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**NYS COUNCIL APPLAUDS EXECUTIVE PROPOSALS TO  
INCREASE ACCESS TO CARE AND ENFORCE PARITY LAWS**

**ALBANY, NY** – Governor Cuomo’s 2019-2020 Executive Budget proposals offer hope for hundreds of thousands of New Yorkers seeking substance use disorder/addiction and mental health treatment, according to Lauri Cole, Executive Director of the New York State Council for Community Behavioral Healthcare.

"The Governor's unprecedented proposals demonstrate a robust commitment to access to care for New Yorkers with substance use disorder/addictions or mental health conditions. Further, the proposals reflect the understanding that what is most important is that care is provided timely, and, at the right frequency and intensity. As New York continues to grapple with the Opioid Epidemic and increased rates of completed suicides, proposals that strengthen consumer protections and enhance surveillance of payers’ compliance with parity laws and regulations are essential. We applaud the Governor and the State agencies, including DOH, DFS, OMH, and OASAS, for their strong focus on these issues” said Cole.

The budget includes specific proposals designed to remove barriers to care and address stigma that prevents those who need care from seeking it. They include:

- Empowering the Office of Mental Health (OMH) to review medical necessity criteria employed by insurers to determine the level of care they will pay for. It gives OMH expanded authority to ensure that medical necessity criteria reflect current standards of practice.
- Allows hospitals to admit children (under 18) for inpatient care for up to 14 days, without obtaining prior authorization, and without risk of non-payment, assuming the services are medically necessary.

The budget also includes proposals to enhance state agency surveillance and monitoring of key health plan requirements such as network adequacy to ensure that timely and adequate access is available to mental health (MH) and substance use disorder (SUD) treatment. Specifically, the

Department of Financial Services would receive \$1.7m and 14 staff and DOH would receive \$1m and 8 FTEs for surveillance, monitoring and parity enforcement activities.

In addition, the proposed budget builds on the Governor's efforts to address the Opioid Epidemic that continues to ravage our communities, by increasing access to buprenorphine and other medication assisted treatment, eliminating insurance barriers, and expanding parity compliance efforts. Included here are proposals to:

- increase access, allow for immediate access to all Medication Assisted Treatment for opioid use disorders by eliminating prior authorization; require hospitals to make buprenorphine available in Emergency Departments; and remove the exemption for emergency department staff to check the ISTOP prescription drug monitoring program.
- eliminate insurance barriers, allow all SUD treatment to start and continue without insurer interference for 21 days; make co-payments for SUD and mental health outpatient treatment the same as a doctor's office visit; limit co-payments for SUD outpatient to a single co-payment for one treatment visit; require insurers to cover naloxone to those covered under an insurance policy; and prohibit insurers from retaliating against providers who complain about insurer compliance with the enhanced MH and SUD coverage protections.
- expand parity compliance, require insurers to provide more detailed information regarding their efforts at compliance and make this information public; and, add state law parity protections for mental health and autism spectrum disorder services.

The NYS Council has worked for many years to educate state leaders and lawmakers and to provide concrete evidence to state government regarding the barriers that prevent or delay access to and continuity of care for mental health and substance use disorder/addictions care recipients. We believe delayed care is denied care. It is gratifying to see the Governor's numerous proposals that demonstrate his elevation of these issues and we look forward to continuing our work to make New York a national leader in the area of parity enforcement and access to necessary health care for all New Yorkers.