

By the Committee on Children and Families; and Senator Cowin

300-2245-02

1                                   A bill to be entitled  
2           An act relating to substance abuse and mental  
3           health programs; amending s. 394.4574, F.S.;  
4           requiring districts within the Department of  
5           Children and Family Services to hold publicly  
6           announced meetings to solicit input from  
7           assisted living facilities; specifying  
8           additional requirements for district plans;  
9           amending s. 394.74, F.S.; authorizing the  
10          department to use case rates or per capita  
11          contracts in contracting for the provision of  
12          services for local substance abuse and mental  
13          health programs; specifying additional  
14          requirements relating to such contracts;  
15          providing an effective date.

16  
17 Be It Enacted by the Legislature of the State of Florida:

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19           Section 1. Subsection (3) of section 394.4574, Florida  
20 Statutes, is amended to read:

21           394.4574 Department responsibilities for a mental  
22 health resident who resides in an assisted living facility  
23 that holds a limited mental health license.--

24           (3) The Secretary of Children and Family Services, in  
25 consultation with the Agency for Health Care Administration,  
26 shall annually require each district administrator to develop,  
27 with community input, detailed plans that demonstrate how the  
28 district will ensure the provision of state-funded mental  
29 health and substance abuse treatment services to residents of  
30 assisted living facilities that hold a limited mental health  
31 license. Each district shall hold a publicly announced meeting

1 for input from assisted living facilities that hold a limited  
2 mental health license. The district shall record minutes of  
3 the meeting. These plans must be consistent with the substance  
4 abuse and mental health district plan developed pursuant to s.  
5 394.75 and must address case management services; access to  
6 consumer-operated drop-in centers; access to services during  
7 evenings, weekends, and holidays; supervision of the clinical  
8 needs of the residents; and access to emergency psychiatric  
9 care. The state headquarters office shall hold an annual  
10 meeting to review the district plans and shall invite the  
11 Florida Assisted Living Association, the Florida Council for  
12 Behavioral Health Care, the Florida Mental Health Counselor's  
13 Association, the Florida Psychiatric Society, and the Alliance  
14 for the Mentally Ill, and may also invite other similar  
15 organizations.

16 Section 2. Subsection (2) of section 394.74, Florida  
17 Statutes, is amended, present subsections (4) and (5) of that  
18 section are renumbered as subsections (5) and (6),  
19 respectively, and a new subsection (4) is added to that  
20 section, to read:

21 394.74 Contracts for provision of local substance  
22 abuse and mental health programs.--

23 (2)(a) Contracts for service shall be consistent with  
24 the approved district plan.

25 (b) Notwithstanding s. 394.76(3)(a) and (c), the  
26 department may use unit cost methods of payment in contracts  
27 for purchasing mental health and substance abuse services. The  
28 unit cost contracting system must account for those patient  
29 fees that are paid on behalf of a specific client and those  
30 that are earned and used by the provider for those services  
31 funded in whole or in part by the department.

1           (c) The department may reimburse actual expenditures  
2 for startup contracts and fixed capital outlay contracts in  
3 accordance with contract specifications. The department may  
4 use case rates or per-capita contracts. The contract provider  
5 must report persons served and services provided.

6           (4) Within existing statewide or district resources,  
7 the department shall:

8           (a) Require that contract funds support individual  
9 client treatment or service plans and clinical status.

10           (b) Develop proposed eligibility criteria and  
11 associated benefits packages as a part of the 2004 state  
12 master plan submitted pursuant to s. 394.75.

13           (c) Promote the use of electronic formats for contract  
14 materials, including electronic signatures.

15           (d) Promote the use of web-enabled application  
16 software products to simplify and expedite contract data  
17 collection and billing.

18           (e) Ensure consumer choice among providers within  
19 provider networks as created pursuant to s. 394.9082.

20           Section 3. This act shall take effect July 1, 2002.

1                   STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
2                   COMMITTEE SUBSTITUTE FOR  
3                   Senate Bill 1686

4 Requires that each district administrator of the Department of  
5 Children and Family Services hold a public meeting each year,  
6 as part of the district planning process for mental health and  
substance abuse services, to receive input from assisted  
living facilities that hold a limited mental health license.

7 Requires that the state headquarters of the Department of  
8 Children and Family Services invite the Florida Assisted  
Living Association, the Florida Council for Behavioral  
9 Healthcare, the Florida Mental Health Counselor's Association,  
10 the Florida Psychiatric Society, the Alliance for the Mentally  
11 Ill, and other similar organizations to attend a meeting each  
year to review the district plans for mental health and  
substance abuse services.

12 Restores the statutory provisions for unit cost methods of  
13 payments in contracts for mental health and substance abuse  
14 services.

15 Specifies that the Department of Children and Family Services  
16 may use case rates or per-capita contracts.

17 States that within existing statewide or district resources,  
18 the Department of Children and Family Services must:

19           require that contract funds support individual client  
20 treatment or service plans;

21           develop proposed eligibility criteria and associated  
22 benefits as a part of the 2004 state master plan for  
23 mental health and substance abuse services;

24           promote the use of electronic formats for contract  
25 materials;

26           promote the use of web-enabled application software for  
27 data collection and billing; and

28           ensure consumer choice among providers within provider  
29 networks.  
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