

By the Council for Healthy Communities and Representatives
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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 for input
5 from assisted living facilities that hold
6 limited mental health licenses; providing for
7 annual review of district plans; amending s.
8 394.74, F.S.; authorizing the Department of
9 Children and Family Services to use case rates
10 or per capita contracts in contracting for the
11 provision of services for local substance abuse
12 and mental health programs; specifying
13 additional requirements relating to such
14 contracts; providing an effective date.

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

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

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

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

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

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