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April 9, 2024

SUBMITTED VIA EMAIL to Matthew.Houk@ohiosenate.gov

The Hon. Al Landis, Chair
Community Revitalization Committee
The Ohio Senate
1 Capitol Square
Ground Floor 038
Columbus, OH 43215

The Hon. Vernon Sykes, Ranking Member
Community Revitalization Committee
The Ohio Senate
1 Capitol Square
Ground Floor 051
Columbus, OH 43215

RE: Senate Community Revitalization Committee Testimony in Opposition to Substitute Senate Bill 105, A Bill “Regards ADAMH Boards; Recovery Housing Residences.”

Dear Chairman Landis, Ranking Member Sykes, and distinguished members of the Senate Community Revitalization Committee:

The Pyramid Healthcare, Inc. (“Pyramid Healthcare”) family of companies opposes the proposed substitute to Senate Bill 105, a bill “...regarding the composition of boards of alcohol, drug addiction, and mental health services; the authority of the boards; and the requirements for operation of recovery housing residences.” Substitute SB 105 would grow government and expand the roles, duties, and responsibilities of county alcohol, drug addiction, and mental health services (“ADAMHS”) boards while significantly altering the contractual rights of private businesses that deliver community behavioral health services throughout Ohio.

The Pyramid Healthcare family of companies is an integrated behavioral healthcare system serving Medicaid and commercial clients in nine (9) states across a continuum of residential and outpatient substance abuse, mental health, autism, and eating disorder treatment services. We employ over 3,600 team members across our 80+ active facilities. We care for over 12,000 unique commercial and Medicaid patients per day throughout our locations across an integrated network of service lines and affiliated behavioral healthcare organizations. Our facilities are accredited by the Commission on Accreditation of Rehabilitation Facilities (“CARF”).

In 2023, Pyramid Healthcare opened our first Ohio location outside of Dayton in Moraine to serve the residents of Montgomery, Butler, Warren, Greene, Clark, and Miami Counties. The Dayton Outpatient Treatment Center provides adult mental health (“MH”), substance use disorder (“SUD”), and dual diagnosis services, including ambulatory detox/withdrawal management, mental health day treatment, partial hospitalization (“PHP”), intensive outpatient services (“IOP”), outpatient programs (“OP”) services, comprehensive case management, psychiatry and medication management, community psychiatric support, and peer recovery support services. We do this through a combination of individual, family, and group therapy sessions. In addition, we hope to add adolescent services at some point in the future.

Pyramid Healthcare appreciates the Ohio General Assembly and the Senate Community Revitalization Committee's efforts to address the opioid overdose epidemic and the mental health crisis in Ohio. The system of care for people in need of MH and SUD treatment is fractured due to overwhelming demand and insufficient human and financial capital to respond. We also know that Ohio communities, patients, human service systems, and behavioral health providers remain stressed to the breaking point because of the unrelenting opioid epidemic, mental health crisis, and volatile labor markets and wage pressures.

We respectfully urge the Committee not place additional burdens on community behavioral health providers through greater administrative barriers and costly government regulations. We cannot and do not support Substitute SB 105 as it would harm the ability of providers to fairly negotiate and contract with county ADAMHS boards. More importantly, it would diminish our ability to offer reasonable transition of care protections to our clients upon any change in service provider.

Below are specific provisions of Substitute SB 105 that we cannot support as currently drafted:

- Lines 430 to 469: Section 340.036(C)(5), (D), (E), and (F) – Reduction of the 120-day contracting notice to 30-days; removal of a patient transition of care period; and vague and overbroad language setting forth an alternative provider selection process.
- Lines 167 to 181: Section 340.03(A)(6) – ADAMHS board's expanded and duplicative audit authorities;
- Lines 369 to 387: Section 340.032(D) – ADAMHS board's expanded and duplicative investigative authorities;

Providers including Pyramid Healthcare are seeking a more standardized contracting process and business relationship with county ADAMHS boards – similar to how we do business with other payers. Many providers, ourselves included, serve clients across county lines and must negotiate contracts with several county ADAMHS boards – six for our Dayton Outpatient Treatment Center. More consistency and standardization would benefit not only the providers but the system as a whole.

Furthermore, in HB 33 (2023), the state operating budget, the Ohio General Assembly expanded the county ADAMHS boards' roles and duties with respect to the provider certification process, investigations, and notice requirements.¹ These system changes need time to be implemented and measured before additional changes are introduced to an already strained system. The new duties and responsibilities as outlined in Substitute SB 105 would appear to require additional county government staff and resources to support the expanded roles of county ADAMHS boards. Any new investment into Ohio's behavioral health system should go toward expanded care for Ohioans in need of services not more red tape and administrative hurdles that make it harder to serve vulnerable Ohioans struggling with MH and SUD challenges.

Furthermore, a coalition of our partners and allies with The Ohio Council of Behavioral Health & Family Services Providers, The Ohio Association of County Behavioral Health Authorities ("OACBHA"), and the Department of Mental Health and Addiction Services ("OhioMHAS") are working collaboratively on amendment language that would offer a solution to the county ADAMHS boards' provider contracting and patient transition of care process. We respectfully request that this collaborative process be given sufficient time to reach a compromise before further legislative action is taken on Substitute SB 105. At the very least, before this Committee acts, an interested party meeting should be held to consider and discuss Substitute SB 105's new provisions that are controversial, expensive to implement, and have not been subject to discussion, debate, or review with all system stakeholders.

¹ See MHACD42, H.B. 33, Main Operating Appropriations Bill – Department of Mental Health and Addiction Services, *available at* <https://www.lsc.ohio.gov/assets/legislation/135/hb33/en0/files/hb33-mha-comparison-document-as-enacted-135th-general-assembly.pdf>.

This legislation has been inaccurately characterized as a “modernization” of the county ADAMHS boards’ roles, and a simple cleanup of outdated, historical language within section 340 of the Ohio Revised Code. Rather, it is much more complicated, nuanced, and has far reaching implications for patients, providers, and the system of care available in local communities. There is by no means consensus about this bill and should be further evaluated before the Committee takes any action to advance the bill.

Pyramid Healthcare opposes Substitute SB 105 as a result of these controversial provisions that would place providers in an unfair and unbalanced contracting position with county ADAMHS boards, reduce patient transition of care protections, and greatly increase the costs of compliance with the new regulatory requirements and administrative processes.

Please consider this feedback and do not pass Substitute SB 105 out of the Community Revitalization Committee. Thank you for your support of mental health and substance use disorder treatment providers in Ohio and for considering my requests on behalf of Pyramid Healthcare. If we can provide any additional information or materials, please contact me at crosier@pyramidhc.com or 667-270-1582. In addition, we invite you to reach out and schedule a visit to our facility in Moraine sometime soon to learn more about our services and programs.

Sincerely,

A handwritten signature in black ink that reads "Collan B. Rosier". The signature is written in a cursive, flowing style.

Collan B. Rosier
Vice President of Government Relations

CC: Matthew Houck, Senior Legislative Aide