MISSISSIPPI LEGISLATURE

By:  Representative Ford

To:  Juvenile Justice; Appropriations

REGULAR SESSION 2001

HOUSE BILL NO. 450

AN ACT TO REENACT SECTIONS 43-27-301 THROUGH 43-27-307,
MISSISSIPPI CODE OF 1972, WHICH ESTABLISH THE JUVENILE HEALTH
RECOVERY STUDY, CREATE THE JUVENILE HEALTH RECOVERY ADVISORY BOARD
AND PRESCRIBE ITS POWERS AND DUTIES; TO REENACT AND AMEND SECTION
43-27-309, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL
FROM JULY 1, 2001, TO JULY 1, 2002; AND FOR RELATED PURPOSES.

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

SECTION 1.  Section 43-27-301, Mississippi Code of 1972, is
reenacted as follows:

43-27-301.  The purpose of this chapter is to study the need
for a comprehensive system of a multidisciplinary continuum of
care and services for compulsory-school-age children, including,
but not limited to, in-home treatment, family-based programs,
therapeutic foster care, community-based programs, residential
therapeutic facilities or rescue centers for certain categories of
compulsory-school-age children.  This program of study shall be
known as the Juvenile Health Recovery Study.  The Juvenile Health
Recovery Study shall consist of an investigation and consideration
of a full range of recommended treatment options for children in
the following categories:

(a)  Children suspended or expelled from a local school
district for serious and chronic misconduct;

(b)  Children diagnosed to have severe mental health
problems who have been voluntarily placed in a program or facility
by the child's parent(s) or guardian(s); or

(c)  Neglected, abused or delinquent children with
serious emotional or behavioral problems that would be subject to
the jurisdiction of the Department of Human Services or the Youth
Court. In addition, the review shall make specific findings and recommendations whether or not other categories of children not expressly provided above should be included within the scope of this program.

SECTION 2. Section 43-27-303, Mississippi Code of 1972, is reenacted as follows:

43-27-303. The Juvenile Health Recovery Review shall be conducted by a Juvenile Health Recovery Advisory Board consisting of the following members:

(a) The Attorney General;
(b) The Medical Director of the Division of Medicaid;
(c) The Director of the Division of Family and Children's Services, Department of Human Services;
(d) A representative from the Department of Mental Health;
(e) The Associate State Superintendent of Education, Office of Academic Education;
(f) The Public Policy Chair, Mississippi Early Childhood Association;
(g) The Executive Director of the Mississippi Association of School Superintendents;
(h) The Executive Director of the Public Education Forum of Mississippi;
(i) A pediatric specialist representative from the University Medical Center Children's Hospital;
(j) A representative from the Mississippi Economic Council; and
(k) Up to six (6) persons appointed by the chairman, of whom not less than three (3) shall have special expertise in working with children and youth special needs.

The Chairman of the House Juvenile Justice Committee and the Senate Juvenile Justice Committee shall serve as ex officio nonvoting members of the board. The board may accept grants,
contributions or other funds from any other sources, either public
or private, to employ consultants or other professionals as may be
necessary to carry out the duties and responsibilities of the
board.

No later than September 30, 1999, the Juvenile Health
Recovery Advisory Board shall have an organizational meeting upon
the call of the Attorney General, who shall serve as chairman of
the board. A vice chairman shall also be selected by the
membership of the advisory board. Board members may designate
other appropriate representatives of their offices to attend and
fully act for and on behalf of the board member. The chairman of
the advisory board shall be responsible for establishing a
calendar and notices of meetings.

SECTION 3. Section 43-27-305, Mississippi Code of 1972, is
reenacted as follows:

43-27-305. The Juvenile Health Recovery Advisory Board shall
study and make recommendations concerning the following powers and
responsibilities:

(a) Rules and regulations as necessary to implement and
administer a Juvenile Health Recovery Program;

(b) Development of a long-term comprehensive plan for
implementation of a coordinated array of Juvenile Health Recovery
Programs which may include in-home treatment, family-based
programs, therapeutic foster care, community-based programs,
regional family resource and youth services centers, rescue
centers and residential therapeutic facilities;

(c) Location for five (5) pilot Juvenile Health
Recovery Programs, one (1) to be in each of the five (5)
Mississippi congressional districts;

(d) Need for the establishment or utilization of
existing local interagency coordinating entities and
multidisciplinary assessment and planning (MAP) teams as local
advisory councils for each Juvenile Health Recovery Program. Such
local advisory councils may assist in the coordination and
provision of services to the children, and shall consist of the
local school superintendent, local law enforcement officers, the
director of the regional mental health/retardation center, school
guidance counselors and other members as deemed appropriate by the
board;

(e) Empirical and theoretical research to develop an
appropriate cost/benefit analysis of the recommended programs upon
full implementation, including a comparison of alternative
societal costs which may be incurred without the recommended
programs. Such costs may include estimates of incarceration in
correctional institutions, law enforcement efforts, social
services, legal services, judicial services and human suffering.

In addition to the foregoing responsibilities, the Juvenile
Health Recovery Advisory Board may establish pilot Juvenile Health
Recovery programs or Rescue Centers and may contract with
providers of health, education and other residential services to
the children to be served by such programs, provided that funding
is secured from sources other than state appropriated funds and
that such programs are consistent with the recommendations of the
Juvenile Health Recovery Advisory Board.

SECTION 4. Section 43-27-307, Mississippi Code of 1972, is
reenacted as follows:

43-27-307. The Juvenile Health Recovery Advisory Board shall
submit to the Governor and the Legislature, on or before April 15,
2000, a recommendation for a comprehensive, multidisciplinary plan
for the care, treatment and placement of children identified in
Section 43-27-301. The advisory board shall submit to the
Governor and the Legislature, on or before September 15, 2000,
recommended rules and regulations for the operation of the
Juvenile Health Recovery Program.

SECTION 5. Section 43-27-309, Mississippi Code of 1972, is
reenacted and amended as follows:

H. B. No. 450
*HR40/ R614*
01/HR40/R614
PAGE 4 (KCB\BD)
43-27-309. This chapter, which establishes a Juvenile Health Recovery Review and a Juvenile Health Recovery Advisory Board, is repealed from and after July 1, 2002.

SECTION 6. This act shall take effect and be in force from and after July 1, 2001.