

November 20, 2024

The Honorable Kathy Hochul
Governor of New York State
NYS State Capitol Building
Albany, NY 12224

Dear Governor Hochul:

The unmet demand for access to timely care provided through a robust continuum of mental health and substance use disorder services for **ALL** of New York's children, youth, and families has never been greater. Disparate availability of critical services to address the youth mental health crisis has resulted in persistent waiting lists for outpatient and home-based care that range from several weeks to many months with some children and youth forced to live in hospital emergency rooms while awaiting an appropriate referral for follow-up care upon discharge from the hospital.

Given the upcoming changes in leadership in Washington and the likelihood that the new administration may try to roll back insurance coverage protections and funding impacting vulnerable and disabled Americans the most, New York State must act now to ensure our children, youth and families have the care they need.

The Facts

- In NYS in 2023, 11.7% of youth with private insurance had insurance that did not cover mental or emotional problems, ranking it 41st among other states. (<https://mhanational.org/sites/default/files/2023-State-of-Mental-Health-in-America-Report.pdf>)
- In NYS in 2023, 53% of youth with major depression did not receive mental health services in the past year. (<https://mhanational.org/sites/default/files/2023-State-of-Mental-Health-in-America-Report.pdf>)
- In NYS in 2023, 11% of youth are experiencing severe major depression and 16% of youth had at least one major depressive episode in the last year. (<https://mhanational.org/sites/default/files/2023-State-of-Mental-Health-in-America-Report.pdf>)

Last year, you and the NYS Legislature made history by enacting a new law that ensures in-network community-based mental health and substance use disorder provider agencies licensed by OMH and/or OASAS are reimbursed by commercial insurers at rates comparable to those paid by the NYS Medicaid Program for the same services. While the new law opens the front door to care for thousands of New Yorkers with commercial insurance who have struggled to find a community provider that can afford to provide it, ***the new law does not address mental health and substance use disorder coverage disparities that currently exist between Medicaid and commercial insurance benefits packages.*** For example, two important services that offer a flexible array of non-acute care including therapy, rehabilitation services, and family and youth peer support within a child's home and community currently available to children, youth, and families with Medicaid coverage - Children and Families

Treatment Support Services (CFTSS) and Home and Community Based Services (HCBS) services – are not readily available to families with commercial insurance.

The undersigned organizations stand with you as you continue to advance policy reforms to address the emotional wellbeing of New York’s children and youth. Today, we ask you to take another historic step on behalf of New York’s children and families by addressing the coverage disparity (described above) by including budget language in your 2025-2026 budget proposal that would require commercial insurers to make the same broad range of services currently available to children, youth, and families with Medicaid insurance, available to New Yorkers with commercial coverage.

All New Yorkers deserve equal access to the range of mental health and substance use disorder services NYS has identified as essential for our children, youth and their families with Medicaid insurance. We respectfully request the language (directly below) be included in the January 2025 executive budget.

Proposal to Require State Regulated Commercial Insurance and Child Health Plus to Provide Coverage for Children's Mental Health and SUD Services Consistent with Coverage under the NY Medicaid Program for Children

Amend Section 2511 of Public Health Law (Child Health Plus) and Sections 3216, 3221 and 4303 of Insurance Law (State-Regulated Commercial Insurance) as follows:

Every policy under this section shall include coverage for children's inpatient and ambulatory mental health and substance use disorder services at the same level and consistent with the inpatient and ambulatory mental health and substance use disorder services covered under the state medical assistance program under title 11 of article five of social services law, including such services authorized by state plan amendments, for children aged twenty-one and under.

This shall take effect on January 1, 2026.

Respectfully submitted,

Lauri Cole, Executive Director, NYS Council for Community Behavioral Healthcare
Alice Bufkin, Chair, HealthyMinds, HealthyKids Campaign
Kayleigh Zaloga, President and CEO, NYS Coalition for Children’s Behavioral Health
Jennifer March, Executive Director, Citizens Committee for Children
Paige Pierce, Executive Director, Families Together in NYS

Statewide or Regional Associations/Children, Youth, and Families Coalitions

Addiction Treatment Providers Association
Association of Community Living
Coalition of Medication Assisted Treatment Providers and Advocates (COMPA)
Collaborative for Children & Families (CCF)
Community Health Care Association of New York State (CHCANYS)
Families Together in New York State
Federation of Mental Health Services, Inc.
Healthy Minds Healthy Kids
InUnity Alliance

MHANYS

National Alliance on Mental Illness-New York State (NAMI-NYS)
New York State Council for Community Behavioral Healthcare
New York State Psychiatric Association
NYS American Academy of Pediatrics
NYS Care Management Coalition
NYS Psychiatric Association
Schuyler Center for Analysis and Advocacy
Supportive Housing Network of New York, Inc.
The Alliance for Rights and Recovery (formerly NYAPRS)
The Collaborative for Children and Families
Therapeutic Communities Association of New York, Inc.
Westchester Children's Association

Individual Organizations

Acacia Network
Access: Supports for Living Inc.
Andrus
ASCEND Mental Wellness
Aspirehope NY
Astor Services
Athena
Baker Hall dba OLV Human Services
Beacon Center
BestSelf Behavioral Health
BHSN - Behavioral Health Services North
Cardinal McCloskey Community Services
Catholic Charities of Broome County
Caz Recovery
Child and Family Services of Erie County
Children's Aid
Children's Health Home of Upstate New York
Children's Home of Wyoming Conference
CHJC
Community Missions of Niagara Frontier, Inc.
Delphi Drug & Alcohol Council, Inc. DBA Delphi Rise
Educational Alliance, Inc.
Epic Long Island
Families First in Essex County
Families On The Move of NYC, Inc.
Family & Children's Association (FCA)
Family Resource Network
Family Service Society, Inc.
Family Services, Inc.
Family Ties of Westchester
Farnham Family Services
Geel Community Services
Greater Mental Health of New York
Greystone Programs, Inc.
Helio Health, Inc.
Horizon Health Alliance

Horizon Village
ICAN
JCCA
Jewish Family Services of Western New York
Liberty Resources, Inc.
Mental Health Providers of Western Queens, Inc
Metropolitan Center for Mental Health, Inc.
MHA Rochester
New Alternatives for Children
New Directions Youth and Family Service
North Shore Child and Family Guidance
Northern Regional Center for Independent Living, Inc.
Northern Rivers Family of Services
Northside Center for Child Development
OLV Human Services
Onondaga Case Management Services Inc, dba Circare
Phoenix Houses of NY
Pinnacle Community Services
Racker
Rehabilitation Support Services
RevCore Recovery Center
RiseWell Community Services
Rising Ground, Inc.
Rockland Community Services
SCO Family of Services
Silver Lake Support Services
Skyward Health
Spectrum Health and Human Services
St. Joseph's Health Hospital - Behavioral Health Services
Strong Memorial Hospital/Psychiatry
The Child Center of NY
The Color of Autism Foundation
The Family Counseling Center
The Guidance Center of Westchester, Inc.
The House of the Good Shepherd
The Jewish Board of Family & Children's Services
The New York Foundling
The Salvation Army Syracuse Area Services
Toomey Residential and Community Services
University Settlement
Vanderheyden Hall Inc
Villa of Hope
WellLife Network
YMCA of Greater NY - Counseling Service Branch

For more information or to discuss this matter further , please contact Lauri Cole, Executive Director, NYS Council for Community Behavioral Healthcare at 518 461-8200.