

Potential Barriers at Issue – Meeting Three

- **LME/MCO Formation and Dissolution**

1. **122C requires multiple agreements among multiple counties to form an LME/MCO. All participating counties must agree each time another county is added to the organization. This is a complex and time consuming process. Any one county may block mergers and waiver expansions by withholding merger approval**
2. **Any single county LME can dissolve the LME/MCO at any time for any reason potentially disrupting waiver operations. The situation is less clear for multi-county LME/MCOs. If a group of counties join together to form an LME/MCO, it may be that the remaining counties would have to re-form to establish another LME potentially leaving the state, in the interim, with the full responsibility for waiver operations**
3. **Counties would like to maintain the ability to withdraw their participation in an LME/MCO in favor of partnering with another**
4. **Single county LMEs currently are a department of the county. This ties the operation of the single county LME to the county governance statute G.S. 159. This conflicts with the MCO model.**

- **Responsibility for MH/DD/SA Services**

1. **122C holds counties responsible for the provision of these services; however, counties do not have the resources to carry out these requirements.** Recommendation for revision of language:

§ 122C-115. Duties of counties; appropriation and allocation of funds by counties and cities.

(a) A county shall provide mental health, developmental disabilities, and substance abuse services through an area authority or through a county program established pursuant to ~~G.S. 122C-115.1~~G.S. 122C-115.1 and in accordance with rules, policies, and guidelines adopted pursuant to statewide restructuring of the management responsibilities for the delivery of services for individuals with mental illness, intellectual and developmental disabilities, and substance abuse disorders under a 1915(b)/(c) Medicaid Waiver. Beginning July 1, 2012, the catchment area of an area authority or a county program shall contain a minimum population of at least 300,000. Beginning July 1, 2013, catchment area of an area authority or a county program shall contain a minimum population of at least 500,000. To the extent this section conflicts with G.S. 153A-77(a), the provisions of G.S. 153A-77(a) control.