

SENATE BILL NO. 160

INTRODUCED BY M. CAFERRO

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES TO STREAMLINE CONTRACTING PROCESSES, PAYMENT METHODS, AND ADMINISTRATIVE RULES FOR SERVICES PROVIDED BY MENTAL HEALTH CENTERS; AND AMENDING SECTIONS 53-21-1002 AND 53-21-1007, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 53-21-1002, MCA, is amended to read:

"53-21-1002. Duties of department. The department:

(1) shall take cognizance of matters affecting the mental health of the citizens of the state;

(2) shall initiate mental health care and treatment, prevention, and research as can best be accomplished by community-centered services. The department shall initiate and operate services in cooperation with local agencies, service area authorities, mental health professionals, and other entities providing services to persons with mental illness.

(3) shall specifically address:

(a) provider contracting;

(b) service planning;

(c) preadmission screening and discharge planning;

(d) quality management;

(e) utilization management and review;

(f) consumer and family education; and

(g) rights protection;

(4) shall strive to close gaps in care that exist for people suffering from mental illness and co-occurring disorders because of lack of uniformity in regulations and payment methods for different ages, diagnoses, and treatments;

~~(4)~~(5) shall collect and disseminate information relating to mental health;

~~(5)~~(6) shall prepare and maintain a comprehensive plan to develop public mental health services in the

1 state and to establish service areas;

2 ~~(6)~~(7) must receive from agencies of the United States and other state agencies, persons or groups of
3 persons, associations, firms, or corporations grants of money, receipts from fees, gifts, supplies, materials, and
4 contributions for the development of mental health services within the state;

5 ~~(7)~~(8) shall establish qualified provider certification standards by rule, which may include requirements
6 for national accreditation for mental health programs that receive funds from the department;

7 ~~(8)~~(9) shall perform an annual review and evaluation of mental health needs and services within the state
8 by region and evaluate the performance of programs that receive funds from the department for compliance with
9 federal and state standards;

10 ~~(9)~~(10) shall coordinate state and community resources to ensure comprehensive delivery of services
11 to children with emotional disturbances, as provided in Title 52, chapter 2, part 3, and submit at least a biennial
12 report to the governor and the legislature concerning the activities and recommendations of the department and
13 service providers; and

14 ~~(10)~~(11) shall coordinate the establishment of service area authorities, as provided in 53-21-1006, to
15 collaborate with the department in the planning and oversight of mental health services in a service area."

16
17 **Section 2.** Section 53-21-1007, MCA, is amended to read:

18 **"53-21-1007. Mental health services contracts.** (1) The department shall provide for public mental
19 health services for the purposes of the prevention, diagnosis, and treatment of mental illness to the extent funded
20 by the legislature.

21 (2) The department may administer the provision of services for prevention, diagnosis, and treatment
22 of mental illness directly or indirectly through contract with other agencies of government, private or public
23 agencies, private professional persons, hospitals, or licensed mental health centers.

24 (3) The department is directed to encourage and create incentives for the use of funding generated by
25 local governments to provide mental health services to participate in federal cost-sharing programs.

26 (4) The department shall promote the rights of persons with mental illness who are eligible for services
27 to have a choice among qualified providers of mental health services or support services that are administered
28 or funded by the department.

29 (5) The department shall develop contracts to be bid competitively under the Montana Procurement Act
30 for any service administered or funded by the department that will limit a client's choice of a provider of that

1 service in order to ensure accountability and that necessary services are delivered in all areas of the state. The
2 exception for human services as provided in 18-4-123(18) does not apply.

3 (6) The department shall create a single contracting process, a single set of administrative rules, and
4 a single set of billing criteria to facilitate the provision by licensed mental health centers of:

5 (a) children's mental health services;

6 (b) adult mental health services;

7 (c) chemical dependency treatment services;

8 (d) primary care services; and

9 (e) geriatric services."

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11 NEW SECTION. **Section 3. Direction to department of public health and human services.** The
12 department of public health and human services shall carry out the provisions of [section 2(6)] by October 1,
13 2018.

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