

February 5, 2024

The Honorable Cathy McMorris Rodgers
Chair
U.S. House Committee on Energy and
Commerce
2125 Rayburn House Office Building
Washington, DC 20515

The Honorable Frank Pallone
Ranking Member
U.S. House Committee on Energy and
Commerce
2322A Rayburn House Office Building
Washington, DC 20515

The Honorable Jason Smith
Chair
U.S. House Committee on Ways and Means
1139 Longworth House Office Building
Washington, DC 20515

The Honorable Richard Neal
Ranking Member
U.S. House Committee on Ways and Means
1129 Longworth House Office Building
Washington, DC 20515

The Honorable Ron Wyden
Chair
U.S. Senate Committee on Finance
219 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Mike Crapo
Ranking Member
U.S. Senate Committee on Finance
219 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Bernie Sanders
Chair
U.S. Senate Committee on Health,
Education, Labor, and Pensions
428 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Bill Cassidy
Ranking Member
U.S. Senate Committee on Health,
Education, Labor, and Pensions
428 Dirksen Senate Office Building
Washington, DC 20510

Dear Chair Rodgers, Ranking Member Pallone, Chair Smith, Ranking Member Neal, Chair Wyden, Ranking Member Crapo, Chair Sanders, and Ranking Member Cassidy:

Bipartisan Policy Center Action (BPC Action) commends you and your colleagues for your ongoing commitment to pursuing bipartisan solutions to lower health care costs and improve health in America. The Bipartisan Policy Center (BPC) has long been working on developing policy solutions to improve the federal effort to tackle the nation's behavioral health and substance use crises, support community health centers, and support policies that reduce excess costs from the health care system, and BPC and BPC Action greatly appreciate your respective leadership in advancing legislative proposals in a bipartisan fashion. As you continue to work on

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a health legislative package, we urge inclusion of bipartisan, pragmatic solutions aimed at addressing the substance use crisis, improving integration of behavioral health and primary care, continuing support for community health centers, and constraining health care costs.

BPC Action supported the House passage of H.R. 4531, the *Substance Use-Disorder Prevention that Promotes Opioid Recovery and Treatment (SUPPORT) for Patients and Communities Reauthorization Act* and H.R. 5378, the *Lower Cost More Transparency Act*; as well as the Senate Finance and HELP Committees' advancement of S. 3430, the *Better Mental Health Care, Lower-Cost Drugs, and Extenders Act of 2023*, and S. 3393, the *SUPPORT for Patients and Communities Reauthorization Act*.

As you work to reconcile these proposals, BPC Action believes that the legislation currently being crafted by both chambers should include the following bipartisan priorities:

1. Reauthorizing the SUPPORT Act and Addressing the Behavioral Health Crisis
 - Permanently extending of the SUPPORT Act's state plan amendment option for states to lift Medicaid's Institutions for Mental Diseases exclusion (IMD exclusion) for SUD services.
 - Permitting states to continue Medicaid coverage for individuals who have a substance use disorder or are pregnant pending disposition of charges.
 - Requiring states to suspend, rather than terminate, Medicaid coverage for an individual while incarcerated, thus allowing certain individuals to regain Medicaid coverage more immediately upon release from incarceration.
 - Codifying SAMHSA's Office of Recovery to further support the professional development of peer support and recovery specialists.
 - Requiring HHS to publish recurring analysis and publication of Medicaid health care data related to mental health services, including recovery-oriented metrics.
 - Providing Medicare incentives for behavioral health integration with primary care.
 - Providing state guidance on the best models for behavioral health integration with primary care in Medicaid.
 - Requiring Medicare Advantage Plans to maintain accurate provider directories on a public website and provide annual reports to the Secretary of their directories' accuracy.
2. Bolstering Community Health Centers
 - Reauthorizing community health centers, with a minimum 10% increase to \$4.4 billion for a 2-year period, and with consideration of additional funding given that inflation-adjusted, per-patient funding has declined 27 percent since 2015.

3. Constraining Health Costs

- Increasing transparency around PBMs and hospitals.
- Aligning payments for outpatient services often performed in physician offices at a site-neutral rate across ambulatory settings.

BPC Action applauds Congress for its steadfast commitment to addressing health policies to lower costs and improve health in America. We appreciate your leadership on these issues and look forward to working in a bipartisan manner to advance these policies.

Sincerely,



Michele Stockwell
President
Bipartisan Policy Center Action