

March 14, 2007

H 691. BUILD COMMUNITY INFRASTRUCTURE—MH/DD/SA. Filed 3/14/07. *TO BUILD COMMUNITY INFRASTRUCTURE FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES AND TO APPROPRIATE FUNDS AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES.*

The act makes the following appropriations from the General Fund to the Department of Health and Human Services (DHHS), Division of Mental Health, Developmental Disabilities, and Substance Abuse Services (DMH):

(1) \$10 million for 2007-08 and \$5 million for 2008-09 for local management entities (LMEs) to create residential and outpatient substance abuse programs. (Also appropriates \$500,000 for 2007-08 and \$500,000 for 2008-09 to the North Carolina Area Health Education Centers (AHEC) to provide technical assistance to LMEs in identification of substance abuse treatment program needs. Also appropriates to the Department of Correction \$1,412,048 for 2007-2008 and \$1,167,647 for 2008-2009 to establish a community-based residential substance abuse treatment facility for female offenders on probation and female DWI offenders paroled to treatment.)

(2) \$4 million for 2007-08 and \$4 million for 2008-09 for substance abuse services and case management in drug courts.

(3) \$5,250,000 for 2007-08 and \$5,250,000 for 2008-09 to subsidize independent- and supportive-living apartments for clients of DMH. Also appropriates to the North Carolina Housing Trust Fund \$10 million for 2007-08 and \$10 million for 2008-09 to finance independent- and supportive-living apartments.

(4) \$10 million for 2007-08 and \$5 million for 2008-09 for LMEs to implement crisis plans.

(5) \$15 million for 2007-08 and \$20 million for 2008-09 for LMEs to provide crisis services in conjunction with sheriffs and county public health agencies to individuals being held in county jails.

(6) \$5 million for 2007-08 and \$5 million for 2008-09 for selected LMEs to provide crisis services as part of a pilot program to increase community resources for persons with mental illness and to reduce acute admissions to State psychiatric hospitals.

(7) \$1 million for 2007-08 \$1 million for 2008-09 for LMEs to provide general mental health services in jails.

(8) \$900,000 for 2007-08 and \$1,800,000 for 2008-09 for LMEs to expand post-arrest jail diversion programs by 15 programs each year.

(9) \$100,000 for 2007-08 and \$100,000 for 2008-09 for LMEs to develop Crisis Intervention Teams (CITs) statewide.

(10) \$4,080,000 for 2007-08 and \$8,160,000 for 2008-09 to increase the number of TASC (Treatment Alternative for Safer Communities) case managers by 68 per year.

(11) \$30 million for 2007-08 and \$30 million for 2008-09 for LMEs to purchase mental health services.

(12) \$9.9 million for 2007-08 and \$9.9 million for 2008-09 to increase the number of individuals who can participate in the Community Alternatives Program for Mental Retardation/Developmental Disabilities (CAP MR/DD).

(13) \$7 million for 2007-08 and \$7 million for 2008-09 for start-up and ongoing support of Supported Employment Long-Term Support services.

(14) \$19,200,000 for 2007-08 and \$19,200,000 for 2008-09 to fully fund the LME administrative cost model developed by the Division pursuant to S.L. 2006-66, Section 10.32.(b).

(15) \$1.7 million for 2007-08 and \$1.7 million for 2008-09 to be used by LMEs to pay for the cost of reporting to DMH all expenditures by the LME for services, start-up expenses, and capital and operational expenditures, regardless of the source of the funds and regardless of whether the funds were earned on a payment for service or grant basis, including specific information regarding the expenditure of all funds provided to the LME by the county or counties contained in the LME's catchment area, and income data for all individuals receiving services.

Provides that funds remaining in the Trust Fund for Mental Health, Developmental Disabilities, and Substance Abuse Services and Bridge Funding Needs that are not obligated as of February 1, 2007, may be obligated only to provide community-based programs. Any funds

not obligated as of February 1, 2007, and not subsequently obligated to provide community-based programs shall be deemed to be unencumbered and shall be allocated to local management entities (LMEs).

Amends GS 122C-147.1 to distinguish the way certain funds for substance abuse clients are appropriated by the General Assembly. Funds for mentally ill and developmentally disabled clients would continue to be appropriated in broad age/disability categories, but funds for substance abuse clients would be appropriated only in a broad disability category. Also makes technical changes to reflect the change in appropriations categories, and replaces the term "area authority" with "LME." Also provides that funds appropriated by the General Assembly for crisis services must not be allocated in broad disability or age/disability categories and that will not be converted to a broad disability or age/disability category at the beginning of the second biennium following the appropriation as is the case with other funds allocated for a more specific purpose.

Makes technical changes to SL 2006-66, Section 10.26(d) to reflect the reorganization of the delivery of mental health services at the county level. Enacts certain provisions designed to support the provision of treatment of the mentally ill in adult care homes. Amends GS 143C-9-2 to provide that the Trust Fund for Mental Health, Developmental Disabilities, and Substance Abuse Services and Bridge Funding Needs is to be used solely to increase community-based mental health services and not to support state mental health, developmental disability and substance abuse facilities.

Also provides for DHHS to designate four additional LMEs to receive all state allocations through single stream funding and to commence the process for three additional LMEs to apply for a 1915(b) Medicaid waiver, and for the Joint Legislative Oversight Committee for Mental Health, Developmental Disabilities, and Substance Abuse Services to study the effectiveness of the 1915(b) Medicaid waiver and of those LMEs operating under a waiver.

Provides that Developmental Therapies services are available only to individuals who are receiving that service on June 30, 2007, and that Developmental Therapy funds that are not utilized be made available to LMEs to use for CAP MR/DD slots or for other Supported Employment Long-Term Support services for the developmentally disabled. Directs DHHS to develop a new, Medicaid reimbursable service for submission to the Center for Medicare and Medicaid Services to replace Developmental Therapies no later than November 1, 2007. Directs DHHS to develop and apply to the Centers for Medicare and Medicaid Services for additional home and community-based waivers for persons with developmental disabilities. In conjunction with the existing CAP MR/DD waiver, the new waivers will create a tiered system of services. Directs DHHS to establish at least three rate tiers for the service of Community Supports based upon the level of qualifications of the individuals delivering the service and including a professional-level case management tier, a professional-level skill building tier, and a paraprofessional-level tier.

Effective July 1, 2007.

Intro. by Insko.

GS 122C, 143C, APPROP, STUDY