



Briefs Coalition

A SEMI-MONTHLY UPDATE ON COMMUNITY MENTAL HEALTH IN NEW YORK

Coalition Files Injunction as Co-plaintiff; Seeks to Ensure Part D Coverage for Dual Eligibles

On December 6, The Coalition joined with seven other agencies filed a preliminary injunction in Federal Court with the intent of forcing the Centers for Medicare and Medicaid Services (CMS) to provide continuous prescription coverage to any dual eligible (an individual with both Medicare and Medicaid) who is not receiving coverage under a Medicare Part D as of January 1, 2006. The filing was part of a motion asking the court to step in before January and require that the Administration maintain existing benefits until all the duals are successfully transitioned to a Medicare drug plan.

The injunction follows CMS's recent announcement that Wellpoint, a national prescription drug plan, will provide coverage for any dual eligible not already enrolled in a plan by the time they present themselves at a pharmacy. Important questions remain about the ability of this new failsafe plan to provide continuous coverage for dual eligibles. It is unknown how the Administration intends to ensure that all pharmacists will be properly instructed as to how this plan functions. This is crucial, since pharmacists are the ones responsible for facilitating enrollment into the Wellpoint plan. It is also unknown what drugs will be included on the Wellpoint formulary, and which pharmacies will be on the Wellpoint network.

If CMS is unable to guarantee that this failsafe will work completely, then a continuation of Medicaid drug coverage beyond December 31, 2005 for full duals is essential. The Coalition will continue to provide updates on this crucial matter.

Proposed Draft Plan for Roll-Out of PROS in New York City

The rolling-out of PROS in New York City was discussed at the PROS Stakeholder Implementation Workgroup Meeting on November 29th. The NYC Department of Health and Mental Hygiene unveiled a proposed roll-out plan to participants at the meeting. The plan is based on a number of considerations that include: rolling out programs in clusters that are administratively manageable; promoting a level playing field among providers regarding potential competition for consumers; diversity of programs and populations within the first cluster to help identify future implementation issues for remaining clusters; and the readiness and desire of programs to convert.

The proposed plan covers the roll-out of 43 new PROS licenses, in three geographical clusters: Cluster # 1 comprises Brooklyn and Manhattan below 59th St.; cluster # 2 comprises Bronx and Manhattan on or above 59th St.; and cluster # 3 comprises Queens and Staten Island. A kick-off meeting for Cluster 1 is tentatively scheduled for February 2006, with the plan to issue licenses between October and December of 2006. Cluster 2 and 3 are planned to commence nine months apart, with licenses issued for Cluster 2 between July and September 2007, and licenses for Cluster 3 between April and June of 2008.

NYC's plan, especially its implementation timetable, is subject to modification depending upon how the implementation of PROS evolves in the seven early adopter counties. All parties are closely watching that roll-out for any potential implications for New York City.

Fond Farewell to Joe Lazar As He Retires

Joe Lazar, who has been Director of OMH's NYC Field Office for the last ten years, is retiring next month. In his capacity as Director, Joe oversaw \$4 billion worth of programs serving mental health consumers in a wide variety of settings. After the 9/11 terrorist attacks, Joe coordinated the State's mental health response in the city, and worked with local, State and Federal agencies to ensure adequate funding and services for those affected by the tragedy. His vast knowledge of complex funding issues and programmatic development was appreciated by providers and advocates throughout the city, and will be sorely missed.

Prior to his tenure as NYC Field Office Director, Joe served as Assistant Regional Director for Fiscal Services in the Field Office. He also worked for the City's Department of Buildings, the former Housing and Development Administration, and the Comptroller's Office under Abe Beame.

Joe will join the Lazar Consulting Group, a firm catering to non-profit organizations. We wish Joe all the best, and offer our deepest thanks for his 21 years of service at OMH.

Join us on December 20th as we honor Joseph Lazar, Director of the NYC Field Office of OMH. The celebration will be held at The Coalition at 4:00 pm. RSVP to Marilyn Phillips at (212) 742-1600, ext. 105.

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The Coalition Web Site: Your one-stop shop for mental health news, advocacy and information. Visit today!
www.cvmha.org

Assembly Develops Alternative Plan for Sexual Predators

In light of a recent Executive decision to place sexual predators in State psychiatric facilities upon completion of their prison sentence, the State Assembly announced a series of measures to address this and other related issues in the upcoming legislative session.

Along with tougher penalties for most offenders, the Assembly recommends keeping sexual predators in State Dept. of Corrections facilities upon the completion of their prison sentence. While in the State DOC facilities, the offenders would receive mandatory treatment from the State OMH. The Assembly believes this strategy would be less likely to drain OMH funding away from its current client base.

Leadership Change at NAMI NYC-Metro

After six years as Executive Director, Evelyn Roberts will leave NAMI in order to pursue new challenges. NAMI has grown significantly under Evelyn's stewardship, expanding their budget, staff, and ability to provide services. We have enjoyed working with her and she will be missed by all.

Effective December 23rd, Wendy Brennan will be the new Executive Director. Wendy has been with NAMI since June of 2003, joining as the Associate Director of the Mental Health Benefits Project. The Coalition looks forward to working with Wendy in her new capacity.

Isaac Brown Joins MHEP Training Team

Coalition Board Member Isaac Brown has accepted a position as a trainer with the Mental Health Empowerment Project. He was formerly director of Advocacy and Peer Bridger Services for the Baltic Street Mental Health Board. An avid painter, Isaac was presented with an Eli Lilly Reintegration Award on November 4, 2005 in recognition of his artistic talents. The Coalition wishes Isaac continued success.

The BENEFITS of Recovery: Understanding the Medicaid "Spend Down" and Medicare Part D

The Medicaid "spend down" or "share of cost" program is intended for individuals who have incomes that are too high but would otherwise be eligible for Medicaid. They can qualify for Medicaid by spending excess income on medical bills. The "spend down" is essentially the amount by which countable income exceeds the state's medically needy level (in New York that amount is \$667 per month for a household of one) after subtracting allowable deductions. Proof of medical expenses, including prescription drug bills are submitted, and once the individual's spend down level is reached, Medicaid benefits will be offered for the remainder of a given period.

Individuals with high prescription drug costs will be less likely to meet their Medicaid "spend down" levels when the new Medicare Part D Prescription Drug Program begins on January 1, 2006. Those who have reached their "spend down" level in the second half of 2005 will automatically qualify for "extra help" or the Low Income Subsidy (LIS) under Medicare Part D. This subsidy potentially leaves individuals with more available income, reducing the need for Medicaid. A person will be deemed eligible for LIS in all of 2006 if he/she meets their Medicaid "spend down" sometime during the second half of 2005. He/she will continue to receive the LIS even if they do not reach their Medicaid "spend down" level in subsequent months. Individuals who do not automatically qualify for LIS by reaching their "spend down" level should be encouraged to apply for it.

For more information on how Medicaid "spend down" and Medicare Part D interact, visit the Coalition's website at www.cvmha.org and download the Coalition's Provider Guide to the New Medicare Prescription Drug Benefit.

House Votes for Dangerous Medicaid Cuts in Federal Budget

On November 18th, the U.S. House of Representatives voted 217-215 to cut \$10 billion from Medicaid over the next five years. All but one member of New York City's Congressional delegation voted against this dangerous cut; only U.S. Rep. Vito Fossella (R - Staten Island/Brooklyn) joined his more conservative colleagues in approving this measure.

The Medicaid cut includes a reduction of \$750 million to Targeted Case Management, which will likely devastate ICM, SCM, BCM, ACT, IPRT, and restorative services in licensed housing. State officials have estimated the impact in New York to be tens of millions of dollars. Without these critical programs in place, high need mental health consumers may once again be forced into highly inappropriate and more expensive settings, including homeless shelters, jails, and the voluntary hospitals.

The Coalition strongly urges Rep. Fossella to reconsider his decision when the House-Senate reconciliation package comes to a vote sometime this month, and to join his Congressional colleagues from NYC in protecting the backbone of the community mental health sector.

Friend of Mental Health Mark Kissinger Departs Governor's Office

Mark Kissinger, the Governor's Deputy Secretary for Health and Human Services, has been selected by the Home Care Association of New York State to be their new president. Mark has been a great friend to those of us in the mental health community, and will be missed greatly. We wish Mark luck in his new position which becomes effective on January 3, 2006.

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Correction

In the previous edition of The Coalition Briefs, we erroneously referred to Judge Jacqueline Silbermann as Judge Sherman. We apologize for this error.

The Coalition of Voluntary Mental Health Agencies wishes you and your loved ones a happy, healthy and safe holiday season! The Coalition will be closed on Monday, December 26th and Monday, January 2nd.

Coalition's Annual Albany Day

The Coalition's annual Albany Advocacy Day will take place on Tuesday, February 7, 2006. We will once again make our presence felt in the halls of the State Capital.

Changes Looming for New York City Council

With Speaker Gifford Miller term limited at the end of the year, a small group of New York City Council Members are jockeying for position to obtain the top spot. The first candidate to successfully round up at least 26 votes in the 51-member body will become the next Speaker and will set the Council's agenda for the next term.

The following Council Members are known to have expressed strong interest in succeeding Gifford Miller as Speaker. All of these individuals will themselves be term limited in 2009, barring any changes to the current law which limits Council Members, the Mayor, and all other citywide office holders to two four-year terms.

In alphabetical order they are:
Leroy Comrie, Queens
Bill DeBlasio, Brooklyn
Lewis Fidler, Brooklyn
Melinda Katz, Queens
Christine Quinn, Manhattan
Joel Rivera, Bronx
David Weprin, Queens

Whoever the new Speaker is, he or she will appoint several new Committee chairs. Since the current Chairperson of the Committee on Mental Health, Mental Retardation, Alcoholism & Substance Abuse, and Disability Services is term-limited, this appointment is of particular concern to the Coalition.

We look forward to working with the new Chairperson and continuing our dogged advocacy on behalf of the non-profit community based mental health sector.

We thank outgoing Speaker Gifford Miller for his commitment to funding mental health initiatives over the past four years.

Coalition Calendar

Medicare Part D Training for Providers and Consumer Advocates

12/19/05 10:00 AM-12:30PM

To RSVP, call Bill Zeiser at 212-742-1600, ext. 210.

Monthly Membership Meeting

12/20/05 3:30 PM - 5:30PM

IDDT Training Session III - Overview of Dual Diagnosis: Principles of Integrated Treatment and Treatment Planning

12/22/05 1:00 PM - 5:00 PM

IDDT Training Session IV - Motivational Interviewing

01/09/06 1:00 PM - 5:00 PM

IDDT Training Session V - Strategies for System-Wide and Agency Implementation of IDDT

01/22/06 1:00 PM - 5:00 PM

For more information on IDDT trainings, or to register, please see The Coalition's website.

Got a Medicare Part D Question?

Then call The Coalition's Medicare Part D Provider Helpline at **212-742-1873**. Available **Tuesdays and Thursdays from 10 AM to 5 PM** to help with YOUR Medicare Part D questions!

Also available from The Coalition, **The Provider Guide to Medicare Part D**, which can be downloaded for free at www.cvmha.org.

Job Board

Coalition Members advertise for free on The Coalition's Job Board! Non-members may advertise for only \$50. Go to www.cvmha.org and click on 'Job Board' and then 'Add a Job.' Please note the addition of a dedicated Job Board for posting psychiatrist positions. View available positions anytime at www.cvmha.org.