

2 **SHB 1609 - H COMM AMD 3-14-91 ADOPTED**

3 By Committee on Appropriations

4

5 Strike everything after the enacting clause and insert the
6 following:

7 "NEW SECTION. Sec. 1. The legislature intends to encourage the
8 development of community-based interagency collaborative efforts to
9 plan for and provide mental health services to children in a manner
10 that coordinates existing categorical children's mental health programs
11 and funding, is sensitive to the unique cultural circumstances of
12 children of color, eliminates duplicative case management, and to the
13 greatest extent possible, blends categorical funding to offer more
14 service options to each child."

15 "NEW SECTION. Sec. 2. Unless the context clearly requires
16 otherwise, the definitions in this section apply throughout this
17 chapter.

18 (1) "Agency" means a state or local governmental entity or a
19 private not-for-profit organization.

20 (2) "Child" means a person under eighteen years of age, except as
21 expressly provided otherwise in federal law.

22 (3) "County authority" means the board of county commissioners or
23 county executive.

24 (4) "Department" means the department of social and health
25 services.

1 (5) "Early periodic screening, diagnosis, and treatment" means the
2 component of the federal medicaid program established pursuant to 42
3 U.S.C. Sec. 1396d(r), as amended.

4 (6) "Regional support network" means a county authority or group of
5 county authorities that have entered into contracts with the secretary
6 pursuant to chapter 71.24 RCW.

7 (7) "Secretary" means the secretary of social and health services."

8 "PART I
9 INVENTORY OF CHILDREN'S MENTAL HEALTH SERVICES"

10 "NEW SECTION. Sec. 3. (1) The office of financial management
11 shall provide the following information to the appropriate committees
12 of the legislature on or before December 1, 1991, and update such
13 information biennially thereafter:

14 (a) An inventory of state and federally funded programs providing
15 mental health services to children in Washington state. For purposes
16 of the inventory, "children's mental health services" shall be broadly
17 construed to include services related to children's mental health
18 provided through education, children and family services, juvenile
19 justice, mental health, health care, alcohol and substance abuse, and
20 developmental disabilities programs, such as: The primary intervention
21 program; treatment foster care; the fair start program; therapeutic
22 child care and day treatment for children in the child protective
23 services system, as provided in RCW 74.14B.040; family reconciliation
24 services counseling, as provided in chapter 13.32A RCW; the community
25 mental health services act, as provided in chapter 71.24 RCW; mental
26 health services for minors, as provided in chapter 71.34 RCW; mental
27 health services provided by the medical assistance program, limited
28 casualty program for the medically needy and children's health program,

1 as provided in chapter 74.09 RCW; counseling for delinquent children,
2 as provided in RCW 72.05.170; mental health service provided by child
3 welfare services, as provided in chapter 74.13 RCW; and services to
4 emotionally disturbed and mentally ill children, as provided in chapter
5 74.14A RCW.

6 (b) For each program or service inventoried pursuant to (a) of this
7 subsection:

8 (i) Statutory authority;

9 (ii) Level and source of funding state-wide and for each county and
10 school district in the state during the biennium ending June 30, 1991,
11 to the extent such information is available;

12 (iii) Agency administering the service state-wide and description
13 of how administration and service delivery are organized and provided
14 at the regional and local level;

15 (iv) Programmatic or financial eligibility criteria;

16 (v) Characteristics of, and number of children served state-wide
17 and in each county and school district during the biennium ending June
18 30, 1991, to the extent such information is available;

19 (vi) Number of children of color served, by race and nationality,
20 and number and type of minority mental health providers, by race and
21 nationality, in each regional support network area, to the extent such
22 information is available; and

23 (vii) Statutory changes necessary to remove categorical
24 restrictions in the program or service, including federal statutory or
25 regulatory changes.

26 (2) The office of financial management, in consultation with the
27 department, shall develop a plan and criteria for the use of early
28 periodic screening, diagnosis, and treatment services related to mental
29 health that includes at least the following components:

1 (a) Criteria for screening and assessment of mental illness and
2 emotional disturbance;

3 (b) Criteria for determining the appropriate level of medically
4 necessary services a child receives, including but not limited to
5 development of a multidisciplinary plan of care when appropriate, and
6 prior authorization for receipt of mental health services;

7 (c) Qualifications for children's mental health providers;

8 (d) Other cost control mechanisms, such as managed care
9 arrangements and prospective or capitated payments for mental health
10 services; and

11 (e) Mechanisms to ensure that federal medicaid matching funds are
12 obtained for services inventoried pursuant to subsection (1) of this
13 section, to the greatest extent practicable.

14 In developing the plan, the office of financial management shall
15 provide an opportunity for comment by the major child-serving systems
16 and regional support networks. The plan shall be submitted to
17 appropriate committees of the legislature on or before December 1,
18 1991."

19 "PART II
20 CHILDREN'S MENTAL HEALTH SERVICES DELIVERY SYSTEMS"

21 "NEW SECTION. **Sec. 4.** (1) On or before January 1, 1992, each
22 regional support network, or county authority in counties that have not
23 established a regional support network, shall initiate a local planning
24 effort to develop a children's mental health services delivery system.

25 (2) Representatives of the following agencies or organizations and
26 the following individuals shall participate in the local planning
27 effort:

1 (a) Representatives of the department of social and health services
2 in the following program areas: Children and family services, medical
3 care, mental health, juvenile rehabilitation, alcohol and substance
4 abuse, and developmental disabilities;

5 (b) The juvenile courts;

6 (c) The public health department or health district;

7 (d) The school districts;

8 (e) The educational service district serving schools in the county;

9 (f) Head start or early childhood education and assistance
10 programs;

11 (g) Community action agencies; and

12 (h) Children's services providers, including minority mental health
13 providers.

14 (3) Parents of children in need of mental health services and
15 parents of children of color shall be invited to participate in the
16 local planning effort.

17 (4) The following information shall be developed through the local
18 planning effort and submitted to the secretary:

19 (a) A supplement to the county's January 1, 1991, children's mental
20 health services report prepared pursuant to RCW 71.24.049 to include
21 the following data:

22 (i) The number of children in need of mental health services in the
23 county or counties covered by the local planning effort, including
24 children in school and children receiving services through the
25 department of social and health services division of children and
26 family services, division of developmental disabilities, division of
27 alcohol and substance abuse, and division of juvenile rehabilitation,
28 grouped by severity of their mental illness;

29 (ii) The number of such children that are underserved or unserved
30 and the types of services needed by such children; and

1 (iii) The supply of children's mental health specialists in the
2 county or counties covered by the local planning effort.

3 (b) A children's mental health services delivery plan that includes
4 a description of the following:

5 (i) Children that will be served, giving consideration to children
6 who are at significant risk of experiencing mental illness, as well as
7 those already experiencing mental illness;

8 (ii) How appropriate services needed by children served through the
9 plan will be identified and provided, including prevention and
10 identification services;

11 (iii) How a lead case manager for each child will be identified;

12 (iv) How funding for existing services will be coordinated to
13 create more flexibility in meeting children's needs. Such funding
14 shall include the services and programs inventoried pursuant to section
15 3(1) of this act;

16 (v) How the children's mental health delivery system will
17 incorporate the elements of the early periodic screening, diagnosis,
18 and treatment services plan developed pursuant to section 3(2) of this
19 act; and

20 (vi) How the children's mental health delivery system will
21 coordinate with the regional support network information system
22 developed pursuant to RCW 71.24.035(5)(g).

23 (5) In developing the children's mental health services delivery
24 plan, every effort shall be made to reduce duplication in service
25 delivery and promote complementary services among all entities that
26 provide children's services related to mental health.

27 (6) The children's mental health services delivery plan shall
28 address the needs of children of color through at least the following
29 mechanisms:

1 (a) Outreach initiatives, services, and modes of service delivery
2 that meet the unique needs of children of color;

3 (b) Services to children of color that are culturally relevant and
4 acceptable, as well as linguistically accessible; and

5 (c) Increasing access to minority mental health providers in the
6 children's mental health delivery system through contracts and
7 subcontracts with minority providers, affirmative action employment
8 efforts, or other appropriate actions."

9 "NEW SECTION. Sec. 5. The office of financial management shall
10 prepare proposed legislation that would require five percent of
11 constitutionally available appropriated state general fund moneys for
12 each of the programs and services inventoried pursuant to section 3(1)
13 of this act, for the period beginning July 1, 1992, and ending June 30,
14 1993, to be deposited into a locally administered pooled account of
15 flexible funds exempt from existing statutory and regulatory
16 restrictions on the use of such funds, to meet the needs of children
17 that cannot be met through existing categorical programs. Children's
18 mental health services funded through basic education programs as
19 provided in chapter 28A.150 RCW, and funded through the medical
20 assistance program or the limited casualty program for the medically
21 needy as provided in chapter 74.09 RCW, shall be exempt from the pooled
22 account. The proposed legislation shall be provided to appropriate
23 committees of the legislature on or before December 1, 1991."

24 "NEW SECTION. Sec. 6. Part headings as used in this act do not
25 constitute any part of the law."

26 "NEW SECTION. Sec. 7. Sections 1 through 4 of this act shall
27 constitute a new chapter in Title 71 RCW."

1 "NEW SECTION. **Sec. 8.** If any provision of this act or its
2 application to any person or circumstance is held invalid, the
3 remainder of the act or the application of the provision to other
4 persons or circumstances is not affected."

5 "NEW SECTION. **Sec. 9.** This act is necessary for the immediate
6 preservation of the public peace, health, or safety, or support of the
7 state government and its existing public institutions, and shall take
8 effect immediately."

9 "NEW SECTION. **Sec. 10.** If specific funding for the purposes of
10 this act, referencing this act by bill number, is not provided by June
11 30, 1991, in the omnibus appropriations act, this act shall be null and
12 void."

13 **SHB 1609** - H COMM AMD
14 By Committee on Appropriations

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16 On page 1, line 1 of the title, after "children;" strike the
17 remainder of the title and insert "adding a new chapter to Title 71
18 RCW; creating new sections; and declaring an emergency."