I’m Lauri Cole, the executive director of the NYS Council for Community Behavioral Healthcare, a statewide membership association representing mental health and substance use providers across New York. I’m here to ask for your assistance.

The BH system of care is hanging by a thread.  We have been ravaged by 3 concurrent public health disasters with the Opioid Epidemic, increasing rates of suicide, and COVID 19.  New York families and communities are devastated.  The system of care designed to provide prevention, treatment and rehabilitative options is sorely underfunded and in crisis. The demand for our services far outpaces our ability to respond and every data point indicates it is going to get worse.

There should be no cuts to the mental health and substance use disorder / addiction systems of care. Instead, we are proposing smart investments. This year, we have requests that would return resources that belong to our system of care to include a set aside of funds from the state’s Healthcare Transformation Fund account consistent with Assemblyman Gottfried’s and Senator Rivera's bills, A264 and S2531, a request that all state aid funding withholds be restored, and that the state honor its’ commitments to reinvest savings from our system back into it.

Behavioral health services were transitioned to Medicaid Managed Care beginning in 2015. The law and policy of this state is clear: managed care savings from our system of care go back to our system of care.  Before BH services transitioned, stakeholders were very concerned about money being siphoned out of the system by plans for their profits.  We spent countless hours working in collaboration with state leaders on language for statute and guidance documents to ensure transparency in this process, and for managed care savings to accrue to the system of care from which it came.  At that time, there was ample evidence in literature and historical context for us to have concerns about the siphoning off of funds once we transitioned to Medicaid Managed Care.  We saw it coming, we put in safeguards, but the state has again left the chicken coop open for the foxes.

To date, we haven’t received a single document of substance in response to four FOIL requests filed in the early fall via our counsel, seeking information that should be readily available if the state was holding the health plans accountable for meeting behavioral health expenditure targets and Medical Loss Ratios (MLRs) established as part of the transition to Medicaid Managed Care. Our written testimony goes in to great detail as to the information we believe we are entitled to, and where the law supports our requests for transparency. The requested documents would reveal whether the health plans hit those targets and MLRs, or whether they owe monies back to the BH system. So, the questions is this: What is the state hiding?  Could it be that they allowed the plans to retain those funds?

We are calling for a full accounting of the managed care savings from our system of care as well as shortfalls in behavioral health expenditures by the Medicaid health plans, and we are asking for your help to ensure that these funds are properly invested back for essential behavioral health services, needed now more than ever.

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