

By: Senator(s) Thames

To: Public Health and Welfare

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2991

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 FROM JULY 1, 2005, TO JULY 1, 2010; TO CLARIFY THE MEMBERSHIP OF
5 MULTIDISCIPLINARY ASSESSMENT AND PLANNING RESOURCE (MAP) TEAMS; TO
6 AMEND SECTION 43-14-3, MISSISSIPPI CODE OF 1972, WHICH PROVIDES
7 THE DUTIES OF SUCH COUNCIL, TO EXTEND THE DATE OF REPEAL ON THIS
8 SECTION FROM JULY 1, 2005, TO JULY 1, 2010; TO AMEND SECTION
9 43-14-5, MISSISSIPPI CODE OF 1972, WHICH PROVIDES A SPECIAL FUND
10 FOR A STATEWIDE SYSTEM OF CARE BY MAP TEAMS UTILIZING SUCH FUNDS,
11 TO EXTEND THE DATE OF REPEAL ON THIS SECTION FROM JULY 1, 2005, TO
12 JULY 1, 2010; AND FOR RELATED PURPOSES.

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

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

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

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

- 54 (a) Child centered, family focused and family driven;
- 55 (b) Community based;
- 56 (c) Culturally competent and responsive; and shall
57 provide for:
 - 58 (i) Service coordination or case management;
 - 59 (ii) Prevention and early identification and
60 intervention;
 - 61 (iii) Smooth transitions among agencies,
62 providers, and to the adult service system;
 - 63 (iv) Human rights protection and advocacy;
 - 64 (v) Nondiscrimination in access to services;
 - 65 (vi) A comprehensive array of services;

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

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

94 (3) The Interagency System of Care Council is created to
95 serve as the state management team for the ICCCY, with the
96 responsibility of collecting and analyzing data and funding
97 strategies necessary to improve the operation of the System of
98 Care programs, and to make recommendations to the ICCCY and to the

99 Legislature concerning such strategies on or before December 31,
100 2002. The System of Care Council also has the responsibility of
101 coordinating the local Multidisciplinary Assessment and Planning
102 (MAP) teams and may apply for grants from public and private
103 sources necessary to carry out its responsibilities. The
104 Interagency System of Care Council shall be comprised of one (1)
105 member from each of the appropriate child-serving divisions or
106 sections of the State Department of Health, the Department of
107 Human Services, the State Department of Mental Health, the State
108 Department of Education, the Division of Medicaid of the
109 Governor's Office, the Department of Rehabilitation Services, a
110 family member representing a family education and support 501(c)3
111 organization, a representative from the Council of Administrators
112 for Special Education/Mississippi Organization of Special
113 Education Supervisors (CASE/MOSES) and a family member designated
114 by Mississippi Families as Allies for Children's Mental Health,
115 Inc. Appointments to the Interagency System of Care Council shall
116 be made within sixty (60) days after the effective date of this
117 act. The council shall organize by selecting a chairman from its
118 membership to serve on an annual basis, and the chairman may not
119 serve consecutive terms.

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

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

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

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

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

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

161 (9) The Interagency Coordinating Council for Children and
162 Youth shall facilitate monitoring of the performance of local MAP
163 teams.

164 (10) Each state agency named in subsection (2) of this
165 section shall enter into a binding interagency agreement to
166 participate in the oversight of the statewide System of Care
167 programs for the children and youth described in this section.
168 The agreement shall be signed and in effect by July 1 of each
169 year.

170 (11) This section shall stand repealed from and after July
171 1, 2010.

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

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

178 (a) To serve in an advisory capacity and to provide
179 state level leadership and oversight to the development of the
180 System of Care programs; and

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

185 This section shall stand repealed from and after July 1,
186 2010.

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

189 43-14-5. There is created in the State Treasury a special
190 fund into which shall be deposited all funds contributed by the
191 Department of Human Services, State Department of Health,
192 Department of Mental Health, State Department of Rehabilitation
193 Services insofar as recipients are otherwise eligible under the
194 Rehabilitation Act of 1973, as amended, and State Department of
195 Education for the operation of a statewide System of Care by MAP

196 teams utilizing such funds as may be made available to those MAP
197 teams through a Request for Proposal (RFP) approved by the ICCCY.

198 This section shall stand repealed from and after July 1,
199 2010.

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