



**HB 523 Proponent Testimony of Scott S. Osiecki  
CEO, ADAMHS Board of Cuyahoga County**

**Ohio House Behavioral Health and Recovery Supports Committee  
May 19, 2022**

Chairman Carruthers, Vice Chairman Pavliga, Representative Davis, and esteemed members of the Behavioral Health and Recovery Supports Committee, I would like to thank you for the opportunity to provide testimony about Ohio House Bill 523.

My name is Scott Osiecki, and I am the CEO of the Alcohol, Drug Addiction and Mental Health Services (ADAMHS) Board of Cuyahoga County. I am submitting this written and oral proponent testimony on behalf of the Board of Directors and staff of the ADAMHS Board of Cuyahoga County, in support of HB 523 and its needed updates to the Ohio Revised Code (ORC) 340. I am in support of HB 523 in its entirety and would like to take this time to highlight the sections related to data sharing and contracting.

My Board is one of 50 Boards across Ohio serving as statutory authorities for planning, funding and monitoring public behavioral health services. We are community planning entities, making prevention, treatment and recovery program and funding decisions that impact the lives of children, adolescents, adults and the elderly. We often must make decisions without the complete picture because Boards do not have access to important data about treatment services provided by Medicaid to our clients or our community.

The proposed updates to ORC 340 encourage collaboration and data sharing among public partners to give Boards a deeper picture of the continuum of care in each of their communities and an enhanced ability to plan for the needs of residents. HB 523 would require Boards to implement working agreements with other government programs that provide public benefits to coordinate benefits and improve the administration and management of government programs. HB 523 would also require that the Ohio Department of Mental Health and Addiction Services and the Ohio Department of Medicaid establish requirements and procedures for the provision of Medicaid-recipient data to Boards for this purpose. This would also make a change to the Medicaid statute that would allow Boards access to Medicaid recipient data, avoiding the general prohibition on disclosure.

It's important to point out that Boards are HIPAA covered entities and have been protecting client data all along.

The current data infrastructure in Ohio's behavioral health system is fragmented and does not show a clear picture of available services and supports throughout the state. Local Boards would be better positioned to plan for and respond to local needs with access to shared data from Medicaid and other state agencies.

For example, when Cuyahoga County was preparing for its lawsuit against pharmaceutical manufacturers and distributors in their opiate case, it was difficult to gather complete data about the impact to people's lives, the criminal justice system, and the actual cost of providing opioid and heroin related drug treatment. According to the ORC, Boards are the county-hub to combat opioid addiction, but counties struggle to acquire information from other public agencies that would directly benefit the behavioral health care of residents impacted by the opioid crisis.

Boards do not provide direct services but contract with providers to deliver the services to the community. In Cuyahoga County, our Board contracts with over 70 providers. Sec. 340.036 of HB 523 will clarify the flexibility that a Board may use for selecting and entering into contracts – either competitive or otherwise. It also removes an arbitrary 120-day notice requirement for ending contracts that impedes a Board's ability to make changes it determines are in the best interest of the local system of care. This requirement is replaced with a due process for early termination of a contract and a way that a provider may appeal the Board's decision. These changes are applicable only to contracts entered into, modified, or renewed on or after the effective date of this legislation.

Thank you for your ongoing commitment to supporting Ohioans impacted by mental illness and substance use disorders. I respectfully ask you to consider the data-sharing and contract language in HB 523 – as well as the entire bill - as a necessary update to modernizing how Boards can continue to ensure that needed mental health, addiction, prevention and recovery services are available to individuals and families of Ohio.