

By the Committees on Health Regulation; and Children,
 Families, and Elder Affairs

588-2372-07

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A bill to be entitled

An act relating to mental health and substance abuse services; creating s. 394.4996, F.S.; authorizing the Department of Children and Family Services to establish facilities that provide services as an integrated adult mental health crisis stabilization unit and addictions receiving facility; requiring licensure; providing eligibility criteria for treatment services; requiring the department to adopt rules; amending s. 409.906, F.S.; eliminating the requirement that providers of mental health or substance abuse services must be under contract with the department; providing an effective date.

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

Section 1. Section 394.4996, Florida Statutes, is created to read:

394.4996 Integrated adult mental health crisis stabilization and addictions receiving facilities.--

(1) Beginning July 1, 2007, the Department of Children and Family Services, in consultation with the Agency for Health Care Administration, is authorized to establish facilities that integrate services provided in an adult mental health crisis stabilization unit with services provided in an addictions receiving facility. The facilities providing such integrated services shall be licensed as an adult crisis stabilization unit as provided under part IV, and shall meet all licensure requirements for such units.

1 (2) An integrated mental health crisis stabilization
2 unit and addictions receiving facility may provide services
3 under this section to adults, 18 years of age or older, who
4 fall into one or more of the following categories:

5 (a) An adult meeting the requirements for voluntary
6 admission for mental health treatment under s. 394.4625.

7 (b) An adult meeting the criteria for involuntary
8 examination for mental illness under s. 394.463.

9 (c) An adult qualifying for voluntary admission for
10 substance abuse treatment under s. 397.601.

11 (d) An adult meeting the criteria for involuntary
12 admission for substance abuse impairment under s. 397.675.

13 (3) The department, in consultation with the agency,
14 shall adopt by rule standards that address eligibility
15 criteria; clinical procedures; staffing requirements;
16 operational, administrative, and financing requirements; and
17 the investigation of complaints. Standards that are
18 implemented specific to substance abuse treatment services
19 shall meet or exceed existing standards for addiction
20 receiving facilities.

21 Section 2. Paragraph (a) of subsection (8) of section
22 409.906, Florida Statutes, is amended to read:

23 409.906 Optional Medicaid services.--Subject to
24 specific appropriations, the agency may make payments for
25 services which are optional to the state under Title XIX of
26 the Social Security Act and are furnished by Medicaid
27 providers to recipients who are determined to be eligible on
28 the dates on which the services were provided. Any optional
29 service that is provided shall be provided only when medically
30 necessary and in accordance with state and federal law.
31 Optional services rendered by providers in mobile units to

1 Medicaid recipients may be restricted or prohibited by the
2 agency. Nothing in this section shall be construed to prevent
3 or limit the agency from adjusting fees, reimbursement rates,
4 lengths of stay, number of visits, or number of services, or
5 making any other adjustments necessary to comply with the
6 availability of moneys and any limitations or directions
7 provided for in the General Appropriations Act or chapter 216.
8 If necessary to safeguard the state's systems of providing
9 services to elderly and disabled persons and subject to the
10 notice and review provisions of s. 216.177, the Governor may
11 direct the Agency for Health Care Administration to amend the
12 Medicaid state plan to delete the optional Medicaid service
13 known as "Intermediate Care Facilities for the Developmentally
14 Disabled." Optional services may include:
15 (8) COMMUNITY MENTAL HEALTH SERVICES.--
16 (a) The agency may pay for rehabilitative services
17 provided to a recipient by a mental health or substance abuse
18 provider ~~under contract with the agency or the Department of~~
19 ~~Children and Family Services to provide such services.~~ Those
20 services which are psychiatric in nature shall be rendered or
21 recommended by a psychiatrist, and those services which are
22 medical in nature shall be rendered or recommended by a
23 physician or psychiatrist. The agency must develop a provider
24 enrollment process for community mental health providers which
25 bases provider enrollment on an assessment of service need.
26 The provider enrollment process shall be designed to control
27 costs, prevent fraud and abuse, consider provider expertise
28 and capacity, and assess provider success in managing
29 utilization of care and measuring treatment outcomes.
30 Providers will be selected through a competitive procurement
31 or selective contracting process. In addition to other

1 community mental health providers, the agency shall consider
2 ~~for~~ enrollment of mental health programs licensed under
3 chapter 395 and group practices licensed under chapter 458,
4 chapter 459, chapter 490, or chapter 491. The agency is ~~also~~
5 authorized to continue operation of its behavioral health
6 utilization management program and may develop new services if
7 ~~these actions are~~ necessary to ensure savings from the
8 implementation of the utilization management system. The
9 agency shall coordinate the implementation of this enrollment
10 process with the Department of Children and Family Services
11 and the Department of Juvenile Justice. The substance abuse
12 and mental health program of the Department of Children and
13 Family Services shall participate with the agency in the
14 assessment of service needs and program development. The
15 agency is authorized to utilize diagnostic criteria in setting
16 reimbursement rates, to preauthorize certain high-cost or
17 highly utilized services, to limit or eliminate coverage for
18 certain services, or to make any other adjustments necessary
19 to comply with any limitations or directions provided for in
20 the General Appropriations Act.

21 Section 3. This act shall take effect upon becoming a
22 law.

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24 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
25 COMMITTEE SUBSTITUTE FOR
26 Senate Bill 2868

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28 The committee substitute removes the section of the bill that
29 would have made changes to the medical review committee
30 statutes (s. 766.101, F.S.)
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