

March 14, 2023

Good day, Senator Baldacci, Representative Meyer and esteemed members of the Health and Human Services Committee,

My name is Victoria McCarty. I am from Augusta, and I wish as a person with mental health challenges to testify in opposition 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."**

I too have other family members who live with very serious mental health challenges. My family and I have learned that through compassion, empathy, listening and conversation whenever possible that we can truly support one another. We are concrete proof that robust community services and supports keep us from having to go into psychiatric facilities to receive care. Having access to such services from psychiatrists, case managers and Intentional Peer Support Specialists has allowed us to thrive in our communities which ends up also being more cost effective than if hospitalization had been our only choice.

I invite you to read Jennifer Mathis' complete article addressing this issue (See link below.)

In part she says: "Because states can draw down federal Medicaid reimbursement for community services but generally not for care in psychiatric hospitals, the IMD rule has been an important driver of state systems shifting toward community services. That has been good policy.

Accordingly, "When determining psychiatric inpatient capacity, system leaders should first assess the capacity of evidence-based community programs and services to reduce the need for inpatient care" (3). Community services such as ...crisis services, supportive housing, and other services have proven successful in reducing inpatient admissions and bed-days, as well as incarceration in jails and prisons (3). Yet calls for more psychiatric hospital beds almost never take into account what additional community capacity is needed and how much reduction in inpatient beds—or arrests and incarceration—could be expected if that capacity were developed. Dr. Jess Jamieson, former Director of State Hospitals in Washington State, observed (4): "When I was running the State hospitals in Washington, we were right in the middle of this controversy . . . boarding patients in the ERs waiting for a bed. My hospitals were full, so the prevailing attitude was we needed more beds. This is not the solution!! What I needed was a stronger community-based system to divert patients from inpatient hospitalizations and the community resources to discharge my patients who were ready for community placement, thus opening up a bed for those patients who needed hospitalization. The problem was the community system was under funded and lacked resources." *

***Medicaid’s Institutions for Mental Diseases (IMD) Exclusion Rule: A Policy Debate—Argument to Retain the IMD Rule** Jennifer Mathis, J.D. **Published Online:** 3 Dec 2018 <https://doi.org/10.1176/appi.ps.201800413>

There are also other federal waivers that could be applied for that would help to keep individuals in the communities of their choice. Programs such as Housing First, Intentional Peer Support and Employment First are evidenced-based practices that have a proven record of working well for people.

At present there is not any mechanism for a live bed tracking data collection system that could pinpoint where available beds are if needed. Creating such a tool would save providers from having to use up valuable time trying to locate beds and would cut down on individuals being stuck in Eds for days on end.

And finally, we should be focusing more of our efforts on the Office of Behavioral Health’s current strategic plan that has come about because of **LD 1262: Resolve, Directing the Department of Health and Human Services To Develop a Comprehensive Statewide Strategic Plan To Serve Maine People with Behavioral Health Needs throughout Their Lifespans.**

<https://www.maine.gov/dhhs/blog/dhhs-releases-comprehensive-behavioral-health-plan-maine-2023-02-17>

In wrapping up I would strongly urge this committee to vote “Ought Not to Pass” on LD 445.

Thank you.

Sincerely,

Victoria McCarty

Augusta, ME.