

Bill No. CS for CS for SB 2894

Amendment No. ____ Barcode 761078

CHAMBER ACTION

Senate

House

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Senator Webster moved the following amendment:

Senate Amendment (with title amendment)

On page 1, line 18, through
page 5, line 6, delete those lines

and insert:

Section 1. Section 394.9084, Florida Statutes, is amended to read:

394.9084 Florida Self-Directed Care Pilot project;
~~client-directed and choice-based adult mental health services.--~~

(1) The Department of Children and Family Services, in cooperation with the Agency for Health Care Administration, ~~may~~ shall develop a client-directed and choice-based pilot project in district 4 and three other districts to provide mental health treatment and support services to adults who have a serious mental illness. The department may also develop and implement a client-directed and choice-based pilot project in one district to provide mental health treatment and support services for children with a serious emotional disturbance who

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1 live at home. If established, any staff who work with children
2 must be screened under s. 435.04. The ~~projects~~ ~~project~~ shall
3 implement ~~test~~ a payment model in which each client controls
4 the money that is available for that client's mental health
5 treatment and support services. The department shall establish
6 interagency cooperative agreements and work with the agency,
7 the division, and the Social Security Administration to
8 implement and administer the Florida Self-Directed Care
9 program.

10 (2) To be eligible for enrollment in the Florida
11 Self-Directed Care program, a person must be an adult with a
12 severe and persistent mental illness.

13 (3) The Florida Self-Directed Care program has four
14 subcomponents:

15 (a) Department mental health services, which include
16 community mental health outpatient, community support, and
17 case management services funded through the department. This
18 subcomponent excludes Florida Assertive Community Treatment
19 (FACT) services for adults; residential services; and
20 emergency stabilization services, including crisis
21 stabilization units, short-term residential treatment, and
22 inpatient services.

23 (b) Agency mental health services, which include
24 community mental health services and mental health targeted
25 case management services reimbursed by Medicaid.

26 (c) Vocational rehabilitation, which includes funds
27 available for an eligible participant as provided by the
28 Rehabilitation Act of 1973, 29 U.S.C. chapter 16, as amended.

29 (d) Social Security Administration.

30 (4) The managing entity shall pay for the
31 cost-efficient community-based services the participant

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1 selects to meet his or her mental health care and vocational
2 rehabilitation needs and goals as identified on his or her
3 recovery plan.

4 (5)(a) The department shall take all necessary action
5 to ensure state compliance with federal regulations. The
6 agency, in collaboration with the department, shall seek
7 federal Medicaid waivers, and the department shall
8 expeditiously seek any available Supplemental Security
9 Administration waivers under s. 1110(b) of the federal Social
10 Security Act; and the division, in collaboration with the
11 department, shall seek federal approval to participate in the
12 Florida Self Directed Care program. No later than June 30,
13 2005, the department, agency, and division shall amend and
14 update their strategic and state plans to reflect
15 participation in the projects, including intent to seek
16 federal approval to provide cashout options for eligible
17 services for participants in the projects.

18 (b) The department may apply for and use any funds
19 from private, state, and federal grants provided for
20 self-directed care, voucher, and self-determination programs,
21 including those providing substance abuse and mental health
22 care.

23 (6) The department, the agency, and the division may
24 transfer funds to the managing entity.

25 (7) The department, the agency, and the division shall
26 have rulemaking authority to implement the provisions of this
27 section. These rules shall be for the purpose of enhancing
28 choice in and control over the purchased mental health and
29 vocational rehabilitative services accessed by Florida Self
30 Directed Care participants.

31 (8) The department and the agency will complete a

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1 memorandum of agreement to delineate management roles for
2 operation of the Florida Self Directed Care program.

3 (9) The department, the agency, and the division shall
4 each, on an ongoing basis, review and assess the
5 implementation of the Florida Self Directed Care program.

6 (a) The department will implement an evaluation of the
7 program and will include recommendations for improvements in
8 the program.

9 (b) At a minimum, the evaluation must compare between
10 program participants and nonparticipants:

- 11 1. Re-hospitalization rates.
- 12 2. Levels of satisfaction.
- 13 3. Service utilization rates.
- 14 4. Residential stability.
- 15 5. Levels of community integration and interaction.

16 (c) The evaluation must evaluate adherence to the
17 Centers for Medicare and Medicaid self-direction requirements,
18 including:

- 19 1. Person-centered planning.
- 20 2. Individual budgets.
- 21 3. Availability of independently brokered services
22 from recovery coaches and quality advocates.
- 23 4. Access to the program by all who are eligible to
24 enroll.
- 25 5. Participant safety and program incident management
26 planning.
- 27 6. An independently mediated grievance process.

28 (d) The evaluation must assess the economic
29 self-sufficiency of the program participants, including the
30 number of Individual Development Accounts.

31 (e) The evaluation must assess any adverse incidents

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1 resulting from the Florida Self Directed Care, including
2 consumer grievances, conflicts of interest, and patterns of
3 self-referral by licensed professions.

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5 The department is authorized to spend up to \$100,000 to pay
6 for the evaluation. If the agency and the department obtain a
7 federal waiver, the evaluation will be used to determine
8 effectiveness. The project shall be evaluated by an
9 independent entity whose evaluation must include an assessment
10 of:

11 ~~(a) The criteria for selecting adult mental health~~
12 ~~clients with serious mental illness eligible for participation~~
13 ~~in the project.~~

14 ~~(b) The duties and responsibilities of the care~~
15 ~~coordinator.~~

16 ~~(c) The accessibility and quality of services provided~~
17 ~~under the project by available community-based providers~~
18 ~~selected by the client, compared to those services that are~~
19 ~~available without the project.~~

20 ~~(d) The input by the clients in the development of~~
21 ~~treatment plans compared to other clients not participating in~~
22 ~~the project.~~

23 ~~(e) The achievement of individual treatment goals or~~
24 ~~outcome measures established for each client participating in~~
25 ~~the project compared to other mental health clients.~~

26 ~~(f) Any demonstrated improvements or cost savings in~~
27 ~~the delivery of community-based mental health treatment and~~
28 ~~support services, including an explanation of the analyses~~
29 ~~used in determining cost savings.~~

30 ~~(g) All monitoring and oversight conducted by the~~
31 ~~Department of Children and Family Services or the Agency for~~

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1 ~~Health Care Administration.~~

2 ~~(h) Any existing or appointed local advisory group~~
3 ~~assisting in the design and implementation of the project.~~

4 ~~(2) The Department of Children and Family Services~~
5 ~~shall submit a report concerning the progress of the project~~
6 ~~to the appropriate legislative committees by December 1, 2002,~~
7 ~~and December 1, 2003.~~

8 ~~(10)(3)~~ This section expires July 1, 2008 ~~2004~~.

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11 ===== T I T L E A M E N D M E N T =====

12 And the title is amended as follows:

13 On page 1, lines 2-14, delete those lines

14

15 and insert:

16 An act relating to mental health and vocational
17 rehabilitation services; amending s. 394.9084,
18 F.S.; providing for implementation and
19 expansion of a program for self-directed mental
20 health and vocational rehabilitation services
21 for adults; authorizing the development and
22 implementation of a pilot project for children;
23 providing eligibility and other program
24 requirements; providing limitations; providing
25 authority to request certain federal waivers
26 and to request and use certain grants;
27 providing for transfer of certain funds;
28 providing for ongoing review and reports;
29 providing rulemaking and overall authority;
30 revising an expiration date; providing an
31 effective date.