



Mental Health Association in Michigan

LETTER FROM LANSING

A monthly public policy newsletter from the
Mental Health Association in Michigan (MHAM)

Welcome to the February 2020 edition of MHAM's monthly newsletter that provides you with public policy updates and other information that impacts the behavioral health care of you and those you love.

"Out of the mountain of despair, a stone of hope." Dr. Martin Luther King, Jr. "I have a dream" speech, August 28, 1963

MHAM Celebrates Black History Month by honoring civil rights leaders such as Dr. Martin Luther King, Jr. and abolitionist Frederick Douglass who were instrumental in helping our country move toward a more equitable and accessible society. The civil rights movement that began in the early 1960's as African Americans fought for equality paved the way for the disability rights movement. For example, in 1968, Congress passed the Architectural Barriers Act which required that all federally owned or leased buildings be accessible to people with physical disabilities. In 1973, The Rehabilitation Act of 1973 was passed. The law prohibited discrimination in federal programs and services and all other programs or services receiving federal funds. Key language of the law states, "No otherwise qualified handicapped individual in the United States, shall, solely by reason of his handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance." These are only a few of the disability rights laws that have been enacted over the years that are intended to provide persons with all disabilities the equal opportunity to live, work and play in their communities.

MHAM celebrates all advocates, activists, authors, legislators and others who have diligently worked to protect and preserve the civil rights of persons with disabilities in the United States.

UPDATES FROM DR. MARK REINSTEIN, MHAM PUBLIC POLICY CONSULTANT

Mediation Bill Awaits Governor's Signature

House Bill 5043, sponsored by Re. Hank Vaupel, has been unanimously adopted by the Michigan House and Senate. It now awaits Governor Whitmer's signature, which is expected.

This bill will give a consumer of public mental health services who isn't satisfied with the planning or implementation of his/her services/supports the opportunity to seek independent mediation of his/her complaints. The mediation would be optional, at the discretion of the consumer, and non-binding. If agreement can't be reached through mediation, consumers would not be giving up any other of their grievance-and-appeal mechanisms, including recipient rights processes.

Why is this important? It will be the first time ever that someone completely independent of the public mental health system and government employees can help in resolving consumer complaints. Also, previous law that mediation can be contemplated only after a completed recipient rights investigation would be eliminated. (Under HB 5043, the mediation option is available immediately and is not dependent on whether a recipient rights complaint has been filed.)

There are multiple grievance-and-appeal mechanisms for consumers of public mental health services to know about and to understand. The system is complicated! If you are a consumer of community mental health services, you'll have the choice once this bill becomes law to have a trained independent mediator, contracted by the state, attempt to achieve agreement between you and your community mental health services provider on resolving a complaint you have. We think this is an incredible step forward, and that's why we've worked so hard the last two years to make it happen. We'll let you know when the bill has been signed into law.

Arkansas Medicaid Work Requirements Shot Down in Federal Court

Once again, a state law on Medicaid work requirements has been deemed illegal by a federal court. A three-judge panel ruled unanimously against the law established in Arkansas, stating that Medicaid law and rules do not establish Medicaid as anything but a health care assistance program. Work requirements under Michigan law have begun. The Michigan program has been challenged in court, with no final adjudication of the case yet.

New Report on Reducing Michigan's Jail Population

A report from the Michigan Joint Task Force on Jail & Pretrial Incarceration, established last year, was released in January. The report contains numerous recommendations for reducing jail populations. One of the areas touched on by the report is mental health.

The report has over 15 recommendations directly related to mental health. Here are five:

*Uniform statewide screening upon jail entry.

*State law should presume diversion for individuals identified as, or observed to be, experiencing a mental health or substance abuse disorder, with exceptions based on public safety and resource availability.

*Changing law to divert misdemeanor defendants rather than referring them for competency evaluation.

*Better data collection and analysis.

*Funding for improved local inter-agency diversion coordination; efforts to reduce wait time on competency restoration orders; jail population monitors in sheriff's offices; and law enforcement training.

The Task Force recommendations are worthwhile and helpful. But where will money come from? Numerous legislators have said the report will be important to them in moving new initiatives forward. MHAM will keep you apprised as the Legislature continues to review this issue and considers options for making improvements as outlined in the report. The full report is available at courts.michigan.gov

Let Your Voice Be Heard!

MHAM ENCOURAGES YOU TO ATTEND THE BUDGET HEARINGS BEING HELD BY THE HOUSE OF REPRESENTATIVES HEALTH AND HUMAN SERVICES APPROPRIATIONS SUBCOMMITTEE CHAIRED BY REP. MARY WHITEFORD. THE HEARINGS WILL BE HELD ON MONDAY, MARCH 9, 2020 FROM 1 PM – 2:30 PM AND ON WEDNESDAY, MARCH 18, 2020 FROM 10:30 AM UNTIL NOON IN ROOM 352 OF THE MICHIGAN CAPITOL BUILDING.

The Mental Health Association in Michigan to host a series of town hall meetings around the state. MHAM is seeking input from persons-served by the community mental health system in Michigan (and from families and those who love them) about services you and/or your loved one is receiving. More information to follow!

Consider Becoming a Member of the Mental Health Association in Michigan



MHAM is the oldest advocacy organization for individuals with mental illnesses in the state of Michigan! We invite you to become a member of MHAM by contacting Marianne Huff at mhuffmham@gmail.com or if you would like additional information about MHAM and the mission.

Final Thoughts from MHAM CEO & President

FINAL THOUGHTS

As the month of February comes to a close, on behalf of the Mental Health Association in Michigan, I wish to encourage all who have struggled with a psychiatric condition or who love a person with a psychiatric condition to “speak your mind” when it comes to the mental health services you or your loved one are receiving. At MHAM, we believe that it is the voice of the consumer and his/her supporters that is the most important “voice” that needs to be heard: by service providers; community mental health services providers (CMHSPS); prepaid inpatient health plans (PIHPS); state and local government officials such as county commissioners and state legislators; and others who make public policy decisions that impact your mental health care.

If you have questions about how you can “let your voice be heard” or if you have concerns about your mental health services, please contact MHAM.

Letter from Lansing is published monthly by MHAM. The primary mode of distributing the newsletter is electronic mail, but we will postal-mail copies to persons lacking internet access. If you've come across this issue through a friend or colleague and wish to subscribe (there is no charge), kindly let us know. If at any point you wish to unsubscribe, simply contact mhamiweb@gmail.com.

MENTAL HEALTH MATTERS

Mental Health Association in Michigan

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