



COPPER COUNTRY MENTAL HEALTH SERVICES

SERVING BARAGA, HOUGHTON, KEWEENAW & ONTONAGON COUNTIES

RESOLUTION OPPOSING MDHHS DECISIONS TO IMPLEMENT CONFLICT FREE ACCESS AND PLANNING IN MICHIGAN

WHEREAS Copper Country Mental Health Services (CCMHS) is a Community Mental Health (CMH) Authority created under the Mental Health Code.

WHEREAS MDHHS has announced its decision to require CMHSPs to separate service assessment and planning from service delivery, requiring beneficiaries to receive the assessment and planning services from one entity and ongoing direct services from another, separate entity by October 1, 2024.

WHEREAS after careful review the conclusions of the CCMHS Board of Directors are that the current decision:

- Is in conflict with the statutory responsibilities of CMHSPs under Michigan law;
- Erroneously implies profit driven or undue enrichment motives on the part of governmental entities (CMHSPs and PIHPs) instead of recognizing what is actually a formal transfer of governmental responsibility from the State to the Counties for the delivery of public behavioral health services;
- Ignores the capitation-based financing of the Michigan public behavioral health system, which is constant and does not vary by volume of individuals served negating any conflicts of interest in service planning and service delivery;
- Ignores Michigan’s current shared risk (with MDHHS) financing system which already mitigates against conflict and self-interest;
- Is in conflict with the Certified Community Behavioral Health Clinic (CCBHC) model currently being implemented and expanded in Michigan;
- Ignores, at best, and disregards, at worst, input from person with lived experience that have consistently stated that the available procedural safeguards are preferable to systemic/structural upheaval inherent in MDHHS announced decisions;

THEREFORE, BE IT RESOLVED THAT, **in the strongest possible terms**, and for the reasons noted herein, the CCMHS Board of Directors **opposes the MDHHS announced structural strategies** for compliance with the federal Conflict Free Access and Planning Rules.

BE IT FURTHER RESOLVED THAT, the CCMHS Board of Directors requests MDHHS reconsideration of its current decisions and to honor CMS waiver approval of procedural mitigation of conflict, and to pursue CMS approval of strengthened procedural safeguards against conflict of interest in Michigan.

ON BEHALF OF THE CCMHS BOARD OF DIRECTORS

Richard Bourdeau; Roy Britz; Katherine Carlson-Lynch; Randy Eckloff; Gale Eilola; Barry Fink; Richard Herrala; Michael Koskinen, Secretary; Pat Rozich, Vice Chairperson; Jim Tervo, Chairperson

Unanimous Adoption of Resolution

Yes: No:

June 26, 2024

Date of Adoption

Baraga County	Houghton County	Keweenaw County	Ontonagon County	Training & Prevention
BARAGA CO. CENTER 15644 Skanee Road L’Anse, MI 49946 (906) 524-5885 Fax: (906) 524-5866	RICE MEMORIAL CENTER 901 West Memorial Drive Houghton, MI 49931 (906) 482-9400 Fax: (906)-482-9794	CALUMET (CLK) CENTER 56938 Calumet Avenue Calumet, MI 49913 (906) 337-5810 Fax: (906) 337-2108	ONTONAGON CO. CENTER 515 Quartz Street Ontonagon, MI 49953 (906) 884-4804 Fax: (906) 884-4856	THE INSTITUTE 900 West Sharon Avenue Houghton, MI 49931 (906) 482-4880 Fax: (906) 482-7657

Minimizing Complexities

Meeting Federal Conflict Free Requirements in Ways That Promote Simplicity and Access to Care



The Michigan Department of Health and Human Services (MDHHS) recently proposed new requirements for individuals seeking mental health services through the public mental health system. While the new requirements would comply more directly with federal Conflict-Free Access and Planning (CFA&P) guidelines, they would create access challenges for those seeking care, service delays and additional costs to providers.

What is Conflict-Free Access and Planning?

CFAP is based on a 2014 federal requirement for Home and Community-Based Services (HCBS), a type of Medicaid service, which attempted to limit perceived conflicts of interest for beneficiaries obtaining HCBS. In Michigan, agencies can have more than one role: access, plan development, and service delivery. If one agency is helping an individual access and plan their services it is key to ensure that a conflict of interest does not exist and that persons served/clients/consumers have a choice of providers. A conflict of interest happens when a professional uses their role to benefit themselves or their employer.

CMHA and our members fully support the intent to limit conflicts, however we believe the proposed “solutions” outlined by MDHHS cause unnecessary disruption and complexity and provide a greater threat than the conflicts they are attempting to prevent.

APPROACH PROPOSED BY MDHHS

Requires you to go to one “provider” for assessment, planning, and case management, and another “provider” to receive services. If you change your service plan, you must go back to the planning “provider.”

MICHIGAN’S CURRENT COMMUNITY MENTAL HEALTH-BASED MODEL

Allows a 1-stop shop for people to do an assessment, planning, case management and receive services.

Concerns with MDHHS Conflict-Free Proposal

1. The MDHHS proposal makes an already complex system more complex: Same day service would be impossible under the separation of functions that MDHHS is proposing. Outreach to persons, school children, homeless, would be seriously hindered by prohibiting the services provider from assessing and building a treatment/services plan with the person in need.
2. Persons served/clients/consumers are concerned with the MDHHS proposal: The comments of persons served (clients/consumers), obtained during the MDHHS listening sessions underscore their concerns with the MDHHS proposal:
 - “I think [separating access/planning from direct service] could be problematic due to a person having to repeat providing their info...”
 - “Having to go from here, to here, to here...to do it when being in a place where I need help would be a lot. It’s a lot to ask one person to go through.”



- “Between the point of access and referral, things get dropped and lost.”
3. The MDHHS proposal is in conflict with state law and other federal requirements:
 - The statutorily required core functions of Michigan’s CMHs.
 - The federally required core functions of Michigan’s Certified Community Behavioral Health Clinics (CCBHC) and Behavioral Health Homes (BHH)

DISADVANTAGES OF MDHHS' PROPOSED APPROACH



Delays
service
delivery



Increases
costs



Increases
administrative
burden



Adds confusion
and barriers for
people served

CMHA-Recommended Process

Rather than add complexity to the system, Michigan can build upon the conflict mitigation approaches that already have the approval of the Federal Government.

There are a number of alternate approaches that Michigan could use to meet the federal Conflict-Free standards. One of those alternate approaches is:

1. Because it is not known until the assessment and Individual Plan of Service (IPOS) are completed, whether the person is in need of Home and Community-Based Services (HCBS), the initial assessment and Plan of Service should be carried out as it is now, by the CMHSP or their designated assessment and planning organization.
2. If HCBS are part of a person's Plan of Service, the person is presented with a list of organizations which provide those HCBS services, from which to choose. The organization carrying out the assessment and Plan of Service cannot be on that list unless that organization is the only organization who can provide that service.



Continue to strengthen the structural conflict mitigation components approved by the Federal Government

- a. Persons facilitating the Person-Centered Planning (PCP) process cannot be providers of any HCBS to those with whom they facilitate PCP processes.
- b. The person facilitating the PCP process or serving as the case manager/supports coordinator for the person served cannot authorize the services contained in the plan for that person.
- c. Neither the persons facilitating the PCP process nor the providers of any HCBS can be the person responsible for the independent HCBS eligibility determination. This latter role is held by MDHHS.

This process is nested in a robust monitoring and contract compliance process.

Accessible, frequent, and readily-available information to persons served regarding the rights outlined above – through the use of:

- (1) A uniform set of hard-copy handouts and electronic messages;
- (2) Notices on the websites of the state's CMHSPs, PIHPs, providers, and MDHHS;
- (3) Social media posts

Continual education, training, supervision, and coaching of CMHSP, PIHP, and provider staff around these rights – efforts led by MDHHS, the state's major advocacy organizations, and CMHA.

The use of contractual powers, corrective action plans, and sanctions, when needed, to ensure that these rights are afforded persons served – via the MDHHS/PIHP contract, the MDHHS/CMHSP contract, and the PIHP/CMHSP contract.



The Community Mental Health Association of Michigan is the state association representing Michigan's public Community Mental Health (CMH) centers, the public Prepaid Inpatient Health Plans (PIHP – public health plans formed and governed by CMH centers) and the private providers within the CMH and PIHP provider networks.

FOR MORE INFORMATION, PLEASE VISIT CMHA.ORG OR CALL 517-347-6848.



CMHAM.org



/CMHAMich



@CMHAMich

Health Care Amendments to Houghton County Personnel Policies Articles 9 and 28

Proposed Amendment to Article 9, Probation

Within Article 9, and in reference to 9:3, the proposed amendment would read as follows. This proposed amendment would allow for better recruitment and retention of new employees. If adopted, all Full-Time employees would be eligible for Health Care benefits on their first day, and not after the Probationary period. For all other fringe benefits, the 90 day probationary period would still apply.

9:3 During Probation, the employee is not entitled to fringe benefits, with the exception of Health Insurance for all Full-Time employees of the County. All Full-Time employees can seek Health Care coverage on the first day of employment. Upon successful completion of the probationary period, the employee will receive all of the other fringe benefits to which they are then entitled to. Sick leave and vacation benefits will be credited to the employee from the date of employment.

Proposed Amendment to Article 28, Health Care and Life Insurance:

To go along with the proposed Amendment above, Article 28 would also need to be updated and adopted as follows:

28:1 Each regularly scheduled, Full-Time employee shall be eligible to participate in the County's comprehensive Medical and Hospitalization plans. This coverage is available from the first full day of employment, and continues only during the employee's term of employment with the County. The Houghton County Board of Commissioners reserves the right to change or amend the Medical and Hospitalization plans where cost savings or other advantages are apparent to the County, and where benefit coverages to the employee are equivalent or better than current offerings. All questions and/or concerns regarding the Comprehensive Health Insurance plans that are offered to Full-Time employees can be directed to the Office of Administration.

28:2 All employee contributions toward plan costs shall be paid by way of payroll deduction in advance or at the inception of the effective date of coverage. The plan cost(s) shall be paid in equal or near-equal installments over the 26 pay periods each year. Employee costs will be adjusted annually, and based on any corresponding rate increases incurred by the County. For those who wish to participate in the County's Health Savings Account and High Deductible Health Plan, the payments made into those plans are at the amounts and frequency that is chosen by the individual employee.

28.3 Employees covered under a spouse's group medical insurance plan may elect to waive coverage under the Houghton County plan, and request a "Cash-in-lieu-of" payment. This payment is calculated by taking 40% of the County's Core Plan offering.



COPPER COUNTRY MENTAL HEALTH SERVICES

SERVING BARAGA, HOUGHTON, KEWEENAW & ONTONAGON COUNTIES

June 26, 2024

Mr. Ben Larson
Houghton County Administrator
Houghton County Courthouse
401 E. Houghton Ave.
Houghton, MI 49931

RE: 2024/2025 Houghton County Appropriation

Dear Mr. Larson:

Our board has authorized management to prepare and submit to your County our funding request for the fiscal year ending September 30, 2025.

For the fiscal year 2025 the funding request is \$164,495. This is the same amount appropriated by your County for each year since 1996.

The State of Michigan contributed approximately \$ 7,430,000 toward our total budget last year. These funds are granted to us with the condition that our constituent Counties must provide local matching funds. The total amount of local monies required in our funding for 2022/2023 was \$ 265,485. We are projecting the local matching funds requirement to exceed \$ 300,000 for this fiscal year ending September 30,2024.

Our four Counties appropriated \$255,604 toward the total, of which your county's share was \$164,495. The difference is provided by other eligible sources such as third-party reimbursements, investment income and private contributions.

We are available to meet with your County Commission or your Finance Committee at their convenience to discuss our request or any matter relating to Board operations, should you desire more information. If you have any questions or wish to set up a meeting, please do not hesitate to call 483-5515.

Sincerely,

Susan D. Serafini
Finance Director

c: Jim Tervo, CCMHS Chairperson
Mike Bach, CCMHS Executive Director

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**COUNTY OF HOUGHTON
Conference or Other Travel Request**

Reason for Travel: MMRMA Annual Meeting + Board Meeting
 Dates of Travel: 8/21 through 8/24

Check any of the following as applicable for this travel request:

Required Training		Conference Attendance:		Association Meeting:	
Needed for License		Annual	<input checked="" type="checkbox"/>	Annual	<input checked="" type="checkbox"/>
Needed for Certification		Bi-Annual	<input type="checkbox"/>	Bi-Annual	<input type="checkbox"/>
State or Other Mandate	<input checked="" type="checkbox"/>	Other	<input type="checkbox"/>	Other	<input type="checkbox"/>
Seminar	<input type="checkbox"/>			Training Not Required	

This request is included in the Department Budget: _____ Yes No

Estimated costs to be requested for payment from Houghton County

0

Portion of costs to be paid other than by Houghton County: MMRMA pays full cost.

Submitted by: Ben Larson Title Administrator Date _____

 _____ Approved _____ Disapproved by the Houghton County Board of
 Commissioners at their meeting held on _____

Signed: _____ Title: _____
 Date: _____



Western Upper Peninsula Health Department

7/1/2024

Invoice

9240020

540 Depot St., Hancock, MI 49930
Phone (906) 482-7382, Fax (906) 482-9410

Houghton County
Houghton County Courthouse
Attn: Jennifer Kelly
401 E. Houghton Avenue
Houghton, MI 49931

Fiscal Year 2024 - Fourth Quarter
July - September 2024

Charge Date	Description	Qty	Unit Price	Amount
7/1/2024	Quarterly Appropriations - Houghton County, July - September 2024	0.00	0.00	\$68,081.00

Payment Terms: Net 30 Days

Please return bottom portion with your payment.

Total: \$68,081.00

Customer ID HTN CTY

Invoice ID 9240020

Customer Name Houghton County

Invoice Date 7/1/2024

Charge Date	Description	Qty	Unit Price	Amount
7/1/2024	Quarterly Appropriations - Houghton County, July - September 2024	0.00	0.00	\$68,081.00

Payment Terms: Net 30 Days

Total: \$68,081.00

Fiscal Year 2024 - Fourth Quarter
July - September 2024

