

HB 1163

2004

A bill to be entitled

An act relating to specialty behavioral health care providers; requiring the Department of Children and Family Services to establish a demonstration project in district 4 in order to determine the benefits of developing a specialty behavioral health care provider to deliver behavioral health services to persons who reside in an assisted living facility that holds a limited mental health license; requiring the department to select the provider through a competitive bid process; directing the department to create a workgroup to develop the request for proposals; providing for membership on the workgroup; providing for the department to assist the Agency for Health Care Administration in selecting the managed care entity delivering behavioral health care; requiring the department to implement the demonstration project by a specific date; providing for an independent evaluation; requiring that a report be submitted to the Legislature; providing an effective date.

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

Section 1. (1) The Department of Children and Family Services shall establish a demonstration project in district 4 for the purpose of determining the benefits of a specialty behavioral health care provider delivering behavioral health services to persons who reside in an assisted living facility that holds a limited mental health license.

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29 (2) The department shall use a competitive bid process to
30 select the private or publicly funded behavioral health care
31 provider that will deliver the services listed in section
32 394.4574, Florida Statutes, and all other state-funded
33 behavioral health care services, including services listed in
34 section 394.4574, Florida Statutes.

35 (3)(a) The department must create a workgroup to develop
36 the request for proposals and recommend the standards, criteria,
37 and array of services that will be included in the procurement
38 document.

39 (b) The workgroup must be composed of not less than 12
40 members. The membership shall include, but need not be limited
41 to:

42 1. Five administrators of assisted living facilities
43 holding a limited mental health license. The five administrators
44 must be selected by members of the National Alliance for the
45 Mentally Ill (NAMI) who represent district 4.

46 2. One person who is a member of the Florida Psychiatric
47 Society, selected by the society.

48 3. One person who is a member of the Florida Council for
49 Behavioral Health, selected by the council.

50 4. One person who is a member of the National Alliance for
51 the Mentally Ill (NAMI), selected by the alliance.

52 5. One person who is a member of the Florida Hospital
53 Association, selected by the association.

54 6. One person who is a member of the Florida Assisted
55 Living Association, selected by the association.

56 7. One person who is a member of the local advocacy
57 council, selected by the local council.

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58 8. A representative from the Advocacy Center for Persons
59 with Disabilities, selected by the advocacy center.

60 (4) If the Agency for Health Care Administration
61 implements a Medicaid managed care system in district 4, the
62 agency shall authorize the selected behavioral health care
63 provider for the demonstration project to negotiate a capitation
64 rate for the behavioral health care services which reflects the
65 needs and clinical services required to ensure that residents of
66 assisted living facilities that hold a limited mental health
67 license are not displaced or otherwise denied access to
68 medically necessary behavioral health care services as
69 determined by the provider and consistent with the resident's
70 right of access to adequate and appropriate health care under
71 section 400.022, Florida Statutes.

72 (5) The district 4 demonstration project must be
73 implemented by October 1, 2004, and shall continue for not less
74 than 3 years following the date of implementation.

75 (6) The department shall contract for an independent
76 evaluation of the demonstration project. The evaluation must
77 assess the recidivism of patients from the assisted living
78 facility to the inpatient state hospital, patient satisfaction
79 with care, improvements in program competencies and linkages,
80 increased tenure of case management relationships with
81 residents, and implementation of meaningful plans of recovery.
82 Following the evaluation, the department shall prepare a report
83 and submit a copy to the President of the Senate and the Speaker
84 of the House of Representatives by January 1, 2007.

85 Section 2. This act shall take effect July 1, 2004.