

Proposed Federal Behavioral Health Legislative Priorities for 2020

Updated November 18, 2019

1. Support and defend access to health care including behavioral health treatment and Medicaid.

Protect the integrity of the Affordable Care Act. Safeguard Medicaid to prevent long-term reductions in services, quality of care, and enrollment by shifting burdens onto states or individuals. Ensure access to health care for all, regardless of citizenship status.

2. Promote coordinated care and safety by aligning substance use disorder confidentiality rules with HIPAA.

Establish one set of rules for confidentiality and security in health care by fully aligning confidentiality rules specific to substance use disorder treatment with the Health Insurance Portability and Accountability Act (HIPAA). Common confidentiality standards would promote integrated behavioral health and physical health care while protecting people's safety and privacy. **Pass H.R. 2062** the Overdose Prevention and Patient Safety Act, its Senate counterpart, **S. 1012** Protecting Jessica Grubb's Legacy Act, or their equivalent.

3. Repeal the Institutions for Mental Disease (IMD) exclusion.

The IMD exclusion artificially limits facility size and prevents economies of scale across the behavioral health continuum, thereby reducing treatment access. Recent changes intended to extend treatment to people with substance use disorders (SUDs) nationally have unintentionally reduced federal IMD funding in Washington for inpatient and residential treatment. This puts pressure on limited state and local resources and could reduce service availability. A repeal of the IMD exclusion for both SUDs and mental health conditions is needed.