

By: Representative Ford

To: Juvenile Justice;  
Appropriations

HOUSE BILL NO. 450

1 AN ACT TO REENACT SECTIONS 43-27-301 THROUGH 43-27-307,  
2 MISSISSIPPI CODE OF 1972, WHICH ESTABLISH THE JUVENILE HEALTH  
3 RECOVERY STUDY, CREATE THE JUVENILE HEALTH RECOVERY ADVISORY BOARD  
4 AND PRESCRIBE ITS POWERS AND DUTIES; TO REENACT AND AMEND SECTION  
5 43-27-309, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL  
6 FROM JULY 1, 2001, TO JULY 1, 2002; AND FOR RELATED PURPOSES.

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

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

10 43-27-301. The purpose of this chapter is to study the need  
11 for a comprehensive system of a multidisciplinary continuum of  
12 care and services for compulsory-school-age children, including,  
13 but not limited to, in-home treatment, family-based programs,  
14 therapeutic foster care, community-based programs, residential  
15 therapeutic facilities or rescue centers for certain categories of  
16 compulsory-school-age children. This program of study shall be  
17 known as the Juvenile Health Recovery Study. The Juvenile Health  
18 Recovery Study shall consist of an investigation and consideration  
19 of a full range of recommended treatment options for children in  
20 the following categories:

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

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

26 (c) Neglected, abused or delinquent children with  
27 serious emotional or behavioral problems that would be subject to  
28 the jurisdiction of the Department of Human Services or the Youth

29 Court. In addition, the review shall make specific findings and  
30 recommendations whether or not other categories of children not  
31 expressly provided above should be included within the scope of  
32 this program.

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

35 43-27-303. The Juvenile Health Recovery Review shall be  
36 conducted by a Juvenile Health Recovery Advisory Board consisting  
37 of the following members:

38 (a) The Attorney General;

39 (b) The Medical Director of the Division of Medicaid;

40 (c) The Director of the Division of Family and  
41 Children's Services, Department of Human Services;

42 (d) A representative from the Department of Mental  
43 Health;

44 (e) The Associate State Superintendent of Education,  
45 Office of Academic Education;

46 (f) The Public Policy Chair, Mississippi Early  
47 Childhood Association;

48 (g) The Executive Director of the Mississippi  
49 Association of School Superintendents;

50 (h) The Executive Director of the Public Education  
51 Forum of Mississippi;

52 (i) A pediatric specialist representative from the  
53 University Medical Center Children's Hospital;

54 (j) A representative from the Mississippi Economic  
55 Council; and

56 (k) Up to six (6) persons appointed by the chairman, of  
57 whom not less than three (3) shall have special expertise in  
58 working with children and youth special needs.

59 The Chairman of the House Juvenile Justice Committee and the  
60 Senate Juvenile Justice Committee shall serve as ex officio  
61 nonvoting members of the board. The board may accept grants,

62 contributions or other funds from any other sources, either public  
63 or private, to employ consultants or other professionals as may be  
64 necessary to carry out the duties and responsibilities of the  
65 board.

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

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

77 43-27-305. The Juvenile Health Recovery Advisory Board shall  
78 study and make recommendations concerning the following powers and  
79 responsibilities:

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

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

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

91 (d) Need for the establishment or utilization of  
92 existing local interagency coordinating entities and  
93 multidisciplinary assessment and planning (MAP) teams as local  
94 advisory councils for each Juvenile Health Recovery Program. Such

95 local advisory councils may assist in the coordination and  
96 provision of services to the children, and shall consist of the  
97 local school superintendent, local law enforcement officers, the  
98 director of the regional mental health/retardation center, school  
99 guidance counselors and other members as deemed appropriate by the  
100 board;

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

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

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

118 43-27-307. The Juvenile Health Recovery Advisory Board shall  
119 submit to the Governor and the Legislature, on or before April 15,  
120 2000, a recommendation for a comprehensive, multidisciplinary plan  
121 for the care, treatment and placement of children identified in  
122 Section 43-27-301. The advisory board shall submit to the  
123 Governor and the Legislature, on or before September 15, 2000,  
124 recommended rules and regulations for the operation of the  
125 Juvenile Health Recovery Program.

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

128           43-27-309. This chapter, which establishes a Juvenile Health  
129 Recovery Review and a Juvenile Health Recovery Advisory Board, is  
130 repealed from and after July 1, 2002.

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