

By: Representative Warren

To: Public Health and Human Services; Appropriations

COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 313

1 AN ACT TO AMEND SECTION 43-14-1, MISSISSIPPI CODE OF 1972,  
2 WHICH ESTABLISHES THE INTERAGENCY COORDINATING COUNCIL FOR  
3 CHILDREN AND YOUTH, TO EXTEND THE DATE OF REPEAL ON THIS SECTION;  
4 TO AMEND SECTION 43-14-3, MISSISSIPPI CODE OF 1972, WHICH PROVIDES  
5 THE DUTIES OF SUCH COUNCIL, TO EXTEND THE DATE OF REPEAL ON THIS  
6 SECTION; TO AMEND SECTION 43-14-5, MISSISSIPPI CODE OF 1972, WHICH  
7 PROVIDES A SPECIAL FUND FOR A STATEWIDE SYSTEM OF CARE BY MAP  
8 TEAMS UTILIZING SUCH FUNDS, TO EXTEND THE DATE OF REPEAL ON THIS  
9 SECTION; AND FOR RELATED PURPOSES.

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

11 **SECTION 1.** Section 43-14-1, Mississippi Code of 1972, is  
12 amended as follows:

13 43-14-1. (1) The purpose of this chapter is to provide for  
14 the development and implementation of a coordinated interagency  
15 system of necessary services and care for children and youth up to  
16 age twenty-one (21) with serious emotional/behavioral disorders,  
17 including, but not limited to, conduct disorders, or mental  
18 illness who require services from a multiple services and multiple  
19 programs system, and who can be successfully diverted from  
20 inappropriate institutional placement. This program is to be done  
21 in the most fiscally responsible (cost efficient) manner possible,  
22 based on an individualized plan of care which takes into account  
23 other available interagency programs, including, but not limited  
24 to, Early Intervention Act of Infants and Toddlers, Section  
25 41-87-1 et seq., Early Periodic Screening Diagnosis and Treatment,  
26 Section 43-13-117(5), waived program for home- and  
27 community-based services for developmentally disabled people,  
28 Section 43-13-117(29), and waived program for targeted case  
29 management services for children with special needs, Section  
30 43-13-117(31), those children identified through the federal

31 Individuals with Disabilities Education Act of 1997 as having a  
32 serious emotional disorder (EMD), the Mississippi Children's  
33 Health Insurance Program Phase I and Phase II and waived  
34 programs for children with serious emotional disturbances, Section  
35 43-13-117(46), and is tied to clinically appropriate outcomes.  
36 Some of the outcomes are to reduce the number of inappropriate  
37 out-of-home placements inclusive of those out-of-state and to  
38 reduce the number of inappropriate school suspensions and  
39 expulsions for this population of children. From and after July  
40 1, 2001, this coordinated interagency system of necessary services  
41 and care shall be named the System of Care program. Children to  
42 be served by this chapter who are eligible for Medicaid shall be  
43 screened through the Medicaid Early Periodic Screening Diagnosis  
44 and Treatment (EPSDT) and their needs for medically necessary  
45 services shall be certified through the EPSDT process. For  
46 purposes of this chapter, a "System of Care" is defined as a  
47 coordinated network of agencies and providers working as a team to  
48 make a full range of mental health and other necessary services  
49 available as needed by children with mental health problems and  
50 their families. The System of Care shall be:

51 (a) Child centered, family focused and family driven;

52 (b) Community based;

53 (c) Culturally competent and responsive; and shall  
54 provide for:

55 (i) Service coordination or case management;

56 (ii) Prevention and early identification and  
57 intervention;

58 (iii) Smooth transitions among agencies,  
59 providers, and to the adult service system;

60 (iv) Human rights protection and advocacy;

61 (v) Nondiscrimination in access to services;

62 (vi) A comprehensive array of services;

63 (vii) Individualized service planning;

64 (viii) Services in the least restrictive  
65 environment;  
66 (ix) Family participation in all aspects of  
67 planning, service delivery and evaluation; and  
68 (x) Integrated services with coordinated planning  
69 across child-serving agencies.

70 (2) There is established the Interagency Coordinating  
71 Council for Children and Youth (hereinafter referred to as the  
72 "ICCCY"). The ICCCY shall consist of the following membership:  
73 (a) the State Superintendent of Public Education; (b) the  
74 Executive Director of the Mississippi Department of Mental Health;  
75 (c) the Executive Director of the State Department of Health; (d)  
76 the Executive Director of the Department of Human Services; (e)  
77 the Executive Director of the Division of Medicaid, Office of the  
78 Governor; (f) the Executive Director of the State Department of  
79 Rehabilitation Services; and (g) the Executive Director of  
80 Mississippi Families as Allies for Children's Mental Health, Inc.  
81 The council shall meet before August 1, 2001, and shall organize  
82 for business by selecting a chairman, who shall serve for a  
83 one-year term and may not serve consecutive terms. The council  
84 shall adopt internal organizational procedures necessary for  
85 efficient operation of the council. Each member of the council  
86 shall designate necessary staff of their departments to assist the  
87 ICCCY in performing its duties and responsibilities. The ICCCY  
88 shall meet and conduct business at least twice annually. The  
89 chairman of the ICCCY shall notify all persons who request such  
90 notice as to the date, time and place of each meeting.

91 (3) The Interagency System of Care Council is created to  
92 serve as the state management team for the ICCCY, with the  
93 responsibility of collecting and analyzing data and funding  
94 strategies necessary to improve the operation of the System of  
95 Care programs, and to make recommendations to the ICCCY and to the  
96 Legislature concerning such strategies on or before December 31,

97 2002. The System of Care Council also has the responsibility of  
98 coordinating the local Multidisciplinary Assessment and Planning  
99 (MAP) teams and may apply for grants from public and private  
100 sources necessary to carry out its responsibilities. The  
101 Interagency System of Care Council shall be comprised of one (1)  
102 member from each of the appropriate child-serving divisions or  
103 sections of the State Department of Health, the Department of  
104 Human Services, the State Department of Mental Health, the State  
105 Department of Education, the Division of Medicaid of the  
106 Governor's Office, the Department of Rehabilitation Services, a  
107 family member representing a family education and support 501(c)3  
108 organization, a representative from the Council of Administrators  
109 for Special Education/Mississippi Organization of Special  
110 Education Supervisors (CASE/MOSES) and a family member designated  
111 by Mississippi Families as Allies for Children's Mental Health,  
112 Inc. Appointments to the Interagency System of Care Council shall  
113 be made within sixty (60) days after the effective date of this  
114 act. The council shall organize by selecting a chairman from its  
115 membership to serve on an annual basis, and the chairman may not  
116 serve consecutive terms.

117 (4) There is established a statewide system of local  
118 Multidisciplinary Assessment and Planning Resource (MAP) teams.  
119 The MAP teams shall be comprised of one (1) representative each at  
120 the county level from the major child-serving public agencies for  
121 education, human services, health, mental health and  
122 rehabilitative services approved by respective state agencies of  
123 the Department of Education, the Department of Human Services, the  
124 Department of Health, the Department of Mental Health and the  
125 Department of Rehabilitation Services. Three (3) additional  
126 members may be added to each team, one (1) of which may be a  
127 representative of a family education/support 501(c)3 organization  
128 with statewide recognition and specifically established for the  
129 population of children defined in Section 43-14-1. The

130 remaining \* \* \* members will be representatives of significant  
131 community-level stakeholders with resources that can benefit the  
132 population of children defined in Section 43-14-1.

133 (5) The Interagency Coordinating Council for Children and  
134 Youth may provide input relative to how each agency utilizes its  
135 federal and state statutes, policy requirements and funding  
136 streams to identify and/or serve children and youth in the  
137 population defined in Section 43-14-1. The ICCCY shall support  
138 the implementation of the plans of the respective state agencies  
139 for comprehensive multidisciplinary care, treatment and placement  
140 of these children.

141 (6) The ICCCY shall oversee a pool of state funds that may  
142 be contributed by each participating state agency and additional  
143 funds from the Mississippi Tobacco Health Care Expenditure Fund,  
144 subject to specific appropriation therefor by the Legislature.  
145 Part of this pool of funds shall be available for increasing the  
146 present funding levels by matching Medicaid funds in order to  
147 increase the existing resources available for necessary  
148 community-based services for Medicaid beneficiaries.

149 (7) The local coordinating care MAP team will facilitate the  
150 development of the individualized System of Care programs for the  
151 population targeted in Section 43-14-1.

152 (8) Each local MAP team shall serve as the single point of  
153 entry to ensure that comprehensive diagnosis and assessment occur  
154 and shall coordinate needed services through the local  
155 coordinating care entity for the children named in subsection (1).  
156 Local children in crisis shall have first priority for access to  
157 the MAP team processes and local System of Care programs.

158 (9) The Interagency Coordinating Council for Children and  
159 Youth shall facilitate monitoring of the performance of local MAP  
160 teams.

161 (10) Each state agency named in subsection (2) of this  
162 section shall enter into a binding interagency agreement to

163 participate in the oversight of the statewide System of Care  
164 programs for the children and youth described in this section.  
165 The agreement shall be signed and in effect by July 1 of each  
166 year.

167 (11) This section shall stand repealed from and after July  
168 1, 2010.

169 **SECTION 2.** Section 43-14-3, Mississippi Code of 1972, is  
170 amended as follows:

171 43-14-3. In addition to the specific authority provided in  
172 Section 43-14-1, the powers and responsibilities of the  
173 Interagency Coordinating Council for Children and Youth shall be  
174 as follows:

175 (a) To serve in an advisory capacity and to provide  
176 state level leadership and oversight to the development of the  
177 System of Care programs; and

178 (b) To insure the creation and availability of an  
179 annual pool of funds from each participating agency member of the  
180 ICCCY that includes the amount to be contributed by each agency  
181 and a process for utilization of those funds.

182 This section shall stand repealed from and after July 1,  
183 2010.

184 **SECTION 3.** Section 43-14-5, Mississippi Code of 1972, is  
185 amended as follows:

186 43-14-5. There is created in the State Treasury a special  
187 fund into which shall be deposited all funds contributed by the  
188 Department of Human Services, State Department of Health,  
189 Department of Mental Health, State Department of Rehabilitation  
190 Services insofar as recipients are otherwise eligible under the  
191 Rehabilitation Act of 1973, as amended, and State Department of  
192 Education for the operation of a statewide System of Care by MAP  
193 teams utilizing such funds as may be made available to those MAP  
194 teams through a Request for Proposal (RFP) approved by the ICCCY.

195           This section shall stand repealed from and after July 1,  
196   2010.

197           **SECTION 4.** This act shall take effect and be in force from  
198   and after July 1, 2005.