

WHAT'S IN STORE FOR THE CCBHC PILOT PROGRAM? CONGRESS HASTENS TO FUND PROGRAM THAT EXPANDS ACCESS TO BEHAVIORAL HEALTH AND ADDICTION SERVICES (PART 2)

In last week's article, which can be found [here](#), we provided an overview of the Certified Community Behavioral Health Center ("CCBHC") pilot program and described the funding challenges that the program has experienced. We noted that the stakes are high and that Congress seems to recognize as much.

So, what does the future hold for CCBHCs?

LEGISLATIVE OUTLOOK—TRYING NOT TO KICK THE CAN DOWN THE ROAD IN THE MIDST OF AN EPIDEMIC?

In June 2019, the House of Representatives passed the Empowering Beneficiaries, Ensuring Access, and Strengthening Accountability Act of 2019 ([H.R. 3253](#)), which would extend CCBHC funding on a *longer-term basis* through December 21, 2021. Additionally, the bill would expand the demonstration to Michigan and Kentucky, two states hit hard by the opioid crisis.

Strong bipartisan support for longer-term funding was evident when the bill sailed through the House by a vote of 371-46 shortly before funding was set to expire on June 30, 2019.

Yet when the measure reached the Senate, its progress was halted because of opposition over cost concerns. In response, House Energy and Commerce Committee leaders expressed their dismay saying, "We cannot afford to keep kicking the can down the road in the midst of an epidemic."

SHORT-TERM BAND-AID SOLUTIONS—FUNDING THROUGH SEPTEMBER 13, 2019

Due to its inability to pass a longer-term solution, Congress has repeatedly put a band-aid on CCBHC funding by passing short-term funding extensions. After the most recent funding extension expired on July 14, 2019, Congress responded by extending funding until September 13, 2019.

Although the short-term fix provided approximately \$60 million to the CCBHC program, its supporters continue to push for a long-term funding solution. In the course of debate, supporters urged opponents to focus on how the program will reduce overall health care costs.

As an example, Sen. Roy Blunt (R-MO) noted that the CCBHC program in Missouri has prevented patients from using emergency departments to deal with mental health crises. By offering a broad range of services in a single setting to patients fighting behavioral health issues, patients avoid navigating the very complex behavioral health system on their own, which substantially saves on costs incurred when patients with advanced mental illness are treated in emergency departments, jails or prisons.

Sens. Blunt and Debbie Stabenow (D-MI) are the original sponsors of the CCBHC legislation and remain its strongest champions. More recently, the two Senators introduced the Excellence in Mental Health and Addiction Treatment Expansion Act ([S. 824](#)) to extend the demonstration from its original eight states to 11 other states. (Those 11 states were the ones that originally applied but were not selected for the CCBHC pilot program.) An identical "companion" bill was introduced in the House by Reps. Doris Matsui (D-CA) and Markwayne Mullin (R-OK).

WHAT DOES THE FUTURE HOLD FOR CCBHCs?

Hall Render attorneys met with Sen. Blunt this summer to discuss the CCBHC program. Even as Congress passed a third short term extension through September 13, 2019, Sen. Blunt made clear the cost of the program continues to be a hurdle, in particular with some of his fellow Republican senators.

Sen. Blunt said he firmly believes the CCBHC program saves money in the long term and remains committed to expanding the demonstration beyond the original eight states. He and his staff are working with the Congressional Budget Office ("CBO") to produce a financial analysis that shows how the program will save the federal government money over a 10-year period. A more favorable CBO "score"

could sway cost-conscious Republicans in the Senate to support long-term funding and expansion of the program to additional states.

LEGISLATIVELY, A MOVING TARGET

On September 13, the CCBHC demonstration program funding expired for the second time this year after the latest short-term extension lapsed. The Senate had hoped to extend the funding when it returned following Labor Day, but the five-day window was not enough time to reach a deal.

During the week of September 17, a number of the leading mental health organizations were on the Hill lobbying Congress to reauthorize funding and increase the number of participating states.

Sens. Blunt and Stabenow continue to prioritize the Senate push to extend funding. Sen. Blunt's office is also exploring the possibility of tying CCBHC funding to a mental health and gun violence legislative package that comes out of the Senate.

The House majority passed CCBHC funding in their stopgap funding bill, which would extend funding through November 21. On September 26, the Senate followed suit and passed this short-term funding resolution. President Trump is expected to sign this provision. Even despite warnings from lawmakers such as Energy and Commerce leadership, the can is officially kicked down the road again until November 21 for the fourth short-term extension.

Legislatively, CCBHC is a moving target. Hall Render will continue to monitor developments on the Hill and work with members of Congress to support the extension of the CCBHC program. Supporters of the program should contact their members of Congress and encourage them to vote in support of more permanently extending the CCBHC program.

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