

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Children, Families, and Elder Affairs Committee

BILL: SB 2002

INTRODUCER: Senator Lynn

SUBJECT: Behavioral Health Services

DATE: March 25, 2010

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Hansson	Walsh	CF	Pre-meeting
2.			GO	
3.			HA	
4.				
5.				
6.				

I. Summary:

The bill exempts certain behavioral health service providers who fulfill the goals and essential functions described in the statute from participating in a community-based managing entity for purposes of providing mental health services or substance abuse prevention and treatment services.

This bill substantially amends s. 394.9082 of the Florida Statutes.

II. Present Situation:

In 2008, the Florida Legislature amended s. 394.9082, F.S., and authorized the Department of Children and Families (DCF) to implement Behavioral Health Managing Entities. The entities are defined as Florida corporations exempt from taxation under s. 501(c)(3) that contract with the DCF to manage the daily delivery of behavioral health services *i.e.*, substance abuse prevention and treatment, and mental health services, through the establishment of local networks.¹ The goal of Behavioral Health Managing Entities is to promote improved access to care and service continuity by creating a more efficient and effective management system of substance abuse and mental health services. This structure places responsibility for management services within a single nonprofit entity at the local level.²

¹ Florida Department of Children and Families, *Substance Abuse and Mental Health: Managing Entities*, <http://www.dcf.state.fl.us/programs/SubstanceAbuse/managingEntities.shtml>, (last visited March 14, 2010).

² *Id.*

The 2008 legislation instructed DCF to shift to contracting with managing entities because of the numerous benefits associated with this type of management system, including: structured oversight; more efficient and effective use of limited resources; and a comprehensive, continuous, and integrated system of care in a defined geographic region.³ Furthermore, managing entities can enhance the ability of DCF and its regional and circuit offices to focus on broad systematic substance abuse and mental health system development rather than the current daily operational requirements.⁴

According to DCF, departmental regions and circuits are still in various stages of implementing managing entities for behavioral health services. The Southern Region and the SunCoast Region are beginning contract negotiations for behavioral health managing entities. The Central, Northwest, Northeast, and Southeast Regions have made progress in reaching consensus among community stakeholders and providers in their respective regions. The Secretary has reviewed each of the four above-mentioned regional plans, and has given feedback to the regions.⁵

III. Effect of Proposed Changes:

The bill provides that substance abuse and mental health service providers within a judicial circuit or other designated area, which demonstrate the capacity to fulfill the goals and essential elements set forth in ss. 394.9082(5) and 394.9082(6), F.S., are exempt from participating in and providing services through a managing entity.

Among the goals provided in s. 394.90829(5) are:

- Improving accountability for a local system of behavioral health care services to meet performance outcomes and standards;
- Enhancing the continuity of care for all children, adolescents, and adults who enter the publicly funded behavioral health service system;
- Improving the assessment of local needs for behavioral health services;
- Promoting cost-effective quality care; and
- Working with the state to coordinate admissions and discharges from the state civil and forensic hospitals and coordinating admissions and discharges from residential treatment centers.

Some of the essential elements provided in s. 394.90829(6) are:

- The managing entity must ensure provision of comprehensive behavioral health services, and the network of providers must include community mental health agencies, substance abuse and treatment providers, and best practice consumer services providers;
- The managing entity shall ensure that its provider network is broadly conceived; and
- The managing entity must collect and submit data to the department regarding persons served, outcomes of persons served, and costs of services provided through the department's contract.

³ Florida Department of Children and Families 2010 Bill Analysis & Economic Impact Statement for SB 2002 (on file with the Children, Families, and Elder Affairs Committee).

⁴ Florida Department of Children and Families, *Substance Abuse and Mental Health: Managing Entities*, <http://www.dcf.state.fl.us/programs/SubstanceAbuse/managingEntities.shtml>, (last visited March 14, 2010).

⁵ Florida Department of Children and Families 2010 Bill Analysis & Economic Impact Statement for SB 2002 (on file with the Children, Families, and Elder Affairs Committee).

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

Certain behavioral health service providers, who fulfill the goals and essential functions described in the statute, will be exempt from participating in a community-based managing entity for purposes of providing mental health services or substance abuse prevention and treatment services.

VI. Technical Deficiencies:

According to DCF, the provisions of the bill do not address how providers will demonstrate their capacity to fulfill the goals and essential elements that would qualify them for an exemption.⁶

VII. Related Issues:

None.

VIII. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

⁶ *Id.*

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
