**BOARD ADVOCACY REPORT FOR**

**Michigan Psychological Association**

**Judith Kovach PhD - Public Policy Consultant**

**Sandi Jones - MHSA**

*End of Year Report 2020*

*Alphabetical Order by Issue*

*This document provides the Board with a year-end summary that can be posted on the MPA webpage.*

**ADHD Diagnosis**

* Sandi, Judith and the Children and Family Committee are working through this. They have joined the committee. Our focus on the Special Education Task Force ended up being futile.
* Thus, we are taking a new direction. We received guidance from the department that we need to contact the department directly. We have drafted a letter to physicians (namely family practitioners and psychiatrists).
* We provided this letter template to the committee and they will be seeking supporters of this concept.
* We are planning on participating with the Michigan Department of Education (MDOE) to educate them as to the pitfalls of the current situation. We will use the already developed one-pager, along with support from other physicians, to garner the support of some of the school associations and ultimately present it to the MDOE in early 2021.

**Auto No-Fault**

* The Auto No-Fault law went into effect on July 1, 2020.
* The initial read was that there is a section of law in a different section that covers clinics and does not require individuals to be CARF accredited. The Department of Insurance and Financial Services (DIFS) interpretation is that this does not pose a problem.
* A new problem was identified in the definition under Independent Medical Examinations. We have submitted this new concern to the legal counsel in the House and Senate and are making sure that they are aware of this concern. We have also scheduled a meeting with DIFS to raise this issue.
* Representative Ben Frederick is willing to issue legislation to amend this, providing we find a problem.
* We are awaiting specific examples of coverage denial to be able to move forward. We may determine that there are no denials, which would be great!

**Covid-Related Licensure and Telemedicine Issues**

* There were many concerns involving TLLP's and LLP licensure lapsing, supervision rules, etc.
* We worked with the Department of Licensing and Regulatory Affairs (LARA) and sought and received an exemption and extensions for TLLP’s and LLP’s with lapsing licenses.
* We have also been raising awareness about the concerns of taking the EPPP in person. Watching it closely and working with the Department.

**Diversity Committee**

* We have met with the Diversity Committee Chair. The committee would like to look in to two issues and weigh in:

1. School to prison pipeline; and

2. Allowable age for jail.

* We all agreed that there are several statewide organizations pressing the same messaging we would like to push.
* We provided the Diversity Committee with that list of organizations to contact and are standing by to help in any way needed.

**Election Update**

* The Michigan House of Representatives was up for re-election in November. The political balance remained the same 58 Republicans/52 Democrats. The one change that is important to note is that we now have a Social Worker and Psychologist being sworn into the House January 2021. Her name is Felicia Brabec. We have already had a very cordial meeting with her, and she is committed to working with MPA, particularly on PSYPACT moving forward.
  + <https://www.feliciabrabec.com/meet-felicia.html>

**Implicit Bias Training**

* Your advocacy team was notified prior to the Governor announcing the implicit bias training work that all licensed psychologists would be affected. To that end, we were able to secure participation in the Implicit Bias Training workgroup.

**LLP Issues**

* As determined by the MPA Board, we have not actively addressed the LLP independent practice issue but continue to monitor incoming legislation. There are no bills regarding LLPs to date. That being said, see above! Judith met with the LLP committee to discuss possible legislative action to address independent practice.

**LPC Issues**

* The LPC’s rules are currently being promulgated. To that end, we are awaiting the final rules to determine if we believe there is any action necessary.

**Medicaid Coverage for Psychologists**

* We met with Michigan Association of Health Plans (MAHP) Executive Director Dominic Pallone in March. The meeting was to collaborate with the MAHP on getting the state to reimburse psychologists for the use of H&B codes. Dominic Pallone put the issue in our hands and asked Sandi to meet with Medicaid. Sandi had a meeting scheduled with Erin Emerson at Medicaid, but it got cancelled. We continue to pursue.

**Pre-Bariatric Assessments**

* We have had several phone calls with the Department of Health and Human Services (DHHS) regarding this issue. We have determined that we need to write a formal letter and request a meeting. The letter was sent to DHHS and returned. We have since learned that the person handling the issue has retired from the State of Michigan. Sandi found the “temporary” contact person, Dr. Catherine Reid, who agreed to field the letter for us. Sandi sent the letter on February 26, 2020 and has followed up on March 25 and April 23, respectively. Still no answer. We have put this on the insurance committee’s agenda with Priority Health, as they are the only entity causing the problem.
* The department is asking for specifics. They want us to tell them where the problems are and want some examples of misinterpretation or interpretation of the rules. We are awaiting those specific examples.

# PSYPACT

* Senate Bill 758 passed out of the Senate almost unanimously and passed the House by a very wide bipartisan margin! We provided testimony in a total of 5 committee hearings, met with all of the members of the committees individually and had overwhelming legislative support.
* MPA was able to secure an OP Ed regarding this topic.
  + <https://www.detroitnews.com/story/opinion/2020/12/22/opinion-let-psychologists-practice-across-state-lines-virtually/4005204001/>
* MPA also secured a letter of support from the Department of Defense.
* Unfortunately, despite our best efforts and a robust messaging campaign, the bill, as expected, was vetoed by Governor Whitmer based on a general opposition to compacts.
  + <https://content.govdelivery.com/attachments/MIEOG/2020/12/30/file_attachments/1636345/SB%20758%20and%20HB%204042%20Veto%20Letter.pdf>

# RxP/Medical Psychology

* We gathered information and developed a strategic plan for the MPA RxP Task Force. This plan includes goals and targets with very specific benchmarks that we believe must be met to be successful. We have submitted the plan to the Executive Committee for review.
* The timeline is under review by the Executive Committee.

# Suicide-Related Legislation/Law

* Senate Bill 228: Now Public Act 177 of 2019. Creates a Suicide Commission. MPA was able to be named in the bill as one of the entities to provide an expert to the committee. MPA has formally submitted recommendations to DHHS. Through the hard work of the Executive Committee and lots of great recommendations, MPA has a voice on the commission by way of an appointment. The appointee is Adelle McLain Cadieux, and her term expires April 2, 2024.
* House Bills 4414-4415: Allow counties to establish County Suicide Fatality Review Task Forces to gather data in an effort to address risk factors. Judith and Sandi met with Representative Jon Hoadley, sponsor of House Bill 4414 and Rep. Beth Griffin to clarify bill intent and offer support.

**Telemedicine**

* Senate Bill 898. We participated in a workgroup meeting called by Senator Adam Hollier, the bill sponsor. The bill requires insurers to allow teletherapy as determined by the provider. It also requires reimbursement at the same level as face-to-face services. There has been no action on this bill to date.