

Amendment No. 1 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Representative(s) Murman offered the following:

Amendment

On page 3, line 29 to page 6, line 16
remove from the bill: all said lines

and insert in lieu thereof:

Section 2. Section 394.741, Florida Statutes, is
created to read:

394.741 Accreditation requirements for providers of
behavioral health care services.--

(1) As used in this section, the term "behavioral
health care services" means mental health and substance abuse
treatment services.

(2) Notwithstanding any provision of law to the
contrary, accreditation shall be accepted by the agency and
department in lieu of the agency's and department's facility
licensure on-site review requirements and shall be accepted as
a substitute for the department's administrative and program
monitoring requirements, except as required by subsections (3)
and (4):

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1 (a) Any organization from which the department
2 purchases behavioral health care services that is accredited
3 by the Joint Commission on Accreditation of Healthcare
4 Organizations or the Council on Accreditation for Children and
5 Family Services, or have those services that are being
6 purchased by the department accredited by CARF--the
7 Rehabilitation Accreditation Commission.

8 (b) Any mental health facility licensed by the agency
9 or any substance abuse component licensed by the department
10 that is accredited by the Joint Commission on Accreditation of
11 Healthcare Organizations, CARF--the Rehabilitation
12 Accreditation Commission or the Council on Accreditation of
13 Children and Family Services.

14 (c) Any network of providers from which the department
15 or the agency purchase behavioral health care services
16 accredited by the Joint Commission on Accreditation of
17 Healthcare Organizations, CARF--the Rehabilitation
18 Accreditation Commission, the Council on Accreditation of
19 Children and Family Services, or the National Committee for
20 Quality Assurance. A provider organization, which is part of
21 an accredited network, is afforded the same rights under this
22 part.

23 (3) For mental health services, the department and the
24 agency may adopt rules that establish:

25 (a) Additional standards for monitoring and licensing
26 accredited programs and facilities that the department and the
27 agency have determined are not specifically and distinctly
28 covered by the accreditation standards and processes. These
29 standards and the associated monitoring must not duplicate the
30 standards and processes already covered by the accrediting
31 bodies.

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1 (b) An on-site monitoring process between 24 months
2 and 36 months after accreditation for non-residential
3 facilities to assure that accredited organizations exempt from
4 licensing and monitoring activities under this part continue
5 to comply with critical standards.

6 (c) An on-site monitoring process between 12 months
7 and 24 months after accreditation for residential facilities
8 to assure that accredited organizations exempt from licensing
9 and monitoring activities under this part continue to comply
10 with critical standards.

11 (4) For substance abuse services, the department shall
12 conduct full licensure inspections every three years and shall
13 develop in rule criteria which would justify more frequent
14 inspections.

15 (5) The department and the agency shall be given
16 access to all accreditation reports, corrective action plans,
17 and performance data submitted to the accrediting
18 organizations. When major deficiencies, as defined by the
19 accrediting organization, are identified through the
20 accreditation process, the department and the agency may
21 perform followup monitoring to assure that such deficiencies
22 are corrected and that the corrections are sustained over
23 time. Proof of compliance with fire and health safety
24 standards will be submitted as required by rule.

25 (6) The department or agency, by accepting the survey
26 or inspection of an accrediting organization, does not forfeit
27 its rights to perform inspections at any time, including
28 contract monitoring to ensure that deliverables are provided
29 in accordance with the contract.

30 (7) The department and the agency shall report to the
31 Legislature by January 1, 2003 on the viability of mandating

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1 all organizations under contract with the department for the
2 provision of behavioral healthcare services, or licensed by
3 the agency or department to be accredited. The department and
4 the agency shall also report to the Legislature by January 1,
5 2003 on the viability of privatizing all licensure and
6 monitoring functions through an accrediting organization.
7 (8) The accreditation requirements of this section
8 shall apply to contracted organizations that are already
9 accredited immediately upon becoming law.

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