

January 2025

IBHS: WE MUST BE BETTER TOGETHER

In 2019, the Department of Human Services (DHS) and the Office of Mental Health and Substance Abuse Services (OMHSAS) promulgated regulations as a result of the Sonny O. v. Dallas lawsuit, which yielded a settlement that sought to guarantee access to quality behavioral health care. This settlement led to the creation of the Intensive Behavioral Health Services (IBHS) regulations.

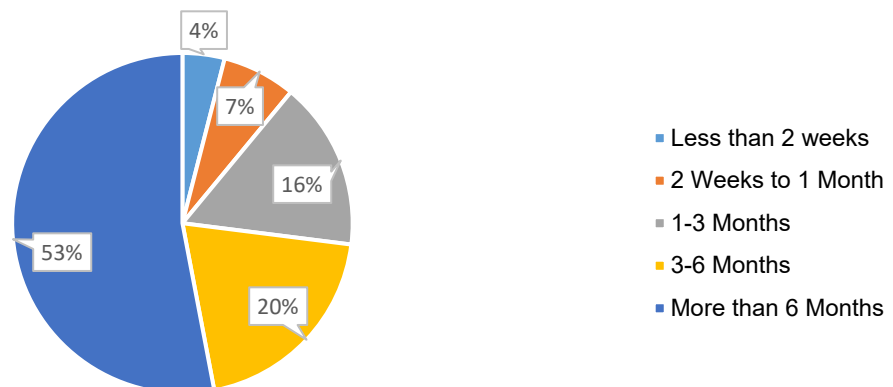
Since the implementation of the IBHS regulations, the barriers in accessing treatment have risen above pre-lawsuit levels. Unfortunately, the regulations were established at a time when there were not enough clinicians in the state to effectively deliver service, and the pandemic workforce challenges reduced an already limited pool of clinical professionals.

WHAT WE KNOW

- IBHS is the main mental health treatment service for children on Medicaid;
- Lack of payment equity in IBHS services has reduced treatment access;
- New IBHS regulations have limited family choice for treatment; and
- Children and families are waiting six months or more to be evaluated and treated (see below).

WAIT TIME FOR IBHS SERVICES

From OMHSAS Children's Mental Health Planning Committee Survey Data



WHAT MUST BE DONE

RCPA has requested the Independent Regulatory Review Commission (IRRC) and OMHSAS to reopen and review the IBHS regulations without success. We respectfully request the Pennsylvania General Assembly to formally petition the IRRC and DHS to reopen the IBHS regulations, to address the access issues impacted by the current standards. The regulatory guidelines must reflect more realistic staff qualifications, supervision, and training requirements, along with equitable payment structures that build sustainable pathways for access and treatment for our most vulnerable children in the Commonwealth.