



March 10, 2016

The Honorable Lamar Alexander
Chairman
Senate Committee on Health, Education, Labor and Pensions
428 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Patty Murray
Ranking Member
Senate Committee on Health, Education, Labor and Pensions
428 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Alexander and Ranking Member Murray,

On behalf of our 800 member hospitals and other mental health and addiction treatment facilities across the country, the National Association of Psychiatric Health Systems (NAPHS) welcomes the release of the bipartisan draft of the *Mental Health Reform Act of 2016*.

We also want to thank Senators Bill Cassidy (R-LA) and Chris Murphy (D-CT) for their tireless leadership in introducing a major comprehensive mental health reform bill last year, and for working with both Republicans and Democrats to get to this point.

We believe that mental health reform is long overdue, and the time to act is now because far too many lives are at stake.

The draft bill addresses some important areas that need attention, including further clarification of disclosure and transparency requirements in the *Mental Health Parity and Addiction Equity Act*, a focus on the workforce shortage in the mental health and addiction field, creation of a Chief Medical Office within the Substance Abuse and Mental Health Services Administration (SAMHSA), and the establishment of an Inter-Departmental Serious Mental Illness Coordinating Committee.

In regard to the Inter-Departmental Serious Mental Illness Coordinating Committee, we would recommend that the committee include a representative from the hospital community because hospitals are on the front line of treating people living with mental illness who are in crisis.

On the issue of privacy, we appreciate that the draft bill would provide more resources to providers, families, and patients to help them better understand what health information can be disclosed and under what circumstances. However, our organization continues to hear from clinicians and families that the *Health Information Portability and Accountability Act* (HIPAA) law and regulations create unnecessary barriers to the communication of critical health information, thus sometimes preventing the most effective treatment from being provided. We would hope that as this bill moves forward there will be more discussion about ways to change the HIPAA law to protect the privacy of individuals, but also to ensure that families and caregivers can get the information necessary to help their loved ones.

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Although the changes in the Senate HELP draft bill are an important step forward, we believe what will be the most meaningful in the end is to bring parity, which is in place in the commercial health insurance system, into Medicaid and Medicare. We recognize that Medicare and Medicaid are not under the jurisdiction of the Senate HELP Committee, but changes to these programs are essential for meaningful mental health reform.

We all recognize that mental illnesses and substance use disorders are diseases (just like heart disease or cancer), but our federal health insurance programs – Medicare and Medicaid – still treat these diseases differently than other diseases.

There continue to be major barriers in getting coverage and access to treatment in the Medicaid program. For example, the Institutions for Mental Disease Exclusion (IMD), which has been in place for 50 years, today prevents poor and disabled adults from receiving critical crisis treatment in short-term psychiatric hospitals in communities across this country. The time is now to finally address this discriminatory practice.

We would urge you and your colleagues to work with your Senate Finance Committee colleagues to address barriers to treatment in the Medicaid and Medicare program, such as the IMD exclusion, before the mental health reform bill reaches the Senate floor.

In closing, NAPHS and its members thank you and your colleagues for tackling this critical challenge. We look forward to working with both of you, the Senate and House, as well as the Administration to finally make meaningful mental health and substance use reform a reality this year.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Covall". The signature is fluid and cursive, with the first name "Mark" and last name "Covall" clearly distinguishable.

Mark Covall
President and CEO

cc: The Honorable Bill Cassidy
United States Senate
Washington, DC 20510

The Honorable Christopher Murphy
United States Senate
Washington, DC 20510