1	A bill to be entitled
2	An act relating to mental health and vocational
3	rehabilitation services; amending s. 394.9084,
4	F.S.; providing for implementation and
5	expansion of a program for self-directed mental
6	health and vocational rehabilitation services
7	for adults; authorizing the development and
8	implementation of a pilot project for children;
9	providing eligibility and other program
10	requirements; providing limitations; providing
11	authority to request certain federal waivers
12	and to request and use certain grants;
13	providing for transfer of certain funds;
14	providing for ongoing review and reports;
15	providing rulemaking and overall authority;
16	revising an expiration date; providing an
17	effective date.
18	
19	Be It Enacted by the Legislature of the State of Florida:
20	
21	Section 1. Section 394.9084, Florida Statutes, is
22	amended to read:
23	394.9084 <u>Florida Self-Directed Care</u> Pilot project;
24	client directed and choice based adult mental health
25	services
26	(1) The Department of Children and Family Services <u>, in</u>
27	cooperation with the Agency for Health Care Administration,
28	may shall develop a client-directed and choice-based pilot
29	project in district 4 <u>and three other districts</u> to provide
30	mental health treatment and support services to adults who
31	have a serious mental illness. <u>The department may also develop</u>

1	and implement a client-directed and choice-based pilot project
2	in one district to provide mental health treatment and support
3	services for children with a serious emotional disturbance who
4	live at home. If established, any staff who work with children
5	must be screened under s. 435.04. The projects project shall
б	implement test a payment model in which each client controls
7	the money that is available for that client's mental health
8	treatment and support services. The department shall establish
9	interagency cooperative agreements and work with the agency,
10	the division, and the Social Security Administration to
11	implement and administer the Florida Self-Directed Care
12	program.
13	(2) To be eligible for enrollment in the Florida
14	<u>Self-Directed Care program, a person must be an adult with a</u>
15	severe and persistent mental illness.
16	(3) The Florida Self-Directed Care program has four
17	subcomponents:
18	(a) Department mental health services, which include
19	community mental health outpatient, community support, and
20	case management services funded through the department. This
21	subcomponent excludes Florida Assertive Community Treatment
22	(FACT) services for adults; residential services; and
23	emergency stabilization services, including crisis
24	stabilization units, short-term residential treatment, and
25	inpatient services.
26	(b) Agency mental health services, which include
27	community mental health services and mental health targeted
28	case management services reimbursed by Medicaid.
29	(c) Vocational rehabilitation, which includes funds
30	available for an eligible participant as provided by the
31	Rehabilitation Act of 1973, 29 U.S.C. chapter 16, as amended.

2(4) The managing entity shall pay for the3cost-efficient community-based services the participant4selects to meet his or her mental health care and vocational5rehabilitation needs and goals as identified on his or her6recovery plan.7(5)(a) The department shall take all necessary action8to ensure state compliance with federal regulations. The9agency, in collaboration with the department, shall seek10federal Medicaid waivers, and the department shall11expeditiously seek any available Supplemental Security12Administration waivers under s. 1110(b) of the federal Social13Security Act: and the division, in collaboration with the14department, shall seek federal approval to participate in the15Florida Self Directed Care program. No later than June 30.162005, the department, agency, and division shall amend and17update their stratedic and state plans to reflect18participation in the projects, including intent to seek19federal approval to provide cashout options for eliqible20services for participants in the projects.21(b) The department may apply for and use any funds22from private, state, and federal grants provided for23self-directed care, voucher, and self-determination programs,24including those providing substance abuse and mental health25care.26(6) The department, the agency, and the division shall27have rulemaking authority t	1	(d) Social Security Administration.
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28 (7) The department, the agency, and the division shall	26	(6) The department, the agency, and the division may
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29 have rulemaking authority to implement the provisions of this	28	(7) The department, the agency, and the division shall
	29	have rulemaking authority to implement the provisions of this
30 section. These rules shall be for the purpose of enhancing	30	section. These rules shall be for the purpose of enhancing
31 choice in and control over the purchased mental health and	31	choice in and control over the purchased mental health and

vocational rehabilitative services accessed by Florida Self 1 2 Directed Care participants. (8) The department and the agency will complete a 3 4 memorandum of agreement to delineate management roles for 5 operation of the Florida Self Directed Care program. (9) The department, the agency, and the division shall 6 each, on an ongoing basis, review and assess the 7 8 implementation of the Florida Self Directed Care program. 9 (a) The department will implement an evaluation of the program and will include recommendations for improvements in 10 the program. 11 (b) At a minimum, the evaluation must compare between 12 13 program participants and nonparticipants: 14 1. Re-hospitalization rates. 2. Levels of satisfaction. 15 3. Service utilization rates. 16 4. Residential stability. 17 18 5. Levels of community integration and interaction. (c) The evaluation must evaluate adherence to the 19 Centers for Medicare and Medicaid self-direction requirements, 20 including: 21 22 1. Person-centered planning. 2. Individual budgets. 23 3. Availability of independently brokered services 24 from recovery coaches and quality advocates. 25 4. Access to the program by all who are eligible to 26 27 enroll. 28 5. Participant safety and program incident management 29 planning. 30 6. An independently mediated grievance process. 31

1	(d) The evolution must accord the economic
	(d) The evaluation must assess the economic
2	self-sufficiency of the program participants, including the
3	number of Individual Development Accounts.
4	(e) The evaluation must assess any adverse incidents
5	resulting from the Florida Self Directed Care, including
б	consumer grievances, conflicts of interest, and patterns of
7	self-referral by licensed professions.
8	
9	The department is authorized to spend up to \$100,000 to pay
10	for the evaluation. If the agency and the department obtain a
11	federal waiver, the evaluation will be used to determine
12	effectiveness. The project shall be evaluated by an
13	independent entity whose evaluation must include an assessment
14	of:
15	(a) The criteria for selecting adult mental health
16	clients with serious mental illness eligible for participation
17	in the project.
18	(b) The duties and responsibilities of the care
19	coordinator.
20	(c) The accessibility and quality of services provided
21	under the project by available community based providers
22	selected by the client, compared to those services that are
23	available without the project.
24	(d) The input by the clients in the development of
25	treatment plans compared to other clients not participating in
26	the project.
27	(e) The achievement of individual treatment goals or
28	outcome measures established for each client participating in
29	the project compared to other mental health clients.
30	(f) Any demonstrated improvements or cost savings in
31	the delivery of community based mental health treatment and

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support services, including an explanation of the analyses used in determining cost savings. (g) All monitoring and oversight conducted by the Department of Children and Family Services or the Agency for Health Care Administration. б (h) Any existing or appointed local advisory group assisting in the design and implementation of the project. (2) The Department of Children and Family Services shall submit a report concerning the progress of the project to the appropriate legislative committees by December 1, 2002, and December 1, 2003. (10)(3) This section expires July 1, 2008 2004. Section 2. This act shall take effect July 1, 2004.

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