

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 2646
OFFERED BY MR. BEN RAY LUJÁN OF NEW
MEXICO**

At the appropriate place in title V of the bill, insert the following:

**1 SEC. 5____. BEHAVIORAL HEALTH INFRASTRUCTURE IM-
2 PROVEMENTS.**

**3 (a) ENHANCED FMAP FOR INFRASTRUCTURE IM-
4 PROVEMENTS.—**Section 1903(a)(3) of the Social Security
5 Act (42 U.S.C. 1396b(a)(3)) is amended by adding at the
6 end the following:

**7 “(I) for calendar quarters beginning on or after
8 January 1, 2016, 90 percent of the sums expended
9 during the quarter as are attributable to the design,
10 development, or implementation of infrastructure,
11 systems, or such other improvements carried out for
12 purposes of, with respect to behavioral health serv-
13 ices, providing for enhanced data collection and ac-
14 cess to such services by individuals eligible to receive
15 medical assistance under the State plan under this
16 title (or under a waiver of the plan); plus”.**

1 (b) BEHAVIORAL HEALTH INFORMATION FOR MED-
2 ICAID BENEFICIARIES.—Title XIX of the Social Security
3 Act (42 U.S.C. 1396 et seq.) is amended by adding at
4 the end the following:

5 **“SEC. 1947. BEHAVIORAL HEALTH INFORMATION FOR MED-**
6 **ICAID BENEFICIARIES.**

7 “(a) IN GENERAL.—The Secretary shall award
8 grants to States to enable such States to establish, ex-
9 pand, or provide support for—

10 “(1) offices of behavioral health assistance that
11 provide assistance to individuals eligible to receive
12 medical assistance under this title; or

13 “(2) behavioral health ombudsman programs.

14 “(b) ELIGIBILITY.—

15 “(1) IN GENERAL.—To be eligible to receive a
16 grant, a State shall designate an independent office
17 of behavioral health assistance described in para-
18 graph (1) of subsection (a), or an ombudsman de-
19 scribed in paragraph (2) of such subsection, that, di-
20 rectly or in coordination with State Medicaid agen-
21 cies and consumer assistance organizations, receives
22 and responds to inquiries and complaints concerning
23 access to behavioral health services.

24 “(2) CRITERIA.—A State that receives a grant
25 under this section shall comply with criteria estab-

1 lished by the Secretary for carrying out activities
2 under such grant.

3 “(c) DUTIES.—The office of behavioral health assist-
4 ance described in paragraph (1) of subsection (a), or an
5 ombudsman referred to in paragraph (2) of such sub-
6 section shall—

7 “(1) collect, track, and quantify problems and
8 inquiries encountered by individuals eligible for med-
9 ical assistance under this title with respect to access
10 to behavioral health services;

11 “(2) educate such individuals on the rights and
12 responsibilities of such individuals with respect to
13 such access and assist such individuals in the en-
14 forcement of such rights with respects to such ac-
15 cess; and

16 “(3) assist such individuals with accessing be-
17 havioral health services by providing information, re-
18 ferral, care coordination, and other assistance.

19 “(d) DATA COLLECTION.—As a condition of receiving
20 a grant under subsection (a), an office of behavioral health
21 assistance described in paragraph (1) of subsection (a),
22 or an ombudsman described in paragraph (2) of such sub-
23 section shall be required to collect and report data to the
24 Secretary on the types of problems and inquiries encoun-
25 tered by individuals eligible to receive medical assistance

1 under this title with respect to access to behavioral health
2 services.

3 “(e) REPORT TO CONGRESS.—Not later than two
4 years after the date of the enactment of this section, the
5 Secretary shall submit to Congress a report on the data
6 collected under subsection (d).

7 “(f) FUNDING.—

8 “(1) INITIAL FUNDING.—There is hereby ap-
9 propriated to the Secretary, out of any funds in the
10 Treasury not otherwise appropriated, \$30,000,000
11 for the first fiscal year for which this section applies
12 to carry out this section. Such amount shall remain
13 available without fiscal year limitation.

14 “(2) AUTHORIZATION FOR SUBSEQUENT
15 YEARS.—There is authorized to be appropriated to
16 the Secretary for each fiscal year following the fiscal
17 year described in paragraph (1), such sums as may
18 be necessary to carry out this section.

19 “(g) STATE MEDICAID AGENCY.—In this section, the
20 term ‘State Medicaid agency’ means the State agency ad-
21 ministering the State plan under this title (or a waiver
22 of such plan).”.

