

# National Association for Behavioral Health

1101 Pennsylvania Avenue NW, Suite 600 • Washington, DC • 202-379-2949

Dear Behavioral Health Colleague,

CMS is proposing to cut reimbursement to CMHC providers by 42% effective January 1, 2011. Congress recently passed a provision that requires CMHCs to provide services to a 40% non-Medicare beneficiary population.

With this gigantic one-two punch, it is readily apparent that without immediate provider action, many CMHCs will close in 2011. If we do not come together to fight against the cuts and requirements, many facilities will be *forced to close!*

Since this is a national issue that requires intervention from CMS and Members of Congress, the fight must be fought on a national level. After meeting with other national and state associations, the NABH leadership has voted to establish a Policy Defense Fund to raise funds specific to the CMHC fight.

**As a CMHC provider, you must join the Policy Defense Fund so we have a fighting chance of saving our CMHC industry.**

Behavioral health leaders and advocates have developed a strategy to address these potentially catastrophic provisions. Preliminary work, including a meeting last week with top CMS Administration officials, has already begun. NABH recognizes that unless providers come together, we are surrendering CMHCs to inevitable closure. In order for this work to continue, all CMHCs must contribute financially.

The following page outlines identified strategies to address these devastating issues. We are prepared to fight this battle but we cannot do so without your monetary support. By contributing to the Policy Defense Fund, you will be a part of the defense team, have access to all documentation, proposals regarding these issues and information on how to best protect your facility.

We are asking for a contribution of \$5,000 to the fund. We will be hosting an inaugural meeting on **Tuesday, August 24<sup>th</sup>** at 1 p.m. (central) at the Lowe's Hotel, 300 Poydras Street, New Orleans, LA 70130 and via video conference to discuss our strategy in detail. Make plans to attend this important meeting. In order to continue with our planning, please complete the enclosed registration form and return it to the NABH office.

Sincerely,

Donna Newchurch  
Executive Director

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## CMHC Coalition Proposed Strategy

The proposed, multi-dimensional strategy is as follows:

**Legal Defense:** We are preparing to take legal action through a civil suit. The NABH has been discussing our legal options with Matthew Brown of Sullivan, Stolier, & Resor, a firm that the Louisiana Association for Behavioral Health used to successfully combat the psychotherapy issue. Other firms are also under consideration. However, the initial legal proposals request a minimum of \$75,000.

**Data Acquisition/Statistical Analysis:** To combat the claims of fraud and abuse and to convince federal policy makers that CMHC's are integral in providing care for the chronically and severely mentally ill, it is necessary to perform statistical analyses to demonstrate the impact of these provisions. By doing so, we can make the factual argument that these proposed cuts and 40% requirement will force many CMHC's to close and therefore create a debilitating access to care problem for patients - and an unemployment issue in an already devastated region of the nation. Acquisition of this data will also prove our assertions of the cost-effective nature of CMHC's and that mass closures will not save the federal government money. Performance of these statistic analyses on our behalf will cost \$35,000.

**Lobbying:** To affect change, it is critical that we continue to employ a lobbying firm, Polsinelli Shughart, to meet with federal agencies and Congress to influence the interpretation of the 40% requirement and to reduce the reimbursement rate cut. This issue has many political implications involving the closure of small businesses amidst a Gulf Coast Crisis and rural/access to care implications. It is critical that these issues be brought before Congress and CMS in order to convince them to reduce the reimbursement rate cut and to ensure the best interpretation of the 40% requirement. We have already made great progress in these areas – including a meeting to discuss these issues with CMS – but we cannot continue without approximately \$65,000 in contributions from the CMHC community.

In order for us to begin this important work, we cannot move forward without your help. We must come together to ensure our continued existence.

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## Policy Defense Fund Registration Form

Please choose one of the following:

- Yes, I want to fight the devastating assault on CMHCs by contributing \$5000 to the Policy Defense Fund and I will be in attendance at the inaugural meeting on Tuesday, August 24.
- Yes, I want to fight the devastating assault on CMHCs by contributing \$5000 to the Policy Defense Fund and I will be in attendance via video conference on Tuesday, August 24.
- Yes, I want to fight the devastating assault on CMHCs by contributing \$5000 to the Policy Defense Fund but will **not** be in attendance at the inaugural meeting.

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Organization: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_

### Payment Options

<b>Pay in full</b> <ul style="list-style-type: none"><li><input type="radio"/> via check (enclosed)</li><li><input type="radio"/> via credit card</li></ul>	<b>Pay in 3 monthly installments of \$1666/mth. (Aug., Sept., Oct.)</b> <ul style="list-style-type: none"><li><input type="radio"/> via check</li><li><input type="radio"/> via credit card</li></ul>
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### Credit Information

Credit Card Type: \_\_\_\_\_

Credit Card #: \_\_\_\_\_ Exp. \_\_\_\_\_

Name as it appears on the card: \_\_\_\_\_

Signature of the cardholder: \_\_\_\_\_

FAX #: 985-369-4461