

# Health Policy and Legislation

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## Implementation of the Restoring Hope for Mental Health and Well-Being Act of 2022: New Programs and Funding Opportunities

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On December 29, 2022, the President signed into law the Restoring Hope for Mental Health and Well-Being Act of 2022 (the "Act") as part of the Consolidated Appropriations Act, 2023 (P.L. 117-328). The \$1.7 trillion federal funding bill includes numerous health care priorities and program reauthorizations. The omnibus also includes funding opportunities through the U.S. Department of Health and Human Services (HHS), including through grants to be awarded by the Substance Abuse and Mental Health Services Administration (SAMHSA) and the Indian Health Services (IHS), for mental health and substance use disorder (SUD) prevention, treatment and recovery services. The implementation of these new funding opportunities may be of interest to a broad range of eligible stakeholders, including tribes or tribal organizations.

This policy alert provides an overview of some of the new mental health funding opportunities enacted through the Act that may be of interest to stakeholders.

### New Funding Opportunities

The Act established several new grant and pilot programs to expand access to a range of mental health and SUD services. Key new programs include:

- **Peer-Supported Mental Health Services:** Authorizes grants to develop, expand and enhance access to peer-delivered mental health services through workforce development, stigma reduction, expansion of virtual mental health services and other actions. Eligible entities include consumer run-nonprofits that are principally governed by people living with a mental health condition or tribes and tribal organizations; HHS will give special consideration to applications prioritizing the needs of rural communities. The provision authorizes \$13 million in grant funding for each of the fiscal years 2023-2027. (Sec. 1151).
- **Maintaining Education and Training on Eating Disorders:** Creates the SAMHSA National Center of Excellence for Eating Disorders, which will provide technical assistance and training for primary care and mental health providers to improve interventions and treatment for eating disorders. (Sec. 1131).

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- **Grants for Recovery Housing and Services:** Authorizes HHS to award grants to states, tribes and territories to increase the availability of recovery housing for individuals with SUD. (Sec. 1235).
- **Technical Assistance for School-Based Health Centers:** Requires HHS to provide technical assistance to school-based health centers (SBHCs) through private, nonprofit entities to better provide services to improve physical and mental health, including SUD services. Grants may support technical assistance related to program operations, support for evidence-based practices implementation and more. (Sec. 1401).
- **Infant and Early Childhood Mental Health Promotion, Intervention and Treatment:** Provides \$50 million in funding for each of the fiscal years 2023-2027 for grants or contracts to public and private nonprofit entities for training and technical assistance to provide early intervention services, training for health care professionals with expertise in infant and early childhood mental health care, mental health consultations to early care and education programs personnel, and age-appropriate assessment, diagnostic and intervention services for eligible children, including early mental health promotion, intervention and treatment services. These grants can be used for technical assistance or training purposes. (Sec. 1402).
- **Crisis Care Coordination:** Establishes the Mental Health Crisis Response Partnership Program to award competitive grants to states, localities, territories, tribes and tribal organizations for creating or enhancing mobile crisis response units. These units aim to divert mental health and SUD crisis responses from law enforcement to mental health providers, including licensed counselors, clinical social workers and peer support specialists. The provision authorizes \$10 million in funding for the program for each of the fiscal years 2023-2027. HHS is directed to prioritize applications that account for specific community needs, especially applications addressing needs for children and families, veterans, rural and underserved populations and other groups at increased risk of death from suicide or overdose. (Sec. 1122).

## Updating Opioid Prevention Programs

In addition to creating new programs, the Act updates two SAMHSA programs aimed at mitigating the opioid crisis. The Act expands SAMHSA's Overdose Reversal Medication Access and Education Grant programs to encourage health care providers to increase access to drugs or devices for emergency treatment of opioid overdose. The Act also broadens program eligibility from states to states, localities, tribes and tribal organizations and extends the program's performance period from three years to five years.

The SUPPORT for Patients and Communities Act (P.L. 115-78) created the Emergency Department Alternatives to Opioids Demonstration Program, which awards grants to hospitals and emergency departments to develop alternatives to opioids for pain management. The Act makes this program permanent and appropriates \$10 million for each of the fiscal years 2023-2027 for the program.

## Mental Health/SUD Services for Tribal Communities

The Act prioritizes funding opportunities for tribes and tribal organizations by facilitating new collaborations between SAMHSA and IHS. The Act appropriates \$80

million in funding for each of the fiscal years 2023-2027 to SAMHSA and IHS to award mental health and SUD prevention, treatment and recovery services grants. Eligible grant recipients include any health program administered directly by IHS, a tribal health program, an Indian tribe, a tribal organization, an Urban Indian organization and a Native Hawaiian health organization. SAMHSA and IHS will provide technical assistance to recipients and, in consultation with tribes, establish appropriate mechanisms for recipient tribes to demonstrate program outcomes and report data. (Sec. 1201).

There continues to be sustained bipartisan interest in mental health and SUD prevention, treatment and recovery services. Stakeholders may watch for further legislative developments as the 118th Congress unfolds in addition to developments related to the implementation of the provisions enacted through the Consolidated Appropriations Act, 2023.

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