



# DISABILITY RIGHTS NEW MEXICO

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## *Promoting and Protecting the Rights of Persons with Disabilities*

### New Mexico's Managed Behavioral Health Care A Brief History

1998 Medicaid Salud!: Each of the three Medicaid Salud! agencies, operated through a Medicaid waiver, subcontracted with behavioral health managed care organizations which contracted with behavioral health service providers. This added administrative layers to the delivery of behavioral health services.

July 2000: Consumers, providers and advocates had concerns about BH service delivery because of the amount of money spent on behavioral health administration. It was also not possible to accurately track how much money was actually spent on behavioral health services.

October 2000: HSD had applied for a two year renewal of the Medicaid waiver in which behavioral health services were provided as a component of the Salud! Waiver program. HCFA denied this request.

Feb. 16 2001: HSD asked HCFA for a reconsideration. In spite of its concerns about "serious deficiencies in the waiver", HCFA reversed its decision; it said it would consider HSD's letter as a new request to include Behavioral Health in the Salud! Medicaid programs and extend the waiver. However, HCFA attached an addendum of terms and conditions regarding delivery of behavioral health services which HSD was required to fulfill. It included, among other things, a requirement to develop an "early warning system" to "track and report key variables of program performance related to Behavioral health" and suggested a SAMSHA protocol for tracking managed care variables related to behavioral health, by July 1, 2001. It also required the state to establish an advisory committee and gather public input, to address ways to redesign the behavioral health care system to address the shortcomings in the existing system.

2001: Medicaid Behavioral Health Advisory Committee report was sent to Governor Johnson with recommendations on possible redesign options. Pamela Hyde was a consultant to the committee.

2002: The Legislature commissioned a behavioral health Gap Analysis which was conducted and produced by the Technical Assistance Collaborative. Pamela Hyde was the principle author.

2002: Behavioral Health Steering Committee was created to develop a master plan for delivery of Behavioral Health

2002: Medicaid Reform Committee was convened by the Legislature to respond to economic downturn

2003: Governor Richardson was elected. Shortly thereafter, he proposed that there be legislation to establish a Behavioral Health Purchasing Collaborative, similar to what was recommended by the Gap Analysis. Intensive preparations for that legislation began.

2004: Legislation created Interagency Behavioral Health Purchasing Collaborative, codified at NMSA 1978 § 9.7.6.4 (2004).

The draft implementation plan followed in July, 2004.

The Collaborative issued the RFP on November 3, 2004

2005: Value Options was awarded the contract as the Statewide Entity, and began operations on July 1, 2005 under a four year contract.

2009: The second RFP was issued and the contract offered to Optum rather than Value Options. Optum began operation on July 1, 2009.

The Collaborative levied Sanctions against Optum and issued a Directed Corrective Action Plan beginning October, 2009. It continues to this day and is monitored by a private contractor paid for by Optum.

2010: The Governor announced that a new RFP would be issued to conform to changes in Medicaid and Health Care reform. A concept paper was issued in the spring soliciting public comment by May 15<sup>th</sup>. After reviewing considerable public comment, including an extensive letter from DRNM, the Collaborative recommended canceling the plans to issue an RFP. The governor concurred. Optum continues to operate under a Directed Corrective Action Plan.