

HB 2299 -- Private Mental Health Facilities and Group Homes

Sponsor: Aull

This bill requires private mental health facilities and group homes for the mentally retarded and developmentally disabled to meet the same requirements as state-operated facilities. The bill:

- (1) Adds private mental health workers and group homes to the provisions regarding the Family Care Safety Registry;
- (2) Specifies that private mental health facilities and group homes are included in the standards and licensure requirements for residential facilities and day programs;
- (3) Requires the Department of Mental Health to terminate a contract with a vendor who has a pattern of abuse and neglect or has misappropriated client funds or property;
- (4) Requires the department to establish standards for each type of facility, program, or group home and classify them into either Class I, Class II, or Class III standards;
- (5) Specifies that the operator of any facility, group home, or program in violation of the licensing rules is liable for civil penalties of up to \$25,000 for each day the violation exists or continues to exist;
- (6) Requires the dismissal of any private employee who knowingly violates a state law or rule;
- (7) Requires, beginning January 1, 2009, private mental health facilities and group homes to submit a quarterly report on any staff and personnel turnover to the department and requires, beginning January 1, 2010, an annual report to the General Assembly by March 15; and
- (8) Places a moratorium on the transfer of patients to private mental health facilities or group homes until the provisions of the bill have been fully implemented.