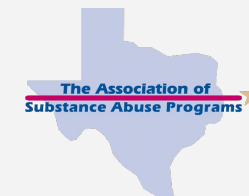


# Welcome to the June Brown Bag Advocacy Session!



## Prevention, Treatment and Recovery Policy: Updates from the 88th Legislative Session.





**FUNDING**

## **SB 1 (Huffman) / HB 1 (Bonnen):**

General Appropriations Act (state budget) for the 2024-25 biennium.

- ▶ Support an Article II rider directing HHSC to increase substance use disorder treatment rates for indigent Texans.
- ▶ Publicly funded treatment providers are regularly paid below the cost of providing those services.
- ▶ In recent years inflationary pressures, increased labor costs and the challenges of COVID, have brought the disparity between the state rate and the cost of providing treatment to unsustainable levels.
- ▶ A rate increase is needed to stabilize the infrastructure and avoid a treatment capacity crisis.
- ▶ HHSC SUD division staff determined a rate increase could be provided with already appropriated funds that roll over from year to year.
- ▶ This rider would not require an appropriations increase and would provide clear legislative direction that substance use disorder treatment is a priority.

# FUNDING

## Article II Rider # 53

Rates: Reimbursement for Federal Substance Abuse Prevention and Treatment Block Grant Services. It is the intent of the Legislature that the Health and Human Services Commission (HHSC) shall evaluate the rate setting methodology for reimbursement of services reimbursable to grant recipients of the federal Substance Abuse Prevention and Treatment Block Grant (SABG) funds and shall propose reimbursement rates for these services no later than October 1, 2023, in a format that will enable HHSC to receive public comments on the proposed rates. HHSC shall consider the public comments as well as characteristics of the populations served, commercial and Medicaid reimbursement rates for similar services, and financial sustainability of reimbursement rates prior to adopting final rates.

## Biennial Appropriation

D.2.4. Strategy: Substance Abuse Prevention, Intervention, and Treatment.

- ▶ FY 2024: \$276,979,144
- ▶ FY 2025: \$277,091,747



**PREVENTION**

## School Mental Health Allotment

**SB 948 (West)/ HB 2451 (Allison)** - relating to the permissible uses of the school safety allotment and the creation of a mental health allotment under the Foundation School Program.

- To foster a safe and successful school environment, kids need to feel both physically secure and mentally/emotionally supported.
- Schools in Texas are struggling to address rising student behavioral health needs and lack sustainable funding to implement a comprehensive behavioral health strategy that promotes wellness and supports evidence-based prevention and early intervention.
- SB 948 (West)/ HB 2451 (Allison) establishes a dedicated School Behavioral Health allotment to help school districts address the unique needs of their students and communities.
- Through Substance Abuse Prevention and Treatment (SABT) block grant funding, Texas has developed a network of local community organizations that have over 3 decades of experience delivering evidence-based risk & protective factor prevention curriculum in the schools.
- A dedicated School Behavioral Health Allotment would allow school districts to intervene early--before a mental health crisis occurs or a problem behavior worsens and cost-effectively partner with experienced local organizations to deliver evidence-based programs/services.

**HB 362 (Oliverson)** - Relating to the use, possession, delivery, or manufacture of testing equipment that identifies the presence of fentanyl, alpha-methylfentanyl, or any other derivative of fentanyl.

- ▶ Eliminates testing equipment and supplies for fentanyl as drug paraphernalia.

**SB 1319 (Huffman)** - Relating to the reporting of certain overdose information and the mapping overdoses for public safety purposes.

- Requires mandatory reporting of overdoses for the purpose of public safety mapping.
- Only applies to a law enforcement officer, first responder, or other person who administers emergency services who is employed by a county.
- Disclosed information can only be specific to the overdose and not include any personal information.



**TREATMENT**



## **Abuse Neglect and Exploitation Training**

**HB 233 (Murr)/SB 831 (Flores)** - Relating to in-service training on identifying abuse, neglect, and illegal, unprofessional, and unethical conduct in certain health care facilities.

- ▶ Amends HSC Section 161.133 (a) reducing required annual in-service training from eight hours to four hours for all employees of inpatient mental health facility, treatment facility, or hospital that provides comprehensive medical rehabilitation services to assist employees in identifying patient abuse or neglect and illegal, unprofessional, or unethical conduct by or in the facility.

## **Patient Brokering and Solicitation**

**HB 248 (Murr)** - Relating to solicitation of patients and other prohibited marketing practices and establishment of the task force on patient solicitation; increasing criminal penalties.

- Establish a task force to study and make recommendations to prevent and stop patient exploitation and deceptive business practices.
- Amends HSC Chapter 164 to include outpatient and recovery housing as types of facilities included and updates types of marketing mechanisms to include current technology (internet).
- Increases fines and penalties for engaging in brokering, deceptive and fraudulent business practices.

## **Parity and Prior Authorizations**

HB 5121 and 5230 are based on recommendations in the Texas Mental Health Condition and Substance Use Disorder Parity Strategic Plan.

### **HB 5121 (Turner)** - Relating to health benefit plan coverage of treatment of chemical dependency.

- Requires coverage for chemical dependency under Insurance Code Section 1368 to not be less favorable than coverage for physical illness under Chapters 1551, 1575, 1579 and 1601. (Texas state employees, teachers, retired teachers and UT and TAMU employees)
- Removes lifetime maximum for treatment episodes; eliminates requirement for treatment in a hospital setting.

### **HB 5230 (Bucy)** - Relating to health benefit plan coverage of prescription drugs for serious mental illnesses and opioid and substance use disorders.

- Eliminates fail first requirement for medications for serious mental illness before authorizing medication determined appropriate by authorized prescriber.
- Prohibits requirement for pre-authorization for medications for medication-assisted treatment for opioid or substance use disorder treatment.



**RECOVERY**

## Recovery Housing

HB 299 (Murr) - Relating to creating a voluntary accreditation for recovery housing.

- Defines recovery housing in statute.
- Prohibits recovery homes from engaging in patient brokering or kickbacks and from using false, misleading or deceptive marketing.
- Strengthens the fair housing rights of residents in accredited recovery housing.
- Requires recovery housing to be NARR accredited or Oxford House chartered to receive state funds.
- Carves out recovery housing from other housing models or facilities such as boarding homes, nursing and continuing care facilities, assisted living, IDD group homes.

**SB 629 (Menendez)**- Relating to the maintenance, administration, and disposal of opioid antagonists on public and private school campuses and to the permissible uses of money appropriated to a state agency from the opioid abatement account.

- Requires public school districts, and authorizes open-enrollment charter schools and private schools, to adopt and implement a policy regarding the maintenance, administration, and disposal of opioid antagonists for campuses that serve students in grades 6 through 12.
- Requires the Executive Commissioner of HHSC, in consultation with the Commissioner of Education, to adopt rules at a school campus with an adopted policy no later than November 1, 2023.
- Requires a school to report details of the administration of an opioid antagonist within 10 business days.
- Makes each district or school that adopts a policy responsible for training school personnel and school volunteers in the administration of an opioid antagonist.

**SB 867 (West)** - Relating to the recipients of opioid antagonists under the opioid antagonist program.

- Amends the Health and Safety Code, authorizing HHSC to provide opioid antagonists under the opioid antagonist program to include institutions of higher education.
- Takes effect immediately.

**SB 1796/HB 4678 (Menendez/Bryant/Lalani)** - Relating to establishing a social work recruitment and retention program administered by the Texas Higher Education Coordinating Board.

- Establishes a social work intern practicum stipend (SWIPS) program that would provide stipends for social work interns engaged with practicum hours.
- Priority criteria for individuals who qualify for need based aid and have placement in a mental health shortage area.
- Establishes a base hourly pay for practicum hours.

WHAT'S

NEXT

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