IT FURTHER RESOLVED that LDH and DOE shall provide staff support to the task force.

BE IT FURTHER RESOLVED that the task force, once determined, shall address the following questions:

(1) What is the landscape of long-term PRTFs available to adolescents in southeast Louisiana compared to the need?

(2) What does a fully financed adolescent behavioral health PRTF consist of?

(3) What, if any, are the funding sources?

(4) What does a fully leveraged Medicaid system do to fund the expansion of the number of seats serving adolescents in PRTFs across southeast Louisiana?

(5) What partners or entities, if any, exist that may expand or open a child and adolescent PRTF within the next two years?

(6) What barriers exist to developing and retaining both medical and front-line staff of PRTFs in the region?

BE IT FURTHER RESOLVED that the Louisiana Department of Health and the state Department of Education shall take action on the Medicaid recommendations identified in this Resolution no later than October 2023 and shall jointly present to the House Committee on Health and Welfare the progress of these actions by the end of the 2023 calendar year and thereafter on an annual basis.

BE IT FURTHER RESOLVED that on or before February 1, 2024, the task force shall submit to the House Committee on Health and Welfare and the David R. Poynter Legislative Research Library a written report of its findings and recommendations.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the secretary of the Louisiana Department of Health, president of the State Board of Elementary and Secondary Education, the superintendent of the state Department of Education, the president of the Louisiana Psychological Association, the president of the Louisiana Psychiatric Medical Association, and the president of the Louisiana Hospital Association.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES