



To: Members, AHA's Section for Psychiatric & Substance Abuse Services
From: Rebecca B. Chickey, Director, AHA's Section for Psychiatric & Substance Abuse Services
Subject: **Update on Key Issues in the Behavioral Health Care Field: February 2014**

AHA Psych Section Names 2014 Leaders

James Eyler, CEO of Coliseum Center for Behavioral Health in Macon, GA, is 2014 chair of the governing council of the AHA's Constituency Section for Psychiatric and Substance Abuse Services. Eyler also is a board member for HCA's Coliseum Health System, president of the Georgia Behavioral Health Coalition, and on the Georgia Hospital Association's Psychiatric and Substance Abuse Council, among other roles. Stuart Buttlair, regional director of inpatient psychiatry and continuing care for Northern Kaiser Permanente in Oakland, CA, is the section's chair-elect and will become chair in 2015. For more on the section's governing council, see the [AHA news release](#).

AHA Legislative Update

Threats to Hospital Reimbursement: This month and next, we're headed for another round of fiscal flash points when the short-term physician payment fix and Medicare extenders expire on March 31, along with a possible upcoming debate on extending the debt ceiling and several other key pieces of legislation. Hospital payments remain at serious risk as offsets. AHA recently organized a letter by seven other national hospital organizations to urge senators to oppose a proposal to extend the sequestration for mandatory spending – including Medicare spending – to pay for non-health care programs. We've scheduled a series of Advocacy Days in March to urge lawmakers not to cut critical funding for hospitals and to promote other items on our Legislative Advocacy Agenda. Please make plans to join us and check out the latest Coalition to Protect America's Health Care ads related to the topic in *The Hill* and *The Washington Post*.

AHA: Medicare, Medicaid underpaid hospitals by \$56 billion in 2012: Underpayment by Medicare and Medicaid to U.S. hospitals reached \$56 billion in 2012, according to a fact sheet released by the AHA. Based on data from the AHA's Annual Survey of Hospitals, Medicare reimbursed just 86 cents and Medicaid 89 cents for every dollar hospitals spent caring for these patients in 2012. As reported earlier this month, U.S. hospitals also provided \$45.9 billion in uncompensated care (charity care and bad debt) in 2012, \$4.8 billion more than in 2011.

AHA urges CMS, Congress to Address Delay in RAC-related Appeals: AHA recently urged the Centers for Medicare & Medicaid Services to work with the Office of Medicare Hearings and Appeals to develop a lasting solution to a two-year backlog on Administrative Law Judge hearings being driven by inappropriate denials by Medicare Recovery Audit Contractors. In a separate letter, AHA urged the 177 congressional co-sponsors of the Medicare Audit Improvement Act (H.R. 1250/S. 1012) to encourage CMS to adopt the RAC reforms contained in the legislation and to stop recouping disputed funds until after the hospital has received an ALJ determination. Recently many behavioral health providers are experiencing RAC requests for medical records.

AHA Regulatory Update

CMS extends two-midnight partial enforcement delay: CMS recently extended for six months the partial enforcement delay of its two-midnight policy for inpatient admission and medical review criteria. Under the extension, recovery auditors and other Medicare review contractors will not conduct post-payment patient status reviews of inpatient hospital claims with dates of admission on or after Oct. 1, 2013 through Sept. 30, 2014. For more on the claims review policy, see CMS' updated guidance. The agency will answer questions about the two-midnight policy during a Medicare Learning Network call on Feb. 27 at 2:30 p.m. ET. Details on the Feb. 27 call will be posted at www.cms.gov. AHA members received a [Special Bulletin](#) on these developments.

SAMHSA Issues ICD-10 Fact Sheet: The Substance Abuse and Mental Health Services Administration has issued a fact sheet answering common questions on ICD-10 implementation for behavioral health care providers. Hospitals and other entities covered by the Health Insurance Portability and Accountability Act, which includes providers of mental health and substance abuse services, must transition to the ICD-10 coding system for medical diagnoses and inpatient procedures by Oct. 1. For additional resources on ICD-10 implementation, visit www.ahacentraloffice.org.

CMS Proposed Rule on Emergency Preparedness: The proposed rule on emergency preparedness could impact the conditions of participation (CoPs) and conditions for coverage (CfCs) for a wide range of providers—including psychiatric hospitals that want to participate in the Medicare and Medicaid programs. The attached AHA Regulatory Advisory provides an in-depth summary of the proposed rule. AHA has sought input from behavioral health members and will be submitting comments.

Mental Health Parity: The Parity Implementation Coalition (PIC) has developed a [detailed summary](#) of the major provisions of the final rule governing the *Mental Health Parity and Addiction Equity Act*. This is a valuable resource to share with your staff working with patients, families, and insurers.

Enrollment and the Affordable Care Act

Presumptive Eligibility (PE) Determinations: CMS has clarified that hospitals can continue to use service vendors to assist them in making Medicaid PE determinations under the ACA. CMS' clarification, which was requested by AHA, says “hospitals can rely on third-party contractors to help staff their in-hospital PE operations, by staffing welcome desks, meeting with consumers, and helping them fill out PE applications as long as the hospital takes responsibility for the PE determinations that result.” CMS issued the clarifications in a series of [FAQs](#).

Presumptive Eligibility Brief: A new policy brief reviews Medicaid's expanded presumptive eligibility policy for hospitals under the ACA. The ACA expands PE to adults, and gives hospitals that are Medicaid providers the option to make PE determinations, regardless of whether the state has otherwise adopted the policy. For more tools and resources on Medicaid hospital-based presumptive eligibility, see AHA's [enrollment resource page](#).

Guide to Disability for Healthcare Insurance Marketplace Navigators: A new [guide](#) is available from the National Disability Navigator Resource Collaborative. The Collaborative, supported by the Robert Wood Johnson Foundation, was formed to provide cross-disability information to navigators and other professionals helping people with disabilities (including mental and substance use conditions) enroll in health insurance marketplaces.

CMS Resources on Coverage Questions: CMS has posted new resources that answer questions for Americans gaining public or private health coverage effective Jan. 1 under the ACA, as well as their health care providers. AHA members received a [Special Bulletin](#) and [Member Advisory](#) on the new

resources. Hospitals are encouraged to alert AHA at coverage@aha.org if they experience issues with coverage or helping people access care.

New Resources from AHA

Hospital Paths to Health Care Transformation: A new report from the AHA Committee on Research outlines strategies to help hospitals and care systems navigate the evolving health care environment. The report reviews the environmental pressures driving hospitals and care systems toward greater clinical integration, more financial risk, and increased accountability, and provides a framework for leading organizations toward a customized path or series of paths for health care transformation.

Hospital Programs Promoting Community Health: AHA's Community Connections initiative recently released "[Ideas & Innovations for Hospital Leaders](#)," an annual publication highlighting innovative hospital programs to promote community health, access to health care, and other social and basic needs. For more on the AHA initiative and to see or contribute additional case examples, visit www.ahacommunityconnections.org.

Webinar on Managing an Intergenerational Workforce: On Feb. 21, at 2 p.m. ET, AHA's *Hospitals in Pursuit of Excellence* initiative will host a webinar highlighting two health care systems that have successfully deployed intergenerational management strategies. The webinar is available free, but advanced registration is required. Hospitals and care systems that effectively manage a generationally diverse workforce will thrive with a steady and able labor force and perform optimally in clinical outcomes and patient experience. This webinar builds on the recent report from AHA's Committee on Performance Improvement's [Managing an Intergenerational Workforce: Strategies for Health Care Transformation](#).

AHA Fellowship Helps Leaders Transform Health Care: Senior health care leaders can apply through May 1 to participate in the next AHA [Health Care Transformation Fellowship](#). The nine-month program helps participants implement innovative care delivery and payment models through learning retreats, webinars, coaching, and other resources. Fellows design and implement a project to address their organization's needs.

Physician Leadership Education: A new white paper from the AHA's Physician Leadership Forum looks at how hospitals and health systems can develop effective physician leaders to partner with them in moving toward a more accountable and efficient health delivery system. The report highlights the case for developing physician leaders, identifies characteristics to consider for leadership education programs, and includes four case studies.

The [February Behavioral Health Update](#) includes, among other items, a [Report to Congress on the Evaluation of the Medicaid Emergency Psychiatric Demonstration](#), the [2012 National Survey on Drug Use and Health: Mental Health Findings](#), a [Justice Department Notice of Proposed Rulemaking](#) to amend definitions of two categories of people prohibited from gun use, and more. As always, for additional resources, go to the Section's website at www.aha.org/psych.

Rebecca B. Chickey

Director, Section for Psychiatric & Substance Abuse Services, 615-354-0507; rchickey@aha.org