



March 20, 2009

The Honorable Bart Gordon  
U.S. House of Representatives  
2306 Rayburn House Office Building  
Washington, DC 20515

Dear Representative Gordon:

On behalf of the more than 1,100 affiliates of the National Alliance on Mental Illness (NAMI), I am writing to express support for HR 1415, the Medicaid Emergency Psychiatric Care Demonstration Project Act of 2009. NAMI strongly support this important effort to address the growing crisis in access to acute care services for non-elderly adults living with severe mental illness. As the nation's largest organization representing individuals with severe mental illness and their families, NAMI is pleased to support this important measure.

Your legislation addresses an important conflict in federal policy that has contributed to restricted access to needed inpatient services – the Medicaid Institution for Mental Diseases (IMD) Exclusion and the Emergency Medical and Labor Treatment Act (EMTALA). EMTALA requires hospitals to stabilize patients in an emergency medical condition, while the IMD exclusion prevents certain hospitals (psychiatric hospitals) from receiving Medicaid reimbursement for Medicaid beneficiaries between the ages of 21-64 in these circumstances.

This important measure will allow Medicaid funding to be directed to non-publicly owned and operated psychiatric hospitals (IMDs) for Medicaid beneficiaries between the ages of 21-64 who require stabilization in these settings as required by EMTALA. Today, these hospitals are denied payment for care required under the EMTALA rules. The result is that psychiatric hospitals are forced to absorb these added costs of care to their already growing un-reimbursed care even though these patients have insurance through Medicaid.

The Medicaid Emergency Psychiatric Care Demonstration Project Act marks an important step in addressing the growing psychiatric acute inpatient crisis, while creating fairness in the reimbursement structure for psychiatric hospitals under the limited circumstances required by the EMTALA law. Your leadership in carefully crafting and introducing this targeted legislation addressing a critical problem for persons with serious mental illnesses is much appreciated. NAMI looks forward to working with you and your colleagues to ensure passage of this important legislation.

Sincerely,

Michael J. Fitzpatrick, M.S.W.  
Executive Director