

# HOUSE BILL NO. 5371

November 14, 2023, Introduced by Reps. Brabec, Phil Green, Paiz, Rheingans, MacDonell, Edwards, Dievendorf, Arbit, Pohutsky, Coffia, Morse, Tsernoglou, Neeley, O'Neal, Hood, Snyder, Hope, Price, Grant, Fitzgerald, Brixie, McKinney, Morgan, Roth, Wozniak, Mueller and VanderWall and referred to the Committee on Health Policy.

A bill to amend 1939 PA 280, entitled  
"The social welfare act,"  
(MCL 400.1 to 400.119b) by adding section 109o.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1           Sec. 109o. (1) The department must develop a prospective  
2 payment system under the medical assistance program for funding  
3 certified community behavioral health clinics. The payment system  
4 must fully comply with all federal payment methodologies. The  
5 department must submit to the federal Centers for Medicare and

1 Medicaid Services any approval request necessary for a Medicaid  
2 1115 waiver.

3 (2) The department must certify as a certified community  
4 behavioral health clinic a community mental health center licensed  
5 by the department that adheres to all federal certified community  
6 behavioral health clinic requirements.

7 (3) Subject to approval, the prospective payment system must  
8 be implemented before January 1, 2028.

9 (4) The department shall promulgate rules to implement this  
10 section.

11 (5) As used in this section and section 109p:

12 (a) "Certified community behavioral health clinic" means an  
13 entity that has been certified by the department in accordance with  
14 federal criteria and the protecting access to Medicare act of 2014,  
15 Public Law 113-93, or an appropriate change or waiver to the  
16 Medicaid state plan.

17 (b) "Prospective payment system" means a payment methodology  
18 that funds, in advance, a certified community behavioral health  
19 clinic for the anticipated costs of carrying out the direct and  
20 indirect clinical and administrative activities required of  
21 certified community behavioral health clinics.

22 Enacting section 1. This amendatory act does not take effect  
23 unless Senate Bill No. \_\_\_\_ or House Bill No. 5372 (request no.  
24 04673'23) of the 102nd Legislature is enacted into law.