

1 **2023 NYSAC Legislative Conference**
2 **Standing Committee on Public Health/Mental Health**
3 **Resolution #1**

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5 **Resolution to Permanently Carve Out School-Based Health Center (SBHC)**
6 **Services from the Medicaid Managed Care (MMC) Benefit Package and Into**
7 **a Fee-For-Service Model**
8

9 **WHEREAS**, SBHCs provide cost-effective comprehensive primary medical care,
10 dental, vision, and mental health services at no out-of-pocket cost to all students,
11 regardless of insurance status or ability to pay; and

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13 **WHEREAS**, SBHCs are a proven model for increasing access to health and mental
14 health services and a vehicle for eliminating racial and ethnic health disparities in
15 communities they serve, fostering health equity for low-income and minority youth; and

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17 **WHEREAS**, SBHCs have been “carved-out” of the Medicaid Managed Care program
18 since 1985, enabling them to receive reimbursement directly from the New York State
19 Department of Health (NYSDOH) on a fee-for-service basis; and

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21 **WHEREAS**, NYSDOH is planning to end the carve-out for SBHCs, which would
22 require them to negotiate the terms and conditions of reimbursement with the MMC
23 health plans and receive payment from the health plans; and

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25 **WHEREAS**, it is estimated that the transition to MMC will result in a loss of over \$16
26 million in funds to SBHCs, which could force a reduction in essential services and the
27 closure of these vital centers in the neighborhoods that need them the most; and

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29 **WHEREAS**, during the 2021 Legislative Session, the Senate and Assembly
30 unanimously passed S.2127 (Rivera)/A.1587 (Gottfried) to permit SBHCs to choose to
31 remain out of MMC; and

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33 **WHEREAS**, Governor Hochul vetoed S.2127/A.1587, citing the need for such
34 legislation to be enacted in the context of the state budget after further review from
35 NYSDOH and the Medicaid program.

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37 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
38 Counties (NYSAC) calls on the Governor and Legislature to enact legislation as part of
39 the Fiscal Year 2024 State Budget to create a permanent carve-out for SBHCs from the
40 MMC program to enable SBHCs to receive reimbursement directly from NYSDOH; and

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42 **BE IT FURTHER RESOLVED**, that copies of this resolution be sent to the counties
43 of New York encouraging member counties to enact similar resolutions; and

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45 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this resolution to
46 Governor Kathy Hochul, the New York State Legislature, NYSDOH Acting
47 Commissioner James McDonald, and all others deemed necessary and proper.