



ABHW ■ 2021 YEAR IN REVIEW

WORKING TO IMPROVE ACCESS TO QUALITY CARE

Raising awareness and reducing stigma so everyone can get the care they need

The Association for Behavioral Health and Wellness (ABHW) advocates on behalf of health plans for improved access and higher quality mental health and substance use disorders care, ensuring better health outcomes for individuals and communities.

Founded in 1994, ABHW is dedicated to shifting the paradigm in treatment and policies for mental health and substance use disorders to support access to quality care, improve overall health outcomes, and advance solutions for public health challenges. Our members are health plans that share our commitment to excellence in mental health and substance use disorder treatment.

2021 SUCCESS HIGHLIGHTS

- **ENGAGED** with new Biden-Harris Administration, strengthening partnerships with agency and Administration staff.
- **LED** coalition advocating for the passage of the Mainstreaming Addiction Treatment (MAT) Act, increasing Congressional cosponsorship and engaging Administration officials.
- **COORDINATED** efforts with Congressional offices, employer groups, and other health insurance providers to address legislative and regulatory parity issues.
- **ADVOCATED** for an audio-only modifier and advancing legislation to remove the Medicare 6-month in-person requirement for mental health services.
- **CONDUCTED** a virtual Hill Day with key Administration and Congressional Committees.
- **CONTINUED** leadership to reduce stigma surrounding mental illness and substance use disorders (SUDs) through Stamp Out Stigma.
- **HOSTED** the virtual 4th Annual Payers' Behavioral Health Policy Summit providing thought leadership on addressing the behavioral health crisis, suicide prevention, crisis services, and digital therapeutics.

WE HAVE MOVED

ABHW is pleased to announce our new location:
700 12th Street, NW · Suite 700
Washington, DC 20005
202.499.2280



ABHW

AT THE FOREFRONT OF THE ISSUES THAT MATTER

■ BIDEN-HARRIS ADMINISTRATION

Meeting the New Team

2021 started with a new Administration and ABHW meeting with the Biden-Harris Transition Team to outline the Association's policy priorities and agenda.

Meetings with the Administration continued throughout the year: ABHW members and staff met with leadership for the White House Domestic Policy Council (DPC), U.S. Department of Health and Human Services (HHS), Department of Labor (DOL), Substance Abuse and Mental Health Services Administration (SAMHSA), Office of National Drug Control Policy (ONDCP), Drug Enforcement Administration (DEA), Office of the National Coordinator for Health Information Technology (ONC), and U.S. Department of Treasury.

■ TELEHEALTH

Expanding Access

In early 2021, the Telemental Health Care Access Act (H.R. 4058/S.2061) was introduced by Representatives Matsui (D-CA) and Johnson (R-OH) and Senators Cassidy (R-LA) and Smith (D-MN). This legislation would remove the Medicare in-person visit requirement prior to receiving telehealth services for mental health (MH) after the Public Health Emergency (PHE) is lifted. The in-person visit requirement was included in 2020's Consolidated Appropriations Act (CAA) and only applies to MH services. ABHW worked to advance the legislation and remove this provision as it is a major barrier for those seeking care.

ABHW partnered with federal agencies to broaden access to behavioral health services, spearheading a sign-on letter to the Centers for Medicare and Medicaid Services (CMS) regarding the proposed audio-only modifier in the CY 2022

Physician Fee Schedule. Along with nearly 40 other organizations, ABHW urged CMS to finalize the proposed modifier to allow physicians to bill for services appropriately and so further research can be conducted on services provided via the audio-only modality. CMS published the final CY 2022 Physician Fee Schedule in November and moved forward with finalizing the audio-only modifier.

■ 42 CFR PART 2

Partnership & Leadership

Through its leadership in the Partnership to Amend 42 CFR Part 2 (Partnership), ABHW developed a core set of principles for the next 42 CFR Part 2 (Part 2) proposed rule and recommends that the provisions mandated in the Coronavirus Aid, Relief, and Economic Security (CARES) Act by Congress are appropriately reflected in the next rule to ensure better alignment with the Health Insurance Portability and Accountability Act of 1996 (HIPAA). Throughout 2021 ABHW met with federal agencies to educate them on the Partnership's core set of principles and recommendations and express the urgency of publishing the next rule.

■ INSTITUTIONS FOR MENTAL DISEASES (IMD) EXCLUSION

Increasing Treatment Options

ABHW worked with Representative Napolitano's (D-CA) office and spearheaded a sign-on letter of support for the Increasing Behavioral Health Treatment Act (H.R. 2611). The bill will remove the IMD exclusion for states that have submitted a plan to: increase access to outpatient and community-based behavioral health care; increase availability of crisis stabilization services; and improve data sharing and coordination between physical health, MH and substance use disorders (SUD) treatment providers, and first-responders.





■ MAINSTREAMING ADDICTION TREATMENT (MAT) ACT

Paving the Way

In February 2021, Representatives Paul D. Tonko (D-NY) and Michael Turner (R-OH) and Senators Maggie Hassan (D-NH) and Lisa Murkowski (R-AK) reintroduced the Mainstreaming Addiction Treatment (MAT) Act (H.R. 1384/S. 445). This legislation would eliminate the burdensome requirement that providers apply for a separate waiver, known as the X-Waiver, through the DEA to prescribe buprenorphine for SUD treatment. ABHW worked with bill cosponsors to advance the legislation and garner over 240 cosponsors to the House bill.

ABHW led a sign-on letter urging HHS to take regulatory action to alleviate barriers to prescribing buprenorphine for opioid use disorder (OUD). A *New York Times* article on the growing overdose crisis highlighted ABHW as a lead organization in support of the legislation. Congressman Tonko noted ABHW’s activities during his Congressional testimony.

ABHW, in collaboration with End Substance Use Disorder, the National Association of Attorneys General, the National Health Care for the Homeless Council, People’s Action, and the Pew Charitable Trusts, led a national coalition of over 400 organizations advocating for the passage of the MAT Act. We launched two “National Days of Action” urging Congress to pass the MAT Act utilizing a “call campaign” to Congressional leaders, social media outreach, and a Twitter chat focused on the passage of the legislation.

ABHW met, in collaboration with coalition co-leaders, with HHS, SAMHSA, and DEA to urge the Administration to make a public statement in support of expanding access to buprenorphine and removing the X-Waiver.

■ PARITY

Taking Action

Since its inception, ABHW has been an active supporter of equitable coverage of MH and SUD treatment. ABHW continues to work with regulators to ensure compliance with the Mental Health Parity and Addiction Equity Act of 2008 (MHPAEA). In striving for quality, evidence-based care for individuals, and to address the challenges that persist in MHPAEA, ABHW is a staunch advocate for developing and implementing uniform MHPAEA compliance requirements.

ABHW submitted multiple letters to DOL, HHS, and the Department of Treasury, including formal comments in response to the parity provisions included in the CAA, expressing a need for regulations to ensure full compliance, as well as requesting enforcement discretion

until these regulations are promulgated, which led to clarifying guidance from regulators. ABHW coordinated with Congressional offices, employer groups, and other health insurance providers to address concerns related to legislative provisions included in the Build Back Better Act that would allow DOL to levy civil monetary penalties (CMPs) by spearheading a joint letter to Senate and House leaders and conducting Hill meetings.

Additionally, the Government Accountability Office (GAO) contacted ABHW to discuss behavioral health service organizations’ role in providing mental health care services, and the extent to which the services provided meet federal parity requirements. On two occasions, ABHW arranged for its members to meet with GAO to discuss health plan operations and parity implementation.

CORPORATE PARTNER PROGRAM

ABHW’s **Corporate Partner Program** supports crucial behavioral health issues. Ranging from telepsychiatry to pharmaceutical, and from digital therapeutics to diagnostics, our corporate partners have the opportunity to focus on areas of common interest and engage with behavioral health executives to ensure access to quality care and improve overall health outcomes.

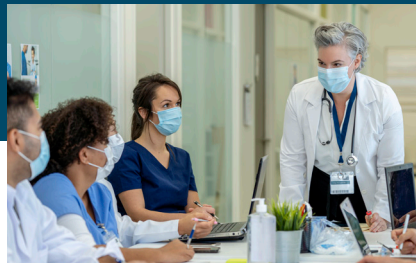
OUR CORPORATE PARTNERS

Alkermes	Indivior	Orexo
—	—	—
CHES Health	Johnson & Johnson	Pear
—	Health Care	Therapeutics
COMPASS	Systems, Inc.	—
Pathways	—	PsychHub
—	Meru Health	—
Freespira	—	Sage
—	Myriad	Therapeutics
Genomind		

■ WORKFORCE

Promoting Access to Care

ABHW continues to address workforce priorities by advocating for an increase in eligible behavioral health providers by supporting legislation that would allow



Medicare to cover marriage and family therapists, mental health counselors, and certified peer support specialists. ABHW worked with Mental Health America (MHA), Depression and Bipolar Support Alliance (DBSA), the National Association of State Mental Health Program Directors (NASMHPD), and others to identify bi-partisan support for the introduction of the Promoting Effective and Empowering Recovery Services (PEERS) in Medicare Act of 2021. ABHW also partnered with the American Psychiatric Association (APA) to support legislation that would expand the use of the collaborative care model.

■ COMPREHENSIVE MENTAL HEALTH LEGISLATION

Building Laws

ABHW submitted comments to three requests for information from the United States Senate for use in shaping a 2022 mental health and substance use disorder legislative package. ABHW's comments outlined the Association's policy priorities, stressing that future legislation should address increasing access to both medication-assisted treatment (MAT) and telehealth services, as well as identify solutions to address behavioral health workforce shortages.

■ VIRTUAL HILL DAY

Engaging Policy Makers

ABHW held its annual Hill Day on October 19, 2021, meeting virtually with Dr. Delphin-Rittmon, the Assistant Secretary of SAMHSA, and staff from the U.S. Senate Finance Committee, the U.S. House Energy and Commerce Committee, and the White House Domestic Policy Council (DPC). Discussions focused on ABHW policy priorities including MAT, telehealth, SUDs, workforce shortages, suicide prevention, and crisis services.

■ 4TH ANNUAL BEHAVIORAL HEALTH POLICY SUMMIT

Influencing the Conversation

On November 4-5, ABHW collaborated with the Validation Institute to present the Payers' Behavioral Health and Well-Being Summit: Actionable strategies to address the behavioral health crisis for payers, providers, and employers. This widely attended event featured speakers from the C-suites of associations and ABHW member companies.

■ SUICIDE PREVENTION

Supporting the Hotline

ABHW continued to push for increased funding for 988, the suicide prevention and crisis services hotline. In 2021, ABHW submitted comments in support of the Federal Communications Commission's (FCC) latest proposal to allow the use of text message to 9-8-8, which was subsequently approved.

■ ABHW AMICUS CURIAE BRIEF

Speaking Up

ABHW submitted an amicus curiae brief in support of United Behavioral Health (UBH) in *Wit v. UBH*, in the U.S. Court of Appeals for the Ninth Circuit. The brief focused on how plans develop clinical guidelines and the central role of those guidelines in plans' management of member benefits.

TALK ABOUT IT.

STAMP
OUT
STIGMA

STAMP OUT STIGMA

An initiative spearheaded by ABHW to reduce the stigma surrounding mental illness and SUDs, Stamp Out Stigma (SOS) aims to transform the dialogue on mental health and substance use disorders from a whisper to a conversation.

■ Mental Health Awareness Month (May)

Throughout the month, ABHW and SOS highlighted the importance of speaking openly about mental health.

SOS hosted weekly Twitter chats, covering suicide prevention, BIPOC mental health, LGBTQ+ mental health, and general mental health.

- **Recovery Month (September)** SOS partnered with Optum Behavioral Health for Recovery Month to highlight and celebrate those living in recovery. The theme: "Everyday Recovery/Recovery Every Day." SOS launched a cobranded external communications campaign to reduce stigma around mental illness and

substance use disorders, share stories of hope and lessons learned from individuals living in recovery, and help people recognize when there's a problem so they can seek appropriate support. The campaign utilized digital, social, and earned media to share facts about behavioral health conditions and personal stories from individuals in recovery.

Learn more at <https://www.stampoutstigma.com/recovery/>



OUR MEMBERS

ABHW members include top national and regional health plans that provide coverage to more than 200 million people in both the public and private sectors.

Our member companies bring substantial knowledge and experience in mental health and substance use disorders, integration, and patient-centered treatment and recovery, and lead the industry in preventative and collaborative models of care.

Aetna Behavioral Health

Centene Corporation

Magellan Health

AmeriHealth Caritas

Evernorth BH, a Cigna Company

New Directions Behavioral Health

Anthem/Beacon Health Options

Kaiser Permanente

Optum

ABHW ■ WHAT WE DO



EDUCATE

federal policy makers, associations, accreditation organizations, and the media on the value and effectiveness of behavioral health services provided by health plans.



ADVOCATE

for policies that ensure health plans can continue to effectively increase quality, manage costs, and improve health care outcomes.



PROMOTE

quality health care delivery that strives to achieve recovery, wellness, and a productive workforce.



COLLABORATE

within the industry and with key stakeholders to exchange ideas and offer creative solutions to ongoing and emerging challenges.

Despite the ongoing challenges we all faced in 2021, ABHW successfully advocated on behalf of our members and made incredible progress in removing barriers and increasing access to behavioral health services. As the pandemic wanes, we recognize that the need for mental health and substance use disorder services will only continue to grow. Headed into 2022, we stand ready to do our part to help ensure Americans are receiving the behavioral health care they need.

— PAMELA GREENBERG, MPP
PRESIDENT AND CEO

Association for Behavioral Health and Wellness
700 12th Street, NW, Suite 700 · Washington, DC 20005
202.499.2280

ABHW.ORG



Advancing Health Care Policy
for Mental Health and Addiction