

Academy for Policymakers Podcast

21st Century Cures Act

Recorded by Samuel Shore and Kelsi Urrutia

Announcer: Thank you for visiting the University of Illinois at Chicago's Health & Recovery Academy for Policymakers. The following recording comes to you from the UIC Center on Integrated Health Care and Self-Directed Recovery. Visit our online Academy to obtain free information and resources about policies that promote health, self-direction, and employment for the behavioral health field.

KU: Hi, I'm Kelsi Urrutia, and today I'm here with Samuel Shore. Sam is the Director of the Academy for Policymakers at the University of Illinois at Chicago's Center on Integrated Health Care and Self-Directed Recovery. Welcome, Sam. Many people are interested in a new piece of legislation called the 21st Century Cures Act, which was signed into law on December 13th, 2016. Could you give us a brief overview of what this bill is about?

SS: I'd be happy to Kelsi. The 21st Century Cures Act is a bipartisan healthcare reform bill that will invest \$6.3 billion in our nation's healthcare system. It focuses on mental health reform, biomedical research, the opioid crisis, and innovative treatments for medical conditions such as brain cancer and Alzheimer's disease. It is also the first time in nearly a decade that major mental health legislation has been passed.

KU: How will the \$6.3 billion be spent?

SS: Most of the funding, nearly \$5 billion, is going to the National Institute of Health to fund innovative brain and cancer research, and regenerative medicine. One billion dollars will be used to address the opioid crisis, and there is significant funding for mental health and substance use treatment reform.

KU: Some of these initiatives sound familiar to other bills that were making their way through congress in 2016.

SS: That's because the Cures Act is a combination of many efforts that were moving forward in parallel. You may have heard about Congressman Tim Murphy's "Helping Families in Mental Health Crisis Act." This was a mental health reform bill that was passed by the House of Representatives in July of 2016. Meanwhile, there was also Senate Bill 2680, the senate's version of a mental health reform bill. And then there was the original 21st Century Cures Act, which included legislation to increase funding for NIH medical research and provided additional funding to the Food and Drug Administration. None of these bills progressed far enough to be signed into law. Instead, major elements of the Murphy bill in the House and the mental health reform bill in the Senate were integrated into the 21st Century Cures Act. There was a strong bipartisan effort to reconcile and integrate these bills.

KU: Which components of the Cures Act might be of interest to our listeners?

SS: The mental health reform section is very significant. It establishes structural changes in federal agencies, including establishing a new position at SAMHSA called the Assistant Secretary for Mental Health and Substance Use, which will be a Presidential appointment. It also adds a Chief Medical Officer position to evaluate SAMHSA programs and promote evidence-based practices. It creates an interdepartmental Serious Mental Illness Coordinating Committee to help improve coordination of mental health services for people with serious mental illness. And, it establishes a National Mental Health Policy Laboratory which will expand the use of evidence-based practices. These structural changes are intended to elevate the visibility of the work performed by SAMHSA and increase the use of evidence-based practices.

SS: The Act also requires the Centers for Medicare and Medicaid Services, known as CMS, to clarify HIPAA regulations so that healthcare professionals have a clearer understanding of when they can share protected health information with caregivers.

SS: The bill reauthorizes more than \$50 million in grants for integrated care programs. It also strengthens enforcement of mental health parity legislation, which prohibits insurance companies from imposing greater limits on mental health and substance use disorder coverage than on other coverage for physical illnesses. The bill also requires CMS to clarify that there is no exclusion for Medicaid reimbursement of mental health and primary care services provided on the same day. And, it directs CMS to provide guidance to states on using demonstration projects to inform the use of innovative services for inpatient psychiatric care. CMS must also report on the impact of a new federal rule which allows reimbursement for inpatient stays at Institutions for Mental Diseases, or IMDs.

KU: You mentioned that the Cures Act promotes the use of evidence-based behavioral health care. How does it do that?

SS: The Act authorizes \$14 million in grants to help identify and expand evidence-based practices and service delivery models. It includes provisions that dedicate \$4 million to help divert people with mental illnesses from the criminal justice system and improve treatment for people who are homeless. It authorizes \$12.5 million in grants to strengthen community crisis response systems, and expands assisted outpatient treatment and assertive community treatment for people with serious mental illness. Finally, it reauthorizes over \$250 million in grants to strengthen our health care workforce.

KU: It sounds as if this piece of legislation will affect many different aspects of behavioral health care.

SS: It will! And I've only touched briefly on parts of the mental health care reform section. There is much more to check out in this bill. For example, the opioid component of this legislation provides \$1 billion in funding for prevention, treatment, and healthcare provider training related to opioid addiction.

KU: When will all of this funding become available?

SS: That's an excellent question. Many of the mental health-related grant reauthorizations are for fiscal years 2018-2022. However, this is not true in all cases. Other sections, such as the BRAIN initiative, begin immediately in 2017 and run all the way through 2026. So, if you want to know about the funding authorization for a specific provision, you should take a look at the bill itself or the bill summary. I'll give you the link at the end of our conversation. It's important to understand that this bill authorizes spending, but does not appropriate the funds for the programs. That has begun through the Continuing Resolution that funds the federal government to operate while the overall budget is agreed to. Advocates and stakeholders will need to keep their eyes on the budget process to see what funds are appropriated to support the authorized programs in this bill.

KU: That link will be very helpful. Before we close, can you tell us how the field has responded to this bill?

SS: There have been a lot of positive responses. NAMI, the National Alliance on Mental Illness, posted a letter of support for the Cures Act, along with other organizations such as the American Psychological Association and Mental Health America.

SS: One criticism of the bill is that it cuts \$3.5 billion from the Prevention and Public Health fund that promotes preventative medicine. There has also been criticism of the component regarding the FDA. Critics argue that it does not address rising drug costs and that focusing on speeding up drug and device approvals will reduce consumer safety. Finally, there is criticism of the expansion of assisted outpatient treatment by those who are opposed to that form of involuntary intervention.

KU: Thanks so much, Sam. This has been very informative. Where can our listeners go for more information about this bill?

SS: You're welcome. You can read the bill itself if you go to www.congress.gov, type HR 34 into the search bar, and then click on the bill. You will see a tab called "text" where you can read the bill in its entirety. We also have links to overviews and analyses of the bill on our web site. You can get to the page on the 21st Century Cures Act by going to www.center4healthandsdc.org/the-cures-act.html. That's center, the number 4, health and sdc dot org.

Announcer: Thank you for listening. You can obtain additional recordings, or download a transcript, by visiting the Academy for Policymakers on the Center's web site.