

Behavioral Health Planning Council Legislative Committee
Friday, March 17, 2023
12 to 1 p.m. CT

Legislative Committee Members in Attendance: Carlotta McCleary, and Andrea Hochhalter

Legislative Committee Members Absent: Lorraine Davis, Carl Young and Emma Quinn

Additional BHPC Members in Attendance: Mathew McCleary,

DHHS Staff Liaison: Tami Conrad

Call to Order: Chairperson McCleary called the meeting to order at 12:05 PM CT via video conference.

Quorum: No formal actions will be taken at this meeting. A quorum was not declared.

Approval of Minutes There was no review and action taken regarding minutes of previous meetings due to no quorum present. This item will be carried over to a future meeting, with minutes from 2/10/2023, 2/17/2023, 2/24/2023, 3/3/2023, and 3/10/2023 all needing review and approval.

Review of Legislative Calendar Activities

- Week just ended:
 - **SB 2149:** (988 Funding). BHPC testimony in support provided to establish the message that 988 needed to be funded, but discussions are ongoing as to where that funding should come from. We do not necessarily have a preference with how as long as it is funded.
 - **SB 2012** (NDDHHS Budget Bill). In House Appropriations. Started with policy (Monday) by Pam Sagness. Tuesday was HSC testimony. Wednesday (additional testimony from HSCs). Did things differently this year, because in past each HSC did individual testimony. This time, synthesized testimony for more thematic approach. This helped make it most cohesive with the limited time, but what was missing was the differences between each center and their individual needs. Hospital testimony (Tuesday) was effective in showing the needs of the patients that are admitted to the hospital and the lack of services in the community. They asked him specifically for number of beds at the State Hospital, and he provided a response for 125 beds (previous recs said 75-85). Public testimony was supposed to be Thurs/Fri, but schedule changed.
 - Carlotta delivered testimony with few others in attendance. This allowed for much more substantive information to the committee: on what the BHPC is, how to address IMD needs without pursuing an IMD Exclusion Waiver (Medicaid Expansion and Managed Care “in lieu of” authority to reimburse IMDs). Many questions why we

were opposed to the IMD Exclusion Waiver, so that was expanded upon. It helped some understand the concept of the waiver and the downsides of the waiver in ND right now. Rep Strinden oversees Children's Cabinet and would like BHPC to provide information to them about the children's mental health system. Also 988 funding was a bit confusing for committee members. Some were under impression that 988 had yet to be established, because of the bill language, and also not totally aware of the federal mandate with 988.

- Veronica Zeitz (P&A) provided public testimony about DD System and its interaction with LSTC. Many people with disabilities are getting 30 day notices for cessation of services, putting them at risk for institutionalization. Some are going into institutional settings (State Hospital, LSTC) and are not being granted access to community services, perhaps being flagged as an undesirable case, even though they were previously served in community. Zietz wanted DD system to change administrative rules to mirror language from nursing homes regarding cessation of services to address this large rise of people losing services.
- **Counseling Compact:** moves ND into compact of states that if you are a licensed counselor practitioner in one state you can move into another state in the compact. Counselors need supervision, and there's a lack of supervisors. Bill amended to have psychologists serve as supervisors. This is expected to be a big win, as communities like Fargo have larger psychologist programs that can serve that role.
- **SB 2249**(occupational bill). Lot of opposition. Boards claim they have good process and not many complaints, but the behavioral health boards do. Likely going to be a study. Psychology Board comes up a lot, because they are so small.
- **HB 1418**(Brain Injury Board): Changed makeup of board to allow Rebecca Quinn consumers and family members to be on board.

Upcoming Week

- : Have yet to hear about HB 1138 (Mental Health Courts). Will continue to follow SB 2012 as it unfolds. The Appropriations committee is gearing up for having longer hearings.

Consideration of Select Bills

- No further specific plans were made at this time.

Public Comment: Chairperson Carlotta McCleary called for public comments. No public comments given.

Next Meeting-March 24, 2023, at 12:00 PM CT via videoconference

Adjournment: Having completed the agenda items and hearing no further comments from BHPC Legislative Committee members, Chairperson McCleary adjourned the meeting at 1:08 PM.

Respectfully submitted,
Carlotta McCleary, Chair BHPC