

Chapter 268 of the Acts of 2022: An Act relating to economic growth and relief for the Commonwealth Implications for People with Behavioral Health Conditions

The Massachusetts Association for Mental Health (MAMH) is pleased to release this analysis of how Chapter 268 of the Acts of 2022, *An Act relating to economic growth and relief for the Commonwealth*, affects individuals with behavioral health conditions and their families. This \$3.8 billion spending package, signed by Governor Baker on November 10, 2022, closes Massachusetts' financial books for fiscal year 2022 (which ended June 30, 2022) and acts as an economic development vehicle. It leverages both federal American Rescue Plan Act (ARPA) funds and the sizeable tax surplus the state collected in fiscal year 2022.

This analysis highlights select appropriations in Chapter 268 of the Acts of 2022, *An Act relating to economic growth and relief for the Commonwealth* grouped by different topic areas. MAMH is particularly grateful to the Baker Administration, the Legislature, and our advocacy partners -- including people with lived experience, their families, and behavioral health stakeholders -- for provisions that enhance payments to behavioral health and human services providers to address the workforce crisis, and provisions that create regional low-threshold housing for homeless or housing unstable individuals with substance use conditions. For the full text of the law, please visit: <https://malegislature.gov/Laws/SessionLaws/Acts/2022/Chapter268>.

Perinatal Mental Health

- \$16.5M (1599-6072): For a reserve to address reproductive and family planning service needs in the Commonwealth, which includes grants to providers that offer postpartum depression care and post-miscarriage mental health care, among other services
- \$1M (part of 1599-6088): For a three-year grant to Roca, Inc. to plan for and expand the intervention model for the Young Mothers Program in Boston for high-risk young mothers experiencing acute trauma, multiple systems involvement, mental health needs, domestic violence, and abuse

Children and Adolescents

- \$150M (DEEC 3000-1047), SECTION 235: For grants to support and stabilize the early education and care workforce and address varied operational costs at state childcare programs
- \$20M (1599-6074): For a reserve to reduce gun violence and related trauma, which includes:
 - \$2M for a grant program administered in consultation with the Department of Elementary and Secondary Education (DESE), the Department of Mental Health (DMH), and the Department of Public Health (DPH) to provide behavioral health-related supports and resources in schools
 - \$3M for a grant program administered in consultation with the DESE to support school safety infrastructure improvements meant to protect against acts of gun violence, limited to: (1) physical target hardening initiatives such as building entranceway security and the replacement of interior non-locking doors with lockable doors; (2) the establishment or upgrading of building entrances with sufficient technology to support remote observation, verbal communication, and door

unlocking prior to entry; (3) the establishment or upgrading of centralized alarm systems linked with local emergency response teams; and (4) the establishment or upgrading of central communication systems within school buildings to support staff communication in cases of emergencies

- \$100K (part of 1599-6090): For the planning and development of school-based health center programs at Manet Community Health Center to invest in the advancement of school health and school-based co-located health clinics in partnership with local school districts and health staff to meet the medical, urgent and same day, health education, disease prevention, and behavioral health needs of students
- \$890K (part of 1599-6090): For capital improvements to Children’s Services of Roxbury, Inc. to create a diverse community space to expand access to services for families in crisis, including culturally responsive mental health and substance use condition recovery support services
- \$100K (part of 1599-6090): For Catie’s Closet, Inc. to connect low-income and homeless students in Boston with access to social services, mental and behavioral health resources, and other necessities
- \$1.5M (part of 1599-6090): For the Massachusetts Camping Association Inc. to provide summer mental health services in licensed summer camps
- \$2.175M (DCF 4800-0015): For Department of Children and Families (DCF) clinical support services and operations
- \$5.060M (DCF 4800-1100): For DCF social workers for case management
- \$250K (OCA 0930-0100): For the Office of the Child Advocate

Youth Attending Colleges and Universities

- \$100K (part of 1599-6088): For the development of a faculty education institute at William James College, in collaboration with the Behavioral Health Advisory Commission (Chapter 77 of the Acts of 2022), UMass Amherst, Middlesex Community College, and other public institutions of higher education to prepare a comprehensive plan to train Massachusetts college and university faculty and staff in mental health first aid and social emotional education techniques to increase the quality of campus mental health
- \$150K (part of 1599-6088): For the design and development of three regional partial care programs located in greater Boston, Worcester, and Springfield to provide services to college and university students transitioning from inpatient mental health treatment to campus in collaboration with the Behavioral Health Advisory Commission (Chapter 77 of the Acts of 2022)

Older Adults

- \$195M (1599-6064): For a reserve for investments in nursing facilities and rest homes, with an unspecified amount of these dollars to be used to pay nursing facilities in caring for certain populations with complex or specialized care needs as defined by the Executive Office of Health & Human Services (EOHHS)
- SECTIONS 8, 42: The Executive Office for Elder Affairs (EOEA) shall develop, implement, and administer a program governing the statewide use of portable orders for life-sustaining treatment (POLST) to facilitate effective and efficient use of portable medical orders across care settings; the POLST program shall transition from the use of medical orders for life-sustaining treatment (MOLST) to the national POLST model; EOEA shall develop, implement, and operate a statewide electronic POLST (ePOLST)

Community-Based Services

- \$200M (1599-9817): For a reserve to enhance, expand, and strengthen Medicaid home and community-based services

- \$80M (1599-6067): For a reserve to address the needs of community health centers, including but not limited to, hiring and retention of the workforce, capital improvements and expansions, and technology upgrades and maintenance
- \$20M (1599-6068): For a reserve to address the needs of community health centers with high populations of uninsured patients disproportionately impacted by COVID-19
- Parts of 1599-6088: \$1M for the Italian Home for Children, Inc. for a capital improvement project to serve children with high acuity that require a specialized facility; \$250K for Torch Light Recovery Group to promote re-entry services for people who were formally incarcerated; \$400K for Fairview Hospital for continuation of the Collaborative Care program in the five Southern Berkshire Public Schools; \$30K for the RESIST Foundation for the Project Turnaround Program for violence prevention programming in Boston neighborhoods with the highest rates of community and gun violence as well as the promotion of and support of workforce development for formerly incarcerated individuals; and \$250K for Greater New Bedford Community Health Center, Inc. for capital improvement to expand behavioral services

Inpatient Services

- \$350M (1599-6069): For the distribution of funds for fiscally strained hospitals; priority will be given to hospitals that serve high percentages of Health Safety Net and Medicaid patients, and that demonstrate a commitment to historically underserved populations and addressing health disparities and social determinants of health
- \$400K (DPH 4590-0915): For public health hospitals
- \$6M (SECTION 222): For Melrose Wakefield Healthcare, Inc., for the redevelopment and construction of a behavioral health facility on the former Malden hospital site
- \$2M (part of 1599-6090): For Leonard Morse Hospital in Natick for a pilot program to improve practices in behavioral health care and to address behavioral health staffing shortages

Substance Use Conditions

- \$14M (1599-1214): For a reserve for expansion, upgrades or enhancements to staffing, operations, or infrastructure for new and existing facilities that treat men with an alcohol or substance use condition under Section 35
- \$5M (1599-6070): For a reserve to promote and support harm reduction efforts and services to address substance use conditions in the Commonwealth
 - \$500K to train state and municipal law enforcement personnel and emergency medical personnel on the administration and use of emergency opioid antagonists
 - \$2M to provide emergency opioid antagonists in emergency first response vehicles throughout the Commonwealth
 - \$300K for the Bureau of Substance Addiction Services (BSAS) to procure testing equipment to identify the strength, effectiveness, or purity of controlled substances
 - \$200K for DPH to comply with state and federal opioid overdose reporting requirements
 - \$400K for DPH and the Board of Registration in Medicine (BORIM) to develop a health care provider education program with the goal of encouraging the prescribing of medications for addiction treatment currently approved by the Federal Drug Administration (FDA)
 - \$500K for EOHHS to establish a grant program to support providers that can demonstrate the ability to offer FDA-approved medications for addiction treatment, in addition to counseling or other supports
 - \$1M for a pilot program at county correctional facilities to assess and treat persons with alcohol use condition with FDA-approved medications for alcohol use condition

- \$100K for DPH to establish a special task force to investigate best practices for alcohol- and drug-free housing in the Commonwealth
- SECTION 256: The Secretary of EOHHS may expend from the Substance Use Disorder Reinvestment Trust Fund without further appropriation:
 - \$100M to expand and support the residential treatment system to treat individuals with a substance use condition or co-occurring mental health and substance use conditions
 - \$40M to expand and support access to medication-assisted treatment (MAT)
 - \$20M to expand and support access to recovery treatment support services
 - \$50M to implement and support American Society of Addiction Medicine (ASAM) assessment and care planning across substance use treatment providers
- \$1.5M (SECTION 220): For the City of Boston for the coordination teams for triage treatment and service supports (earmarks part of the \$150M reserve for permanent supportive housing (1599-2023) in Chapter 102 of the Acts of 2021, *An Act Relative to Immediate COVID-19 Recovery Needs*, for this purpose)
- \$5M (SECTION 220): For the city of Boston for post-treatment supportive housing (earmarks part of the \$150M reserve for permanent supportive housing (1599-2023) in Chapter 102 of the Acts of 2021, *An Act Relative to Immediate COVID-19 Recovery Needs*, for this purpose)

Workforce

- \$225M (1599-6066): For a reserve to enhance payments to behavioral health and human services providers under Chapter 257 of the Acts of 2008
 - Payments may be used for hourly rate increases, wraparound benefits, shift differentials, overtime, hiring and retention bonuses, or recruitment
 - \$125M shall be used to increase rates for providers at a sustainable level above the 50th percentile of the US Bureau of Labor Statistics benchmark
 - EOHHS, in consultation with the Executive Office for Administration & Finance (A&F), organized labor, and representatives from trade associations, shall develop a methodology to increase said rates above the 50th percentile beginning in FY24
- \$50M (1599-6087): For a reserve to support scholarships to Massachusetts students enrolled in and pursuing a program of higher education in any approved public or independent college, university, school of nursing or any other institution furnishing a program of higher education and seeking a degree in high demand fields in the Commonwealth (including health care); preference in awarding scholarship awards will be given to first generation students and traditionally underserved student populations
- \$2.5M (DOE 7009-7477): For the establishment of a grant program to increase the nursing workforce talent pipeline and improve career pathways for the nursing profession
- SECTION 114: DPH shall establish requirements for the registration of sanitarians -- persons with broad basic education, experience in the physical, biological, and social sciences, supplemented by specialization in the field of sanitary sciences and technology, and who are qualified to carry out instructional and inspectional duties and enforce the laws in the field of environmental sanitation
- SECTION 114: DPH shall establish requirements for the certification of health officers -- persons with a broad basic education and experience in the physical and biological and social sciences supplemented by specialization in the field of health administration and who are qualified to carry out public health administrative duties and enforce the laws in the field of public health

Housing

- \$25M (EOHHS 4000-0325): For the establishment of regional low-threshold housing for homeless or housing unstable individuals with substance use conditions

- \$10M (DHCD 7004-9323): For grants to local housing authorities for the redevelopment of public housing
- \$304.5M (1599-6084): For a reserve to be administered by the Massachusetts Housing Finance Agency to support the creation of affordable for-purchase and rental housing, including:
 - \$100M transferred to the Affordable Housing Trust Fund to support the creation and preservation of affordable housing units with a particular focus on very low-income and extremely low-income households
- \$50M (1599-6085): For a reserve for an equitable developers' financing program to: (a) provide financial assistance to projects to construct, rehabilitate or redevelop residential or mixed-use residential properties; (b) redevelop blighted, abandoned, vacant or underutilized properties into new residential, commercial or light-industrial uses; or (c) construct or rehabilitate owner-occupied manufactured housing provided that the projects must be in gateway cities, qualified census tracts, or communities disproportionately impacted by the COVID pandemic

Criminal Legal Diversion

- \$1M (part of 1599-6090): For the implementation and evaluation of a four-year grant to fund the Rewire4 program to plan for and expand the delivery of training for police and other criminal justice partners; the training shall focus on brain science, trauma, and community interactions and use a cognitive behavioral theory approach

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