Sixty-fourth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 6, 2015

SENATE CONCURRENT RESOLUTION NO. 4021
(Senators Mathern, J. Lee)
(Representatives Silbernagel, Hogan, Hofstad)

A concurrent resolution directing the Legislative Management to study how the institution for mental disease Medicaid reimbursement exclusion impacts this state, including the impact on Medicaid enrollees and on private and public sector providers.

WHEREAS, Medicaid's institution for mental disease exclusion provides Medicaid does not reimburse psychiatric institutions, referred to in Medicaid as "institutions for mental disease", for services provided to Medicaid enrollees aged 21 to 64; and

WHEREAS, the services institutions for mental disease provide have evolved significantly since the 1960s when the institution for mental disease exclusion was created; and

WHEREAS, due to the institution for mental disease exclusion, many Medicaid enrollees with acute psychiatric needs, such as those expressing suicidal or homicidal thoughts, are diverted to general hospital emergency departments, which often lack the resources or expertise to care for these patients; and

WHEREAS, the institution for mental disease exemption not only negatively impacts the three freestanding psychiatric hospitals in the state, but there are multiple other mental health service providers that are negatively impacted; and

WHEREAS, the state hospital and private providers are accredited by The Joint Commission on Accreditation on Health Care Facilities providing evidence-based clinical measures that are shown to improve patient care for hospital-based inpatient psychiatric services; and

WHEREAS, the 2015-17 executive budget includes funding of $76.2 million, of which $62.5 million is from the general fund for operations of the state hospital; and

WHEREAS, the federal Affordable Care Act provided for an emergency psychiatric demonstration program, which provided selected states with federal Medicaid matching funds to reimburse private psychiatric hospitals for emergency inpatient psychiatric care provided to Medicaid recipients aged 21 to 64 who are experiencing a psychiatric emergency; and

WHEREAS, the federal Department of Health and Human Services is evaluating the demonstration program and has released preliminary data, and in 2016 will be issuing a complete report of the results of the evaluation;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Legislative Management study how the institution for mental disease Medicaid reimbursement exclusion impacts this state, including the impact on Medicaid enrollees and on private and public sector providers; and

BE IT FURTHER RESOLVED, that the Legislative Management report its findings and recommendations, together with any legislation required to implement the recommendations, to the Sixty-fifth Legislative Assembly.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

Filed in this office this 8th day of April, 2015,

at 3:30 o'clock P M.

Secretary of State