

By the Committee on Health, Aging and Long-Term Care; and
Senator Sullivan

317-2119-02

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 publicly announced meetings;
5 specifying additional requirements for district
6 plans; amending s. 394.74, F.S.; authorizing
7 the Department of Children and Family Services
8 to use case rates or per capita contracts in
9 contracting for the provision of services for
10 local substance abuse and mental health
11 programs; specifying additional requirements
12 relating to such contracts; providing an
13 effective date.

14
15 Be It Enacted by the Legislature of the State of Florida:

16
17 Section 1. Subsection (3) of section 394.4574, Florida
18 Statutes, is amended to read:

19 394.4574 Department responsibilities for a mental
20 health resident who resides in an assisted living facility
21 that holds a limited mental health license.--

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

1 district will record minutes of the meeting. These plans must
2 be consistent with the substance abuse and mental health
3 district plan developed pursuant to s. 394.75 and must address
4 case management services; access to consumer-operated drop-in
5 centers; access to services during evenings, weekends, and
6 holidays; supervision of the clinical needs of the residents;
7 and access to emergency psychiatric care. The state
8 headquarters office will hold an annual meeting to review the
9 district plans and will invite the Florida Assisted Living
10 Association, the Florida Council for Behavioral Healthcare,
11 the Florida Psychiatric Society, and the Alliance for the
12 Mentally Ill.

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

18 394.74 Contracts for provision of local substance
19 abuse and mental health programs.--

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

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

29 (c) The department may reimburse actual expenditures
30 for startup contracts and fixed capital outlay contracts in
31 accordance with contract specifications. The department is

1 authorized to use case rates or per-capita contracts. The
2 contract provider must report persons served and services
3 provided.

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

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

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

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

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

16 (e) Ensure consumer choice among providers as provider
17 networks are created pursuant to s. 394.9082.

18 Section 3. This act shall take effect July 1, 2002.
19
20
21
22
23
24
25
26
27
28
29
30
31

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
SB 1760

The Committee Substitute requires each Department of Children and Family Services district administrator to implement a plan to ensure how the district will ensure the provision of state-funded mental health and substance abuse treatment services to residents of assisted living facilities that hold a limited mental health license. Each district administrator must hold a public meeting to receive input from assisted living facilities that hold a limited mental health license, and the state headquarters of the Department of Children and Family Services must hold an annual meeting to review district plans.

The Department of Children and Family Services is authorized to use case rates or per capita contracts for the provision of local substance abuse and mental health services. The bill establishes goals and criteria for the use of contract funds that support individual client treatment.