Testimony in Support of LD 445

“Resolve, Directing the Department of Health and Human Services to Apply for a Waiver from the Federal Government for the Medicaid Limitation on Payment to a Facility with More than 16 Inpatient Beds for Psychiatric Treatment”

March 17, 2023

Senator Baldacci, Representative Meyer and members of the Joint Standing Committee on Health and Human Services, I am sorry that I cannot attend the public hearing in person to support this legislation.

As a health system that provides a wide array of health care services to support the needs of Maine people, we see every day the gaps that exist in the state’s continuum of services. One critical gap exists in the area of behavioral health services to support individuals with complex needs, and particularly for children and adolescents. Riverview and Dorothea Dix provide this level of care for some adults, yet they provide insufficient capacity to meet the need. And there is no such facility in Maine to meet the needs of children and adolescents.

This bill directs the Department to apply to the Centers for Medicare and Medicaid Services for a waiver to the regulation that prohibits Medicaid to support the care of individuals with mental illness provided in facilities that exceed 16 beds. While we support the value that individuals with mental illness should be provided in the least restrictive setting and as close to their communities as possible, we also know that some individuals need highly structured and secure settings at points in time to ensure their own safety as well as that of others. The Department has recognized this gap for children and adolescents in its own behavioral health plans, yet we have not seen movement to fill it. Instead, children and adolescents with complex needs, usually involving aggressive behavior, languish in our Emergency Departments after which some of those with highest levels of acuity often get sent out of state for treatment. And adults with high levels of complexity often wind up in sub-optimal settings, including jails.

Given the lack of progress in developing residential treatment for individuals with higher levels of acuity, we believe that this bill will provide a helpful tool in encouraging entities that specialize in residential treatment to develop the specialty residential services that can help meet this clear need. A waiver to the sixteen-bed threshold could provide an important incentive to entities that operate PRTFs to develop one or more here in Maine, building much needed capacity along our care continuum.

Sincerely,

Katie Fullam Harris, Chief Government Affairs Officer