

## HB 1914 -- Mental Health Care Providers and Services

Sponsor: Sater

This bill changes the laws regarding mental health care providers and services.

### FAMILY CARE SAFETY REGISTRY

Beginning January 1, 2009, the bill requires every mental health worker to complete a registration form for the Family Care Safety Registry.

### GROUP HOMES AND MENTAL RETARDATION FACILITIES

The bill:

- (1) Defines "group home" as a residential facility serving nine or fewer residents that provides basic health supervision, training in skills of daily and independent living and community integration, and social support;
- (2) Adds direct care staff in a group home or mental retardation facility to the list of health care providers required to report suspected abuse of a patient to the Department of Mental Health;
- (3) Requires group homes and mental retardation facilities to be licensed by the department and be subject to all federal and state laws and regulations;
- (4) Requires mental health workers to be subject to the same training requirements established for state mental health workers with comparable positions;
- (5) Requires, subject to appropriations, mental health workers to be paid an amount at least equal to the hourly wage paid by the state to mental health workers with comparable positions;
- (6) Requires group homes and mental retardation facilities to be subject to the same medical error reporting requirements as other mental health facilities and group homes;
- (7) Requires any employee of a group home or mental retardation facility who has been placed on the employee disqualification list to be terminated;
- (8) Requires, beginning January 1, 2009, all mental health facilities to submit a comprehensive quarterly report on staff and personnel turnover. Reports must be submitted within 30 days of the end of each calendar quarter;

(9) Requires, beginning January 1, 2009, the Department of Mental Health to collect information contained on the mental health facilities' quarterly reports and submit an annual report to the General Assembly by March 15; and

(10) Prohibits the transfer of any person to a group home or mental retardation facility that has received a notice of noncompliance until there is an approved plan of correction.

#### PROVIDER ASSESSMENTS

The bill:

(1) Defines "mental retardation facility" and "intermediate care facility for the mentally retarded" relating to health care for the developmentally disabled and provider assessments;

(2) Requires, beginning July 1, 2008, each intermediate care facility for the mentally retarded to pay a monthly assessment on their net operating revenue. Alternatively, the facility may direct the Department of Social Services to offset the amount of the assessment for any month from any payment made by the state to the provider;

(3) Creates the Intermediate Care Facility-Mentally Retarded Reimbursement Allowance Fund for the deposit of assessment payments;

(4) Requires each provider to maintain records for determining the amount of the assessment due. Beginning July 1, 2008, each provider must submit a report, within 45 days of the end of each month, to the Department of Social Services with the information needed to determine the amount of the assessment due;

(5) Requires each provider to submit an annual report of operating revenue. Final assessments are payable upon the due date of the certified annual report;

(6) Specifies that the Department of Social Services must withhold payments to a provider upon the receipt of notification of delinquent payment of assessments; and

(7) Provides guidelines for hearings and final decisions when a provider disputes the estimated amount of the delinquent assessment.

The provisions regarding provider assessments will expire June 30, 2009.