



February 9, 2021

House Health and Human Services Committee

Testimony in Support of House Bill 2206

Chair Landwehr and Members of the Committee,

Thank you for the opportunity to provide testimony. I am Stuart Little, President of the Behavioral Health Association of Kansas (BHAK), the State's trade organization dedicated solely to substance use disorders (SUD) treatment and prevention providers seeking integrated behavioral health care. BHAK believes that true integrated behavioral health means access and funding for mental illness and substance use disorder treatment without regard to where our consumers seek services in the publicly funded behavioral health system.

We support House Bill 2206 making changes to the Kansas Telemedicine Act. The COVID pandemic brought changes at the state and federal level, in the public and private healthcare markets. Federal, State Medicaid and leadership at KDHE through executive orders and the emergency declaration, and legislative support implemented the necessary expansion of telemedicine for behavioral health services in Kansas.

Many here today will note the benefits of expanded telemedicine for behavioral health services, and our association's emphasis on substance use disorders and cooccurring mental health issues. Anecdotes on social media and shared among friends suggest real increases in addictive behaviors resulting from the multitude of stress factors and challenges due to lockdown, stress, children at home, family disruption and isolation, employment issues. SUD providers served on-going clients and brought to treatment many patients isolated by geography or income because treatment could come through the phone. We are concerned the larger long-term impacts will only be revealed over time.

For treatment providers there are issues with the basic operations at all levels from individual and group therapy to in-patient programs. The complexities and costs of cleaning, testing, closing and opening, isolating, and employee issues who may have to isolate due to exposure, stay home with children not in school could have severely damaged the delivery of care. Telemedicine stopped that disruption and the public health situation will continue.

We support HB 2206 in part because it continues to adhere to the standards of care, requirements of licensing agencies to ensure patients come first and our healthcare system maintains vigilant watch over telemedicine as it does all treatment. The amendments to the Telemedicine Act are all beneficial based on the experience of the last year:

- Allow verbal consent to treatment so the physical presence is not required.
- More flexibility for the location of the patient (the originating site).

- More flexibility for the location of the treating healthcare provider (distant sight).
- Patients as much as possible must stay connected to their primary care physician or health care provider.

We are supportive of several amendments that benefit the delivery of treatment services that other organizations will suggest.

- Parity in the payment for services delivered whether in person or via electronic means payments compensatory at least the same as the in-person rate to cover associated provider costs.
- Careful oversight of the participation of non-Kansas based or connected telemedicine businesses with maximum provider flexibility to access qualified telemedicine platforms of choice.
- We support anticipated amendments to ensure Medicaid rates, particularly for behavioral health services, cannot be reduced until the federal emergency standards are reduced.

Thank you very much for the flexibility and support for behavioral health providers during the pandemic. It's not over. The permanency offered in this bill and consideration of some amendments, will not replace in-person, face-to-face healthcare. It will be another tool for people in need, isolation, unable or without the capacity to participate in person. Carefully used, adhering to standards of care, the delivery of behavioral health cannot move backward.

I am happy to stand for questions at the appropriate time.

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