

**A PROCLAMATION TO BE SUBMITTED  
BY LEGISLATORS MAZUR, GRANT, HOGUES & MARINELLI**

**RE: Calling on New York State to Reinvest Savings from Medicaid Redesign into the Community Mental Health System**

WHEREAS, the New York State Medicaid Redesign Team (MRT) has recommended that all Medicaid beneficiaries be enrolled in Medicaid managed care and that all services be included and paid for through managed care plans and/or similar risk-based arrangements by 2014; and

WHEREAS, Governor Cuomo's Executive Order #84 of 2012 calls for a statewide plan to implement the landmark "Olmstead Decision" of 1999 to comply with the Americans with Disabilities Act's requirement that people with disabilities be served in the most integrated setting appropriate to their needs; and

WHEREAS, Article XVII of the New York State Constitution establishes that the "aid, care support of the needy are public concerns and shall be provided by the state and by such of its subdivisions; and

WHEREAS, the implementation of full Medicaid Managed Care, Special Needs Plans, Behavioral Health Organizations and other Medicaid Redesign initiatives are anticipated to produce significant savings in State and Federal Medicaid spendin; and

WHEREAS, the State Department of Health has submitted a waiver proposal to the Center for Medicare and Medicaid Services (CMS) to reinvest \$10 billion of the federal share of MRT savings back into New York State health and mental hygiene services, supports and housing; and

WHEREAS, State investments in Medicaid reform initiatives have been enacted with corresponding State Budget reductions in local assistance for mental health services, and the suspension of NYS Mental Hygiene Law 41.55 known as the "Community Mental Health Support and Workforce Reinvestment Program;" and

WHEREAS, local assistance reductions and the suspension of the Community Reinvestment Law significantly limit the flexible community supports for people with serious mental illness who have diverse strengths and needs; and

WHEREAS, localities and providers are actively working to ease transitions of people with serious mental illness from correctional and other institutional settings, and to enhance their health, safety and stability in the community; and

WHEREAS, reductions in local assistance for community mental health are contrary to the need to build local service capacity and required local planning for "most integrated setting" treatment, support and institutional transitions for people with serious mental illness; and

WHEREAS, under Article 41 of Mental Hygiene Law, Erie County is charged with planning for such necessary services for all persons, in compliance with all federal, state and local laws.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature call on the Governor and the New York State Department of Health to reinvest a portion of savings from Medicaid Managed Care and other Medicaid Redesign initiatives to allow localities to develop the needed community mental health services and supports, and to provide opportunities for ADA compliant living, responsible transitions from correctional and hospital settings and healthier communities; and be it further

RESOLVED, that certified copies of this resolution be forwarded to Governor Andrew M. Cuomo; Nirav R. Shah, M.D., M.P.H, Commissioner of the NYS Department of Health; Kristin M. Woodlock, RN, MPA, Acting Commissioner of the Office of Mental Health; Ellery Reaves, MPA, Commissioner of the Erie County Department of Mental Health; Gale Burstein, M.D., Commissioner of the Erie County Department of Health and all others deemed necessary and proper.

FISCAL IMPACT: None for resolution.