moves to amend the bill on page 1, lines 3-7, by rewriting to lines to read:

"LAWS PERTAINING TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES; PROTECTING NORTH CAROLINA CITIZENS FROM THE UNLICENSED OPERATION OF MENTAL HEALTH FACILITIES OR PROGRAMS PROVIDING SERVICES REQUIRING A LICENSE UNDER ARTICLE 2 OF CHAPTER 122C OF THE GENERAL STATUTES; AND MODIFYING THE CONSUMER AND FAMILY ADVISORY COMMITTEES."

And on page 2, lines 9-49, by rewriting the lines to read:

"SECTION 4. (a) G.S. 122C-171 reads as rewritten:

§ 122C-171. State Consumer and Family Advisory Committee.

(a) There is established the State Consumer and Family Advisory Committee (State CFAC). The State CFAC shall be a self-governing and self-directed organization that advises the Department and the General Assembly on the planning and management of the State's public mental health, developmental disabilities, and substance abuse services system, intellectual and developmental disabilities, substance use disorder, and traumatic brain injury services system.

(b) The State CFAC shall be composed of 21 members. The members shall be composed exclusively of adult consumers of mental health, developmental disabilities, and substance abuse services, intellectual and developmental disabilities, substance use disorder, and traumatic brain injury services and family members of consumers of mental health, developmental disabilities, and substance abuse services, intellectual and developmental disabilities, substance use disorder, and traumatic brain injury services. The terms of members shall be three years, and no member may serve more than two consecutive terms. Vacancies shall be filled by the appointing authority. The members shall be appointed as follows:

(1) Nine members appointed by the Secretary. The Secretary's appointments shall reflect each of the disability groups. The terms shall be staggered so that terms of three of the appointees expire each year.

(2) Three members appointed by the President Pro Tempore of the Senate, three of whom shall come from the three State regions for institutional services (Eastern Region, Central Region, and Western Region). Senate as follows:
The terms of the appointees shall be staggered so that the term of one appointee expires every year.

(3) Three—Four members appointed by the Speaker of the House of Representatives, one each of whom shall come from the three State regions for institutional services (Eastern Region, Central Region, and Western Region). Representatives as follows:
   a. One member from the eastern region of the State.
   b. Two members from the central region of the State.
   c. One member from the western region of the State.

The terms of the appointees shall be staggered so that the term of one appointee expires every year.

(4) Three by the Council of Community Programs, one each of whom shall come from the three State regions for institutional services (Eastern Region, Central Region, and Western Region). The terms of the appointees shall be staggered so that the term of one appointee expires every year.

(5) Three—Four members appointed by the North Carolina Association of County Commissioners, one each of whom shall come from the three State regions for institutional services (Eastern Region, Central Region, and Western Region). Commissioners as follows:
   a. Two members from the eastern region of the State.
   b. One member from the central region of the State.
   c. One member from the western region of the State.

The terms of the appointees shall be staggered so that the term of one appointee expires every year.

(c) The State CFAC shall undertake all of the following:

(1) Review, comment on, and monitor the implementation of the State Plan for Mental Health, Developmental Disabilities, and Substance Abuse Services.

(2) Identify service gaps and underserved populations.

(3) Make recommendations regarding the service array and monitor the development of additional services.

(4) Review and comment on the State budget for mental health, developmental disabilities, and substance abuse services, intellectual and developmental disabilities, substance use disorder, and traumatic brain injury services.

(5) Participate in all quality improvement measures and performance indicators. Review and comment on contract deliverables and the process and outcomes of prepaid health plans in meeting these contract deliverables.

(6) Receive the findings and recommendations by local CFACs regarding ways to improve the delivery of mental health, developmental disabilities, and substance abuse services, intellectual and developmental disabilities,
substance use disorder, and traumatic brain injury services, including Statewide issues.

(7) Provide technical assistance to local CFACs in implementing their duties. Develop a collaborative and working relationship with the prepaid health plan member advisory committees to obtain input related to service delivery and system change issues.

...";

And on page 6, line 44 to page 7, line 14, by rewriting the lines to read:

"(a) If the Department has directed a facility not licensed under this Article that is providing services requiring a license under this Article to cease and desist from engaging in any act or practice in violation of this Article, then the Department shall conduct a follow-up visit to determine if the Secretary may issue a cease and desist order pursuant to G.S. 122C-27, unless a cease and desist order has already been issued.

(b) The district attorney's office with jurisdiction over the facility shall collect information on the total amount of fines collected pursuant to G.S. 122C-28 and report that information to the Department."

SECTION 7.1.(b) G.S. 122C-23(e1) reads as rewritten:

"(e1) Except as provided in subsection (e2) of this section, the Secretary shall not (i) enroll any as a new provider for Medicaid Home or Community Based services or other Medicaid services, as defined in 42 C.F.R. 440.90, 42 C.F.R. 440.130(d), and 42 C.F.R. 440.180, in the North Carolina Medicaid or North Carolina Health Choice programs, (ii) revalidate as an enrolled provider in the Medicaid or NC Health Choice programs during the period of the license revocation or suspension, or (iii) issue a license for a new facility";

And on page 8, lines 33-36, by rewriting the lines to read:

"(1) Physicians and psychologists engaged in private office practice.";

And on page 9, lines 3-25, by rewriting the lines to read:

"SECTION 7.3.(b) The Department of Health and Human Services shall establish a database or expand upon a currently existing database that makes publicly available a searchable listing of all applicable facilities and programs with all of the following information:

(1) The facility or program name.
(2) The location, including street and mailing addresses, city, and county, for the facility or program.
(3) The contact information for the owners, director, or other individual in charge of the facility or program.
(4) The dates and types of visits conducted by the Division of Health Services Regulation.
(5) A description of the findings, including whether a complaint was substantiated or unsubstantiated, and identification of the violation cited if substantiated.
(6) Any action taken under G.S. 122C-28.1 by the Division of Health Services Regulation."
SECTION 7.3.(c) The Department of Health and Human Services shall coordinate with the Department of Insurance to establish a toll-free number or website for individuals, providers, and insurers to use in verifying the licensure status of a facility providing mental health, behavioral health, and substance use disorder services.

And on page 10, lines 20-21, by inserting the following between the lines:

"SECTION 8.1. Local Consumer and Family Advisory Committees.

(a) Area authorities and county programs shall establish committees made up of consumers and family members to be known as Consumer and Family Advisory Committees (CFACS). A local CFAC shall be a self-governing and a self-directed organization that advises the area authority or county program in its catchment area on the planning and management of the local public mental health, developmental disabilities, substance abuse services and intellectual and developmental disabilities, substance use disorder, and traumatic brain injury services system.

Each CFAC shall adopt bylaws to govern the selection and appointment of its members, their terms of service, the number of members, and other procedural matters. At the request of either the CFAC or the governing board of the area authority or county program, the CFAC and the governing board shall execute an agreement that identifies the roles and responsibilities of each party, channels of communication between the parties, and a process for resolving disputes between the parties.

(b) Each of the disability groups shall be equally represented on the CFAC, and the CFAC shall reflect as closely as possible the racial and ethnic composition of the catchment area. The terms of members shall be three years, and no member may serve more than three consecutive terms. The CFAC shall be composed exclusively of:

(1) Adult consumers of mental health, developmental disabilities, and substance abuse services, intellectual and developmental disabilities, substance use disorder, and traumatic brain injury services.

(2) Family members of consumers of mental health, developmental disabilities, and substance abuse services, intellectual and developmental disabilities, substance use disorder, and traumatic brain injury services.

(c) The CFAC shall undertake all of the following:

(1) Review, comment on, and monitor the implementation of the local business plan, contract deliverables between area authorities and the Department of Health and Human Services.

(2) Identify service gaps and underserved populations.

(3) Make recommendations regarding the service array and monitor the development of additional services.

(4) Review and comment on the area authority or county program budget.

(5) Participate in all quality improvement measures and performance indicators. Develop a collaborative and working relationship with the area authorities member advisory committees to obtain input related to service delivery and system change issues.
(6) Submit to the State Consumer and Family Advisory Committee findings and recommendations regarding ways to improve the delivery of mental health, developmental disabilities, and substance abuse services, intellectual and developmental disabilities, substance use disorder, and traumatic brain injury services, including Statewide issues.

(d) The director of the area authority or county program shall provide sufficient staff to assist the CFAC in implementing its duties under subsection (c) of this section. The assistance shall include data for the identification of service gaps and underserved populations, training to review and comment on business plans, contract deliverables and budgets, procedures to allow participation in quality monitoring, and technical advice on rules of procedure and applicable laws.”

SIGNED __________________________________________
Amendment Sponsor

SIGNED __________________________________________
Committee Chair if Senate Committee Amendment

ADOPTED ____________ FAILED ________________ TABLED ____________