



2022 Legislative Term Agenda

1. Legislator Engagement – Tell Your Story!

When the 2022 Legislative Session begins, each will be a key target in educating who you are and what you do.

GACSB position: Each CSB to engage with their State House and State Senate members prior to the 2022 legislative session. Outreach for a congratulations, CSB 101, meal sit down, virtual meeting and tour offering (pending status of COVID-19) should be offered. Government affairs team to follow up with outreach on who represents the CSB's and contact information.

2. Georgia Behavioral Health Reform and Innovation Commission

Governor Kemp announced the 24-person commission under the guidelines of House Bill 514 passed in 2019. Kemp named nine appointees to the Georgia Behavioral Health Reform and Innovation Commission along with Lieutenant Governor Geoff Duncan and Speaker David Ralston, who each named six appointees, and Supreme Court of Georgia Chief Justice Harold Melton, who announced three appointees.

GACSB position: Support - GACSB will monitor the findings with GACSB members and other key stakeholders appointed to commission and execute action items as they come.

3. Engage Department of Behavioral Health and Developmental Disabilities, Department of Community Health, Office of Planning and Budget and Administration on budget process.

GACSB position: Maintain a strong working relationship with key appropriators, Administration officials, and department leadership as budget process progresses.

4. Department of Justice Settlement Agreement

GACSB position: Monitor the state's engagement with the DOJ.

5. Psychiatric Advanced Directive

Psychiatric advance directives (PADs) provide a legal mechanism for competent adults to document care preferences and authorize a surrogate to make treatment decisions. The active legislation provides for a competent adult to express his or her mental health care treatment preferences and desires directly through instructions written in advance and indirectly through appointing an agent to make mental health care decisions on behalf of that person. Additionally looks to provide for construction of such form; to amend Code Section 16-5-5 and Title 16,29,31,37, and 49 of the O.C.G.A., relating to crimes and offenses, guardian and ward, health, mental health, and social services, so as to provide for interaction and relationship with advance directives for health care; to provide for application; to provide for statutory construction; to provide for conforming references and consistent terminology. (HB 752 - 2021 legislative language)

GACSB position: Support - GACSB will monitor the legislation as it continues to move through the committee process.

6. Mental Health Parity

Engage the Georgia Insurance Commission and key legislators to prioritize policy solutions that will increase access to care and hold insurers accountable under the federal Mental Health Parity & Addiction Equity Act. Additionally, monitor forthcoming legislation and engage accordingly as parity legislation progresses. Currently awaiting draft legislation with respect to the complaints/appeals process to:

- Provide the same process for review of denied claims for SHBP, Medicaid, and commercial insurers
- Provide for review by a neutral body (comprised of CMO reps, DCH, consumer advocates, etc)
- Define “medical necessity” as provided

Additionally amending statues currently in existence to:

- Also cover SHBP members and Medicaid recipients
- Transform the current “independent review organization” to the neutral party envisioned by the subcommittee (BHRIC)
- Revise the current definition of “medical necessity” to mimic the Patient Protection Act

GACSB position: Support - GACSB will monitor new draft legislation as it arises and be involved in any and all stakeholder conversations moving forward.

7. Conversion Therapy Prohibition

Legislation was introduced (HB 569) in the 2021 session aiming to protect children from having irreversible procedures done when they are young. Officially named the Youth Mental Health Protection Act. We anticipate some additional movement through the legislature as it has been assigned to the House Regulated Industries Committee. Additionally, the Speaker has indicated this among other mental health legislation to be a priority in 2022.

GACSB Position: Support - GACSB will monitor the legislation as it continues to move through the committee process.

8. Federal and State Public Health Emergencies

As we continue through the new world we are in with certain social distancing requirements, mask wearing, and overall public interactions, policies and regulations are changing on an almost weekly basis on a Federal and State level

GACSB Position: GACSB will continue to monitor and update leadership on all matters affecting the public health safety net.

9. Open Meetings Act regarding CSB Board Meetings

As it stands currently, Governor Kemp’s latest Executive Order does not appear to endorse or prohibit virtual meetings provided that they occur under circumstances necessary to provide for public safety or the preservation of public services and agencies. Continuing public safety concerns may allow the continuation of virtual meetings post the expiration of Governor Kemp’s Public Health Emergency Order. Moreover, in light of the issues concerning vaccine hesitancy and opposition, and the emergence of COVID-19 variants, this may serve as justification for continuing virtual meetings. If CSBs decide to continue meeting virtually, we should make every effort to ensure that the public has notice and access to meetings and have the opportunity to fully participate in the meetings.

As you know, before the Public Health Emergency, the CSBs were not authorized to conduct virtual meetings. If a CSB decides to continue with virtual meetings, it is possible that members of the public may challenge this decision. It is also possible that some CSBs may want to return to in-person meetings.

GACSB Position: GACSB will continue to look for clarification from the Georgia AG’s office and potentially pursue legislation regulatory change depending on outcome.

10. Workforce Shortage of Direct Support Professionals (DSP)

Direct Support Professionals are the frontline caregivers who support people with intellectual and developmental disabilities in the community. For decades there has been a workforce shortage due to

stagnant Medicaid reimbursement rates which were priced 12 years ago without any annual adjustment for cost of living increases, making providers unable to offer wages competitive with even entry level industries like fast food restaurants and convenience stores. These healthcare heroes deserve better. Many for-profit businesses-upon the arrival of COVID-19 pivoted and offered increased wages and hazard pay. Providers of supports to Georgians with I/DD-who rely almost exclusively on fixed Medicaid reimbursement rates-could not.

Without the support of the General Assembly, individuals and families have the potential to lose the resources needed to remain at home and in the community.

GACSB Position: GACSB requests careful attention and action to the DBHDD rate study due to be completed prior to the end of the 2022 Legislative Session and prioritize funding allocations that allow for the increase in Medicaid rates, thus increasing the average hourly wage of DSPs.

11. Georgia Behavioral Health and Peace Officer Co-Responder Act

The intent of this act is to provide for partnerships between peace officers and community service boards to respond to emergency calls arising from conduct that is likely related to behavioral health crisis; to provide related matters; and for other purposes.

GACSB Position: Support - GACSB will monitor the legislation as it continues to move through the legislative process.