



NATIONAL
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Wellbeing

SUD Federal Policy Update

National Council for Mental Wellbeing



Consolidated Appropriations Act of 2023

President Biden signed into law the Consolidated Appropriations Act of 2023 on December 29, 2022, which included several notable behavioral health provisions, and over \$10 billion for behavioral health programs.



Consolidated Appropriations Act, 2023

- Passed by Congress on December 23, 2022
- Includes all 12 FY23 appropriations bills, including several major policy changes:
 - Allows marriage and family therapists (MFTs) and licensed mental health counselors (LMHCs) to receive reimbursement from Medicare for their services
 - Eliminates the x-waiver, increasing the number of providers available to prescribe medications for OUD maintenance and detoxification treatment
 - Boosts substance use disorder training for health care providers and helps standardize prescriber education practices

CAA Funding Levels

- Substance Use Services: \$4.2 billion (increase of \$203 million) to combat the opioid epidemic. Funds are targeted toward improving treatment and prevention and workforce needs
- Certified Community Behavioral Health Clinics (CCBHCs): \$385 million (increase of \$70 million) for CCBHCs through SAMHSA grants
- 988: \$512 million for SAMHSA suicide prevention activities including \$439.6 million for the 988 Suicide & Crisis Lifeline
- Mental Health Block Grant: \$1.01 billion (increase of \$150 million)
- National Institute of Mental Health (NIMH): \$2.34 billion (increase of \$120.9 million)
- Mobile Crisis: \$20 million (increase of \$10 million) to help communities create mobile behavioral health crisis response teams
- Substance Use Disorder Treatment and Recovery (STAR) Loan Repayment Program: \$40 million (increase of \$16 million) toward educating and training SUD professionals
- Parity: Authorizes \$10 million for grants to states to support parity enforcement



Consolidated Appropriations Act of 2023

Additional SUD provisions include:

- Mainstreaming Addiction Treatment (MAT) Act eliminating the x-waiver required to prescribe buprenorphine
- Medication Access and Training Expansion (MATE) Act to boost SUD training for health care providers and standardize prescriber education practices
- Reauthorizes Screening and Treatment for Maternal Mental Health and SUD grants that allow states to improve screening, assessment, and treatment services in pregnant and post-partum women
- Excellence in Recovery Housing Act (H.R. 2376), which requires SAMHSA to promote the availability of high-quality recovery housing for individuals with substance use disorder through various activities.
- Timely Treatment for Opioid Use Disorder Act of 2022 (H.R. 7238) directing HHS to revise opioid treatment program (OTP) admission criteria to eliminate the requirement that patients must be addicted for at least one year prior to being admitted for treatment.

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Provisions from the Summer Barrow Prevention, Treatment, and Recovery Act:

- Grants for Reducing Overdose Deaths, authorized at \$5 million each FY
- State Pharmacy Opioid Overdose Medication Access and Education Grants, authorized at \$5 million FY;
- State and Local Integrated Comprehensive Opioid Use Disorder Response, authorized at \$5 million FY; and
- Emergency Department Alternatives to Opioids Demonstration Grants, authorized at \$10 million FY.
- Substance Use Disorder Treatment Programs of Regional and National Significance (PRNS), authorized at \$521.517 million each FY;
- Substance Use Disorder Prevention PRNS, authorized at \$218.219 million each FY;
- Prescription Opioid and Heroin Treatment and Interventions Demonstration Grants, authorized at \$25 million each FY;
- Programs to Reduce Underage Drinking, authorized at \$23 million each FY
- Jail Diversion Program and Grants, authorized at \$14 million each FY



Consolidated Appropriations Act of 2023

Reauthorization of the Substance Use Prevention, Treatment, and Recovery Services Block Grant

- Eliminates stigmatizing language relating to SUD
- Includes state plan requirements to describe the recovery support service activities supported by the grant
- Authorizes the Block Grant at \$1.908 billion annually for FY 2023 to FY 2027

Reauthorization of the State Opioid Response (SOR) Grant

- Expanded scope to address stimulant use and misuse
- Creates a 5% set-aside for Indian Tribes, Tribal organizations, and Urban Indian organizations
- Authorizes the grant at \$1.75 billion for each of FYs 2023 through 2027



Mainstreaming Addiction Treatment (MAT) Act

- Removes the X-Waiver registration requirement
- Removes the patient limits
- Removes the special DEA "X" prescribing number
- Removes counseling referral and ancillary services requirement
- Removes X-Waiver training requirement
- Removes list of health care providers who can prescribe buprenorphine for opioid use disorder



(MAT) Act Considerations for States

- Communication about the wavier removal
- Review of state regulations about the Opioid prescribing
- Enhance integration efforts (CCBHC)
- Training/education to decrease stigma



Medication Access and Training Expansion (MATE) Act

The Consolidated Appropriations Act of 2023 enacted a new one-time, eight-hour training requirement for all Drug Enforcement Administration (DEA)-registered practitioners on the treatment and management of patients with opioid or other substance use disorders. Below is information on this new requirement.



Medication Access and Training Expansion (MATE) Act

- Beginning on June 27, 2023, practitioners will be required to check a box on their online DEA registration form—regardless of whether a registrant is completing their initial registration application or renewing their registration—affirming that they have completed the new training requirement
- All DEA-registered practitioners, with the exception of practitioners that are solely veterinarians are subject to the requirement
- The deadline for satisfying this new training requirement is the date of a practitioner’s next scheduled DEA registration submission—regardless of whether it is an initial registration or a renewal registration—on or after June 27, 2023.
- This one-time training requirement affirmation will not be a part of future registration renewals

What accredited groups may provide trainings that meet this new requirement

- The American Association of Oral and Maxillofacial Surgeons (AAOMS)
- The American Psychiatric Association (APA)
- The American Association of Nurse Practitioners (AANP)
- The American Academy of Physician Associates (AAPA)
- The American Nurses Credentialing Center (ANCC)
- The American Society of Addiction Medicine (ASAM)
- The American Academy of Addiction Psychiatry (AAAP)
- American Medical Association (AMA)
- The American Osteopathic Association (AOA),
- The American Dental Association (ADA)

(MATE) Act Considerations for States

Awareness of training requirement and eligible training providers.

State regulations related to prescribers

State funded medical schools

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Pending legislation

Due Process Continuity of Care Act

- ❑ The Due Process Continuity of Care Act (H.R. 3074/S.971) would permit incarcerated individuals to remain eligible for Medicaid benefits prior to conviction.
- ❑ This act would ensure an individual's rights and presumption of innocence are protected and allow these individual's access to treatment during this period to remain intact

Reentry Act

- ❑ The Reentry Act (H.R.2400/S.1165) allows Medicaid-eligible individuals to resume receiving Medicaid benefits thirty days prior to their release.
- ❑ Allowing individuals to resume benefits prior to release, increases access to treatment, preventing the risk of future overdose and reducing the likelihood of recidivism.



Questions & Discussion



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Thank you!

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