

To: Conferees for Health and Human Services (S.F. 4410)

Re: Substance Use Disorder, Pathways to Recovery Provisions

Date: May 10, 2022

Dear Members of the Conference Committee,

While Minnesota continues to see record numbers of overdoses and related deaths, the number of people treated for substance use disorder has fallen significantly. In order to address the significant needs that exist, MARRCH has proposed a number of reforms in its Pathways to Recovery recommendations to support patients in need, bolster the workforce, and streamline regulations to preserve access to services. These recommendations were the basis of S.F. 3062 / H.F. 3414, which received broad bi-partisan support throughout the committee process in both the House and Senate.

A number of the changes recommended by MARRCH were included in the Senate version of S.F. 4410. **We urge the conference committee to include the following provisions from the Pathways to Recovery recommendations in the conference committee report**:

* Continuity of LADC work between internship and licensure approval (Senate Article 14, Sec. 19);
* HIV training requirement update (Senate Article 8, Sec. 13);
* Withdrawal management program licensing change (Senate Article 8, Sec. 16);
* Expand opportunities for guest speakers and associated documentation requirement (Senate Article 4, Sec. 48 and Article 8, Sec. 17-18);
* Modifications to client record documentation requirements (Senate Article 11, Sec. 1-2);
* Modification to co-occurring staff credentialing (Senate Article 4, Sec. 48);
* Substance use disorder treatment rate reporting (Senate Article 3, Sec. 8); and
* Extension of due date for paperwork reduction report (Senate Article 8, Sec. 59).

In addition to the above items originally from S.F. 3062 / H.F. 3414, **MARRCH urges the conference committee to adopt the following provisions from the House bill:**

* Drug overdose and substance abuse prevention (Article 1, Sec. 30);
* MA coverage of tobacco and nicotine cessation (Article 3, Sec. 28);
* Implementation of direct access (various sections of House Article 10, originally from DHS policy bill), however work needs to continue on language related to limitation on comprehensive assessments;
* Modifications to requirements for those seeking licensure (various sections in House Article 19), however continued discussion of documentation of “client response” is needed; and
* Opioid settlement implementation (House Article 20; this bill passed as a stand-alone, thus the provision is no longer needed in this bill).

Unfortunately, **MARRCH must express concerns with the proposed Opioid Treatment Provider (OTP) rates contained in the House language (Article 10, Sec. 94)**. The proposed rates, which would result in many providers seeing cuts of 30-50%, create an unsustainable situation for providers. Though providers asked to participate in the development of the new rate structure, they were invited by DHS to participate in only one meeting. The single meeting consisted of a presentation of the proposed rate structure. Shortly after the meeting, in January of 2022, the OTP provider community communicated the harm that would result by enacting the new rate structure, including the likely closure of many OTP treatment sites. The treatment providers offered an alternative solution that would enact a parallel rate with Medicare. DHS has not supported this alternative, nor any other changes to its original proposal. In order to avoid the closure of a significant number of OTP sites, MARRCH urges the conferees to reject the proposed rate restructure.

Finally, **MARRCH also must express concern regarding a Senate provision related to sober houses (Senate Article 4, Sec. 17)**. Discussions on this issue have been taking place, and while legislation will be needed to implement important changes to sober houses, the language currently in the bill is unworkable. We look forward to continuing to work with legislators and DHS on this important issue.

Thank you for your consideration.

Sincerely,

John Magnuson

Executive Director

MARRCH