

**NABH Board of Trustees Meeting**

**Monday, June 13, 2022**

**Noon ET**

**Minutes**

**Roll Call**

**Present (In person or by phone):**

Members: Matt Peterson, Board Chair; Stuart Archer, Thomas Britton, Pat Connell, Eric Foushee, Frank Ghinassi, John Hollinsworth, Eric Kim, Dwight Lacy, Drew Martin, Hank Milius, Jameson Norton, Eric Paul, Ethan Permenter, Joe Pritchard, Michael Radosta,

Scott Rauch, Harsh Trivedi, Sean Walsh, Deborah Weidner, Jeffrey Woods,

Susan Wright

Staff: Shawn Coughlin, Julia Richardson, Sarah Wattenberg, Jessica Zigmond

Absent: Pat Hammer, Tom Kenny, Richard Kresch, Fran Sauvageau

1. **Introductions**

NABH President and CEO Shawn Coughlin began the meeting at 12:11 p.m. and thanked NABH Immediate Past Board Chair Jameson Norton for his service to NABH as board chair.

Shawn welcomed new members to the board. Shawn also announced that Kirsten Beronio had left NABH for a new role at the Centers for Medicare & Medicaid Services. Shawn also sent Kirsten’s regrets that she will miss seeing everyone at this year’s Annual Meeting.

1. **Minutes Approval**

A motion was made and seconded to approve the minutes from the following meetings and calls: October 2021 Board of Trustees meeting, December 2021 Board of Trustees call, and the November 2021, December 2021, January 2022, February 2022, March 2022, April 2022, and May 2022 Executive Committee calls. All members approved the minutes unanimously.

1. **New Member Ratification**

A motion was made and seconded to approve JNM Capital Ventures, LLC in Florida and Vivant Behavioral Healthcare in Arizona as new NABH system members. Board members approved the motion unanimously.

1. **2021 Audit Report**

Board members received documents related to the association’s 2021 audit before the board meeting. NABH Treasurer Frank Ghinassi reported that NABH’s investments have done well. Frank said the 2021 audit was a “clean audit” with a few vulnerabilities.

Regarding fixed assets, the association’s audit (p. 9) reflected that a capitalization threshold of $1,000 was established for assets purchased.

A motion was made and seconded to approve NABH’s 2021 financial statements. All members approved the documents unanimously.

1. **NABH Managed Care: Parity Initiatives**

Shawn reported that NABH has enhanced its Denial-of-Care Portal online and encouraged members to provide data.

He also reminded members about the *Wit v. UBH* Amicus Brief in May. NABH Consultant Meiram Bendat, J.D., will provide an update about the case to members in the Grand Ballroom at Annual Meeting on Wednesday, June 15.

1. **NABH Legislative and Regulatory Updates**
2. **Improving Access to Mental Health and SUD Services**

Shawn reported that the House Energy & Commerce and House Ways & Means Committees and the Senate Finance and Senate Health, Education, Labor and Pensions Committees are holding hearings related to improving access to mental health and SUD services. The House committees have not yet offered a cohesive plan or process to move forward, although they have reported several bills, including the 988 legislation and H.R.7233, the *KIDS CARE Act*.

The Senate Finance Committee created five bipartisan task forces. NABH has met with each task force and submitted detailed recommendations to all. Senate Finance is now working on legislation with input from those task forces. The Senate HELP Committee has held a series of hearings on the following topics: suicide screening, child and new mothers’ mental health, accessing to substance use care, and workforce and staffing.

There are also currently bipartisan and bicameral discussions around addressing gun violence through increased mental health funding. At this point, there has only been a discussion of the framework. NABH has not yet seen that legislation.

1. **Reconciliation**

Shawn reported the Congress will need to pass a Reconciliation bill before October 2022 before the federal fiscal year ends on Sept. 30. This will take up much of the committee and floor time as that date approaches.

1. **Medicare Sequestration Cut**

Shawn said if Congress doesn’t act by the end of the year, there would be a 6% cut across the board, which includes both mental and physical healthcare.

1. **OSHA COVID Compliance: Workforce Safety**

Shawn provided an update on the Occupational Safety and Health Administration’s (OSHA) worker safety initiative and NABH’s concerns that OSHA doesn’t have the correct expertise on hospitals in this area. NABH sent a letter highlighting the association’s concerns and recommendations.

Shawn provided an update on the proposed *SAVE Act* (Safety from Violence for Healthcare Employees Act) that would give healthcare workers the same legal protections as airline employees; he asked for the board’s thoughts and guidance. The board expressed many concerns and ultimately determined that NABH should not support the legislation at this time but should use our expertise to inform the process and make others aware of the measures that we are already taking.

1. **IPF-PPS Comments: Technical Analysis**

Shawn apprised the board that the IPF-PPS rule was issued and there were no changes to the underlying system. NABH provided detailed comments to the technical report arguing that we need more resources to deal with the Covid-19 pandemic and aftermath. NABH is working with its outside counsel on the analysis.

1. **Behavioral Health IT**

MACPAC issued a report with draft recommendations. The draft report recognized that behavioral healthcare was not initially included in the funding for electronic health records, and that this segment should be included. Reps. Doris Matsui (D-Calif.) and Markwayne Mullen (R-Okla.) have drafted a bill on this: H.R.7247.

1. **Children’s Mental Health: Coordination of Federal Resources**

Shawn reported to the board there is an interagency task force on this issue.

1. **HHS Repeal of *SUNSET* Rule**

Shawn said HHS withdrew the SUNSET Rule that mandated the sunset of any rule more than 10 years old unless it was reviewed within five years of the effective date of that rule. The rule was originally scheduled to take effect in March 2022.

1. **Workforce Issues**

Shawn recognized the staffing concerns that all NABH members are facing. He also highlighted the upcoming workforce panel at the Annual Meeting and the Education and Research Foundation Board’s work on this issue.

Shawn also reminded members that U.S. Surgeon General Vivek Murthy, M.D. released a [Surgeon General Advisory](https://www.hhs.gov/surgeongeneral/priorities/health-worker-burnout/index.html) about healthcare worker burnout.

1. **NABH Champions PAC: Advocacy Support**

Shawn discussed the importance of the association’s PAC related to NABH’s overall advocacy program. He also informed the board that after a two-year hiatus, NABH has decided to move forward with a full solicitation campaign in July. He called on the board for personal contributions and to look out for our prior approval forms that will allow the PAC to communicate with their employees.

1. **NABH Advocacy & Coalition Engagements**
2. **CEO Alliance for Mental Health**

This task force is still hosting regular meetings and is making progress.

1. **Coalition to Protect America’s Healthcare**

The coalition’s next effort is behavioral healthcare. NABH will work with the coalition on this.

1. **Gun Violence & Suicide**

Shawn discussed that NABH has a stated position of ‘no position’ on gun control. The association has not formally updated this position since the Sandy Hook shootings. The board agreed that NABH should update that our stated position remains the same.

1. **Reminder: Board Coffee with Exhibitors**

**Tuesday, June 14: 8 a.m. – 8:15 a.m. Grand Ballroom C**

1. **Adjournment**

Board Chair Matt Peterson asked for a motion for adjournment at 1:52. Members approved the motion unanimously.

**Next Board of Trustees Meeting: TBD**