

NEW HAMPSHIRE UNION LEADER

Opinion: Medicaid expansion is critical to the health care and corrections systems in NH

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As leaders in New Hampshire's mental health and corrections fields, we are writing to convey to policymakers the strong case for permanently reauthorizing Medicaid expansion, and to highlight its critical impact on both the health care and the criminal justice systems in our state.

The connections between Medicaid expansion, mental health services, and incarceration have not been sufficiently discussed during this year's consideration of reauthorization, and we believe that legislators should consider these important links as they make decisions on this matter.

Articles we have reviewed on the subject of Medicaid expansion include these facts for our lawmakers to consider: 6 out of the 10 states with highest per capita incarceration in 2020 are states that did not invest in Medicaid expansion, and states without Medicaid expansion generally have more individuals with severe mental illness in their prisons.

New Hampshire has seen great success from the program since 2013, and not permanently reauthorizing it in 2024 will set our state on a significantly regressive path. Further, putting a sunset on the program for any amount of time is unnecessary: this program is a known quantity, not a pilot or an experiment that needs to be reassessed in two or five years.

For over two years, as commissioner of the Department of Corrections, I have convened the Governor's Advisory Commission on Mental Illness and the Corrections System. This commission brought together professionals from every discipline in the justice system, as well as mental health providers and advocates. It is clear that a high percentage of people in the county jails are also participating in programming at community mental health centers. The Sullivan County Department of Corrections found a 76% overlap. The same is true for substance

use disorders: in Cheshire County jail, of those receiving a mental health evaluation, 84% met the criteria for substance use disorders; in Coos County, about 25% of people in the jail were living with opioid use disorder.

The commission also engaged the services of the Justice Reinvestment Initiative (JRI) to evaluate our current system and identify areas of opportunity to strengthen our system. Access to Medicaid is a critical element of the strategy to foster smooth transitions to community-based services and to reduce recidivism. Further, the commission lists as a primary target “strong reintegration and re-entry plans” to streamline the transition for those leaving incarceration, and to divert them from re-incarceration. Not reauthorizing the Medicaid expansion program would be a move in the wrong direction of this goal.

Since 2019, New Hampshire has financially invested in a state-based substance use disorder treatment infrastructure, referred to as The Doorway. This model has been sustained and advanced through not only the work of the state but also through the Governor’s Commission on Alcohol and Other Drugs, which has invested in prevention, diversion, treatment, and intervention initiatives, and in financially investing in justice-involved populations with substance use disorders.

With the enactment of Medicaid expansion in New Hampshire in late 2013, the NH Department of Corrections was able to reduce the benefits cliff previously experienced by those incarcerated and transitioning to the community and to provide access to services for those with diagnosed mental disorders. The Department of Corrections has previously offered testimony to lawmakers on the value of Medicaid expansion as improving outcomes for individuals with substance use disorders as they transition from incarceration. Simply put, the program offers a safety net for those with mental health and substance use disorders; removes barriers to community-based services; and ultimately saves the state money.

Similarly, the NH Community Behavioral Health Association, representing the ten community mental health centers, has provided testimony to both House and Senate committees on the need for permanent reauthorization of Medicaid expansion, so that New Hampshire residents who need mental health care and substance abuse and addiction treatment services are ensured that care. One example of a successful program that would not be able to function without Medicaid expansion is our state’s Drug Courts where clients commit to engaging in treatment for mental illness and addictions rather than being incarcerated. Having access to insurance is critical to the success of Drug Court participants remaining in the community.

Without the Medicaid expansion program, New Hampshire residents with mental health and addiction issues would literally be out on the street, and those who are transitioning back into the community from incarceration would be without treatment and at risk of re-incarceration.

“Responsibility for addressing the needs of those with severe mental illness should rest with the mental health system rather than with the criminal legal system,” is a truism we embrace. Legislators should look at the essential connections between our health care, mental health,

and corrections systems and vote for permanent reauthorization of the Medicaid expansion program in 2024.