

By: Senator(s) Bryan, McLendon, Jordan,
Thomas, Jackson (11th), Horhn, Blackwell,
Witherspoon

To: Public Health and
Welfare

SENATE BILL NO. 2610
(As Passed the Senate)

1 AN ACT TO ENACT THE ROSE ISABEL WILLIAMS MENTAL HEALTH REFORM
2 ACT OF 2020; TO CREATE THE TEMPORARY POSITION OF THE COORDINATOR
3 OF MENTAL HEALTH ACCESSIBILITY AS A SUBDIVISION WITHIN, BUT
4 INDEPENDENT OF, THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO
5 DEFINE TERMS; TO AUTHORIZE THE GOVERNOR TO APPOINT A COORDINATOR
6 OF MENTAL HEALTH ACCESSIBILITY; TO REQUIRE THE COORDINATOR TO
7 PERFORM A COMPREHENSIVE REVIEW OF THE MENTAL HEALTH SYSTEM, TO
8 CONSULT WITH CERTAIN DEPARTMENTS AND ENTITIES, AND TO REVIEW THE
9 QUARTERLY FINANCIAL STATEMENTS AND STATUS REPORTS OF THE
10 INDIVIDUAL COMMUNITY MENTAL HEALTH CENTERS; TO REQUIRE THE
11 COORDINATOR TO DETERMINE WHERE IN ANY COUNTY, OR GEOGRAPHIC AREA
12 WITHIN A COUNTY, THE DELIVERY OR AVAILABILITY OF MENTAL HEALTH
13 SERVICES ARE INADEQUATE AND TO REPORT ON THE STATUS OF THE MENTAL
14 HEALTH SYSTEM TO CERTAIN GOVERNMENTAL AUTHORITIES; TO AUTHORIZE
15 THE COORDINATOR TO HIRE STAFF; TO AUTHORIZE THE COORDINATOR TO
16 INSPECT FACILITIES WITHIN THE MENTAL HEALTH SYSTEM, TO INTERVIEW
17 CERTAIN PERSONS, AND TO ACCESS CERTAIN PROGRAMS, SERVICES,
18 DOCUMENTS AND MATERIALS; TO AUTHORIZE THE COORDINATOR TO APPOINT A
19 COMMITTEE; TO REQUIRE THE COORDINATOR TO COMMUNICATE WITH THE
20 COUNTY BOARD OF SUPERVISORS AND THE REGIONAL COMMISSION FOR THE
21 COUNTY OR GEOGRAPHIC AREA WHERE MENTAL HEALTH SERVICES ARE
22 INADEQUATE TO DETERMINE IF A PLAN IS BEING EXECUTED OR DEVELOPED
23 TO INCREASE ACCESS TO MENTAL HEALTH SERVICES; TO HAVE THE
24 COORDINATOR ASSESS THE VIABILITY OF ANY PLAN; TO REQUIRE THE
25 COORDINATOR, WHEN A PLAN IS DETERMINED TO BE INSUFFICIENT, TO
26 DEVELOP AND IMPLEMENT HIS OR HER OWN PLAN TO PROVIDE MENTAL HEALTH
27 SERVICES TO THE COUNTY OR GEOGRAPHIC AREA WHERE MENTAL HEALTH
28 SERVICES ARE INADEQUATE; TO AUTHORIZE THE COORDINATOR TO REASSIGN
29 THE COUNTY OR GEOGRAPHIC AREA WHERE MENTAL HEALTH SERVICES ARE
30 INADEQUATE TO ANOTHER REGIONAL COMMISSION, THE DEPARTMENT OF
31 MENTAL HEALTH, OR A NONPROFIT ENTITY FOR THE PROVISION OF MENTAL
32 HEALTH SERVICES; TO REQUIRE CERTAIN AGENCIES AND THE REGIONAL
33 COMMISSIONS TO COOPERATE WITH THE COORDINATOR; TO AMEND SECTION
34 41-4-7, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF



35 MENTAL HEALTH TO PROVIDE MENTAL HEALTH SERVICES TO ANY COUNTY OR
36 GEOGRAPHIC AREA REASSIGNED TO THE DEPARTMENT BY THE COORDINATOR
37 AND TO PROMULGATE ANY RULES AND REGULATIONS REQUESTED BY THE
38 COORDINATOR; TO AMEND SECTION 41-19-33, MISSISSIPPI CODE OF 1972,
39 TO CONFORM; AND FOR RELATED PURPOSES.

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

41 **SECTION 1.** This act shall be known and may be cited as the
42 Rose Isabel Williams Mental Health Reform Act of 2020. The goal
43 of the act is to reform the current Mississippi mental health
44 delivery system so that necessary services, supports and
45 operational structures for all its citizens with mental illness
46 and/or alcohol and drug dependence and/or comorbidity, whether
47 children, youth or adults, are accessible and delivered preferably
48 in the communities where these citizens live. To accomplish this
49 goal, this act provides for a Coordinator of Mental Health
50 Accessibility with the power and duties set forth in this act.

51 **SECTION 2.** As used in this act, the following terms shall
52 have the following meanings, unless the context clearly indicates
53 a different meaning:

54 (a) "Community mental health center" means a facility
55 authorized under Section 41-19-33.

56 (b) "Mental health services" shall include all services
57 offered by the mental health system in Mississippi, including, but
58 not limited to, the following:

59 (i) Community mental health services, including:

- 60 1. Programs of assertive community treatment;
- 61 2. Mobile crisis response services;
- 62 3. Crisis stabilization units;



63 4. Community support services;
64 5. Peer support services;
65 6. Supported employment; and
66 7. Permanent supported housing; and
67 (ii) Institutional mental health services which
68 are services that encompass civil commitment or hospitalization in
69 a psychiatric hospital;
70 (iii) Mental health services provided in
71 facilities authorized in Title 47, Mississippi Code of 1972;
72 (iv) Core adult mental health services;
73 (v) Child mental health services;
74 (vi) Intellectual/developmental disability
75 services;
76 (vii) Substance abuse prevention and
77 treatment/rehabilitation services; and
78 (viii) Any combination of the services defined in
79 this paragraph (b).
80 (c) "Mental health system" means the facilities,
81 institutions, centers, entities, persons and providers that
82 provide mental health services in Mississippi.
83 (d) "Regional commission" means a commission
84 established in Section 41-19-33.
85 **SECTION 3.** (1) (a) There is created within the Department
86 of Finance and Administration a temporary position to be known as
87 the "Coordinator of Mental Health Accessibility."



88 (b) (i) The Governor, with the advice and consent of
89 the Senate, shall appoint the Coordinator of Mental Health
90 Accessibility by April 20, 2020.

91 (ii) In making the appointment, the Governor shall
92 consult with the Department of Mental Health, the Division of
93 Medicaid, the regional commissions and any advocacy groups that he
94 determines to be necessary.

95 (c) The temporary position of Coordinator of Mental
96 Health Accessibility shall dissolve on June 30, 2023.

97 (2) The temporary position shall be a subdivision housed
98 within, but independent of, the Department of Finance and
99 Administration. The coordinator shall maintain complete and
100 exclusive operational control of the subdivision's functions.

101 (3) The coordinator shall have a master's degree, doctoral
102 degree or juris doctorate from an accredited institution of higher
103 learning and not have less than five (5) years of professional
104 experience.

105 (4) All of the expenses of the coordinator's office,
106 including the coordinator's salary and the salaries of any staff,
107 shall be paid out of funds specifically appropriated for this
108 purpose.

109 (5) The Department of Finance and Administration shall
110 provide certain administrative support of the coordinator such as
111 payroll, purchasing, personnel support and clerical and reception
112 functions.



113 **SECTION 4.** The coordinator shall have the following powers
114 and duties:

115 (a) To perform a comprehensive review of Mississippi's
116 mental health system to determine whether the mental health
117 services, including community mental health services, are offered
118 in each county and available to the entire population of each
119 county, especially to those with serious and persistent mental
120 illness.

121 (b) To analyze and review the structure of the mental
122 health system.

123 (c) To review the adequacy and quality of the
124 individualized supports and services provided to persons
125 discharged from the state hospitals or to persons at risk of
126 institutionalization throughout the state.

127 (d) To review the quarterly financial statements and
128 status reports of the individual community mental health centers
129 described in Section 41-19-33(3)(b).

130 (e) To consult with the Special Master appointed in the
131 United States of America v. State of Mississippi, No.
132 3:16-CV-622-CWR-FKB (S.D. Miss. Feb. 25, 2020) or any monitor or
133 other person appointed by the court, the Department of Mental
134 Health, the Division of Medicaid, the Department of Rehabilitation
135 Services, the Department of Health, county boards of supervisors,
136 regional commissions, community mental health centers, mental
137 health advocates, community leaders and any other necessary



138 parties or entities, both private and governmental, regarding the
139 status of the services offered by Mississippi's mental health
140 system.

141 (f) To determine where in any county, or geographic
142 area within a county, the delivery or availability of mental
143 health services are inadequate.

144 (g) To determine whether each community mental health
145 center has sufficient funds to provide the required mental health
146 services.

147 (h) To report on the status of the mental health system
148 quarterly to the Governor, the Lieutenant Governor, the Speaker of
149 the House, the Department of Mental Health, the regional
150 commissions, the Division of Medicaid, the Department of
151 Rehabilitative Services, the Department of Health, the Department
152 of Finance and Administration, the PEER Committee and the
153 Legislative Budget Office. The coordinator shall deliver the
154 quarterly status report to the Secretary of the Senate and the
155 Clerk of the House who shall disseminate the report to the
156 appropriate members.

157 **SECTION 5.** In fulfilling the responsibilities of this act,
158 the coordinator may, subject to federal law:

159 (a) Hire the deputies, assistants and staff needed for
160 the performance of his or her duties under this act. The
161 coordinator, in consultation with the State Personnel Board, shall
162 set the compensation of any hired employees from any funds made



163 available for that purpose. The Department of Mental Health, upon
164 request from the coordinator, may supplement the administrative
165 and support staff of the subdivision. The coordinator shall have
166 complete and exclusive operational control over any staff provided
167 by the Department of Mental Health under this paragraph (a);

168 (b) Enter any part of the mental health system,
169 including any facility or building used to provide mental health
170 services.

171 (c) Interview, on a confidential basis or otherwise,
172 persons and employees in the mental health system.

173 (d) Access services, documents, records, programs and
174 materials as necessary to assess the status of the mental health
175 system.

176 (e) Recommend changes to any portion of the mental
177 health system either in the coordinator's status reports or to the
178 board(s) of supervisors or regional commissions or to the
179 Department of Mental Health or as otherwise determined to be
180 necessary by the coordinator.

181 (f) Develop and implement a plan to provide access to
182 mental health services in any county, or geographic area within a
183 county, where services are determined to be inadequate, if
184 required by Section 5 of this act.

185 (g) Communicate with any governmental entity as is
186 necessary to fulfill the coordinator's duties under this act.



187 (h) Perform any other actions as the coordinator deems
188 necessary to fulfill the coordinator's duties under this act.

189 **SECTION 6.** (1) When the coordinator determines that a
190 county or a geographic area within a county offers inadequate
191 mental health services, the coordinator shall inform the board(s)
192 of supervisors and the regional commission of the geographic areas
193 where the services are inadequate.

194 (2) When the coordinator determines services are inadequate,
195 the coordinator shall determine if there is a plan in place or a
196 plan being developed to increase access to mental health services
197 in that county or the geographic area of the county where mental
198 health services are inadequate and shall assess the viability of
199 the plan, including its sufficiency to address the inadequacy of
200 the available mental health services.

201 (3) If there is no plan in place or being developed, the
202 coordinator may allow the county board of supervisors or the
203 regional commission a reasonable time to develop and implement a
204 plan.

205 (4) If the coordinator determines that the plan is or will
206 be insufficient to provide mental health services to the
207 population of the county or the geographic area within the county,
208 the coordinator shall develop and implement a plan to facilitate
209 an increased access to mental health services by:

210 (a) Preferably requiring the regional commission to
211 reassign the county that has inadequate mental health services to



212 a different regional commission if that regional commission is
213 willing to accept the county; or

214 (b) Requiring the regional commission to reassign the
215 county or geographic area that has inadequate mental health
216 services to the Board of Mental Health for the provision of mental
217 health services; or

218 (c) Arranging for a nonprofit entity to provide
219 sufficient mental health services to individuals in the county or
220 the geographic area that has inadequate mental health services,
221 regardless of the individual's ability to pay.

222 **SECTION 7.** The Department of Mental Health, the regional
223 commissions, the Division of Medicaid, the Department of
224 Rehabilitation Services, the Department of Health, the Department
225 of Finance and Administration, the PEER Committee, and the
226 Legislative Budget Office shall cooperate with the coordinator
227 under this act and shall allow the coordinator or his or her staff
228 to, as it relates to the performing of his or her duties:

229 (a) Enter any part of the mental health system,
230 including any facility or building used to provide mental health
231 services;

232 (b) Interview any person employed by or receiving
233 services from the respective entity; and

234 (c) Access services, documents, records, programs and
235 materials as necessary to assess the status of the mental health
236 system.



237 **SECTION 8.** Section 41-4-7, Mississippi Code of 1972, is
238 amended as follows:

239 41-4-7. The State Board of Mental Health shall have the
240 following powers and duties:

241 (a) To appoint a full-time Executive Director of the
242 Department of Mental Health, who shall be employed by the board
243 and shall serve as executive secretary to the board. The first
244 director shall be a duly licensed physician with special interest
245 and competence in psychiatry, and shall possess a minimum of three
246 (3) years' experience in clinical and administrative psychiatry.
247 Subsequent directors shall possess at least a master's degree or
248 its equivalent, and shall possess at least ten (10) years'
249 administrative experience in the field of mental health. The
250 salary of the executive director shall be determined by the board;

251 (b) To appoint a Medical Director for the Department of
252 Mental Health. The medical director shall provide clinical
253 oversight in the implementation of evidence-based and best
254 practices; provide clinical leadership in the integration of
255 mental health, intellectual disability and addiction services with
256 community partners in the public and private sectors; and provide
257 oversight regarding standards of care. The medical director shall
258 serve at the will and pleasure of the board, and will undergo an
259 annual review of job performance and future service to the
260 department;



261 (c) To cooperate with the Strategic Planning and Best
262 Practices Committee created in Section 41-4-10, Mississippi Code
263 of 1972, in establishing and implementing its state strategic
264 plan;

265 (d) To develop a strategic plan for the development of
266 services for persons with mental illness, persons with
267 developmental disabilities and other clients of the public mental
268 health system. Such strategic planning program shall require that
269 the board, acting through the Strategic Planning and Best
270 Practices Committee, perform the following functions respecting
271 the delivery of services:

272 (i) Establish measures for determining the
273 efficiency and effectiveness of the services specified in Section
274 41-4-1(2);

275 (ii) Conducting studies of community-based care in
276 other jurisdictions to determine which services offered in these
277 jurisdictions have the potential to provide the citizens of
278 Mississippi with more effective and efficient community-based
279 care;

280 (iii) Evaluating the efficiency and effectiveness
281 of the services specified in Section 41-4-1(2);

282 (iv) Recommending to the Legislature by January 1,
283 2014, any necessary additions, deletions or other changes
284 necessary to the services specified in Section 41-4-1(2);



285 (v) Implementing by July 1, 2012, a system of
286 performance measures for the services specified in Section
287 41-4-1(2);

288 (vi) Recommending to the Legislature any changes
289 that the department believes are necessary to the current laws
290 addressing civil commitment;

291 (vii) Conducting any other activities necessary to
292 the evaluation and study of the services specified in Section
293 41-4-1(2);

294 (viii) Assisting in conducting all necessary
295 strategic planning for the delivery of all other services of the
296 department. Such planning shall be conducted so as to produce a
297 single strategic plan for the services delivered by the public
298 mental health system and shall establish appropriate mission
299 statements, goals, objectives and performance indicators for all
300 programs and services of the public mental health system. For
301 services other than those specified in Section 41-4-1(2), the
302 committee shall recommend to the State Board of Mental Health a
303 strategic plan that the board may adopt or modify;

304 (e) To set up state plans for the purpose of
305 controlling and treating any and all forms of mental and emotional
306 illness, alcoholism, drug misuse and developmental disabilities;

307 (f) [Repealed]

308 (g) To enter into contracts with any other state or
309 federal agency, or with any private person, organization or group



310 capable of contracting, if it finds such action to be in the
311 public interest;

312 (h) To collect reasonable fees for its services;
313 however, if it is determined that a person receiving services is
314 unable to pay the total fee, the department shall collect any
315 amount such person is able to pay;

316 (i) To certify, coordinate and establish minimum
317 standards and establish minimum required services, as specified in
318 Section 41-4-1(2), for regional mental health and intellectual
319 disability commissions and other community service providers for
320 community or regional programs and services in adult mental
321 health, children and youth mental health, intellectual
322 disabilities, alcoholism, drug misuse, developmental disabilities,
323 compulsive gambling, addictive disorders and related programs
324 throughout the state. Such regional mental health and
325 intellectual disability commissions and other community service
326 providers shall, on or before July 1 of each year, submit an
327 annual operational plan to the State Department of Mental Health
328 for approval or disapproval based on the minimum standards and
329 minimum required services established by the department for
330 certification and itemize the services specified in Section
331 41-4-1(2). As part of the annual operation plan required by this
332 paragraph (i) submitted by any regional community mental health
333 center or by any other reasonable certification deemed acceptable
334 by the department, the community mental health center shall state



335 those services specified in Section 41-4-1(2) that it will provide
336 and also those services that it will not provide. If the
337 department finds deficiencies in the plan of any regional
338 commission or community service provider based on the minimum
339 standards and minimum required services established for
340 certification, the department shall give the regional commission
341 or community service provider a six-month probationary period to
342 bring its standards and services up to the established minimum
343 standards and minimum required services. After the six-month
344 probationary period, if the department determines that the
345 regional commission or community service provider still does not
346 meet the minimum standards and minimum required services
347 established for certification, the department may remove the
348 certification of the commission or provider and from and after
349 July 1, 2011, the commission or provider shall be ineligible for
350 state funds from Medicaid reimbursement or other funding sources
351 for those services. However, the department shall not mandate a
352 standard or service, or decertify a regional commission or
353 community service provider for not meeting a standard or service,
354 if the standard or service does not have funding appropriated by
355 the Legislature or have a state, federal or local funding source
356 identified by the department. No county shall be required to levy
357 millage to provide a mandated standard or service above the
358 minimum rate required by Section 41-19-39. After the six-month
359 probationary period, the department may identify an appropriate



360 community service provider to provide any core services in that
361 county that are not provided by a community mental health center.
362 However, the department shall not offer reimbursement or other
363 accommodations to a community service provider of core services
364 that were not offered to the decertified community mental health
365 center for the same or similar services. The State Board of
366 Mental Health shall promulgate rules and regulations necessary to
367 implement the provisions of this paragraph (i), in accordance with
368 the Administrative Procedures Law (Section 25-43-1.101 et seq.);

369 (j) To establish and promulgate reasonable minimum
370 standards for the construction and operation of state and all
371 Department of Mental Health certified facilities, including
372 reasonable minimum standards for the admission, diagnosis, care,
373 treatment, transfer of patients and their records, and also
374 including reasonable minimum standards for providing day care,
375 outpatient care, emergency care, inpatient care and follow-up
376 care, when such care is provided for persons with mental or
377 emotional illness, an intellectual disability, alcoholism, drug
378 misuse and developmental disabilities;

379 (k) To implement best practices for all services
380 specified in Section 41-4-1(2), and to establish and implement all
381 other services delivered by the Department of Mental Health. To
382 carry out this responsibility, the board shall require the
383 department to establish a division responsible for developing best
384 practices based on a comprehensive analysis of the mental health



385 environment to determine what the best practices for each service
386 are. In developing best practices, the board shall consider the
387 cost and benefits associated with each practice with a goal of
388 implementing only those practices that are cost-effective
389 practices for service delivery. Such best practices shall be
390 utilized by the board in establishing performance standards and
391 evaluations of the community mental health centers' services
392 required by paragraph (d) of this section;

393 (l) To assist community or regional programs consistent
394 with the purposes of this chapter by making grants and contracts
395 from available funds;

396 (m) To establish and collect reasonable fees for
397 necessary inspection services incidental to certification or
398 compliance;

399 (n) To accept gifts, trusts, bequests, grants,
400 endowments or transfers of property of any kind;

401 (o) To receive monies coming to it by way of fees for
402 services or by appropriations;

403 (p) To serve as the single state agency in receiving
404 and administering any and all funds available from any source for
405 the purpose of service delivery, training, research and education
406 in regard to all forms of mental illness, intellectual
407 disabilities, alcoholism, drug misuse and developmental
408 disabilities, unless such funds are specifically designated to a



409 particular agency or institution by the federal government, the
410 Mississippi Legislature or any other grantor;

411 (q) To establish mental health holding centers for the
412 purpose of providing short-term emergency mental health treatment,
413 places for holding persons awaiting commitment proceedings or
414 awaiting placement in a state mental health facility following
415 commitment, and for diverting placement in a state mental health
416 facility. These mental health holding facilities shall be readily
417 accessible, available statewide, and be in compliance with
418 emergency services' minimum standards. They shall be
419 comprehensive and available to triage and make appropriate
420 clinical disposition, including the capability to access inpatient
421 services or less restrictive alternatives, as needed, as
422 determined by medical staff. Such facility shall have medical,
423 nursing and behavioral services available on a
424 twenty-four-hour-a-day basis. The board may provide for all or
425 part of the costs of establishing and operating the holding
426 centers in each district from such funds as may be appropriated to
427 the board for such use, and may participate in any plan or
428 agreement with any public or private entity under which the entity
429 will provide all or part of the costs of establishing and
430 operating a holding center in any district;

431 (r) To certify/license case managers, mental health
432 therapists, intellectual disability therapists, mental
433 health/intellectual disability program administrators, addiction



434 counselors and others as deemed appropriate by the board. Persons
435 already professionally licensed by another state board or agency
436 are not required to be certified/licensed under this section by
437 the Department of Mental Health. The department shall not use
438 professional titles in its certification/licensure process for
439 which there is an independent licensing procedure. Such
440 certification/licensure shall be valid only in the state mental
441 health system, in programs funded and/or certified by the
442 Department of Mental Health, and/or in programs certified/licensed
443 by the State Department of Health that are operated by the state
444 mental health system serving persons with mental illness, an
445 intellectual disability, a developmental disability or addictions,
446 and shall not be transferable;

447 (s) To develop formal mental health worker
448 qualifications for regional mental health and intellectual
449 disability commissions and other community service providers. The
450 State Personnel Board shall develop and promulgate a recommended
451 salary scale and career ladder for all regional mental
452 health/intellectual disability center therapists and case managers
453 who work directly with clients. The State Personnel Board shall
454 also develop and promulgate a career ladder for all direct care
455 workers employed by the State Department of Mental Health;

456 (t) The employees of the department shall be governed
457 by personnel merit system rules and regulations, the same as other
458 employees in state services;



459 (u) To establish such rules and regulations as may be
460 necessary in carrying out the provisions of this chapter,
461 including the establishment of a formal grievance procedure to
462 investigate and attempt to resolve consumer complaints;

463 (v) To grant easements for roads, utilities and any
464 other purpose it finds to be in the public interest;

465 (w) To survey statutory designations, building markers
466 and the names given to mental health/intellectual disability
467 facilities and proceedings in order to recommend deletion of
468 obsolete and offensive terminology relative to the mental
469 health/intellectual disability system. Based upon a
470 recommendation of the executive director, the board shall have the
471 authority to name/rename any facility operated under the auspices
472 of the Department of Mental Health for the sole purpose of
473 deleting such terminology;

474 (x) To ensure an effective case management system
475 directed at persons who have been discharged from state and
476 private psychiatric hospitals to ensure their continued well-being
477 in the community;

478 (y) To develop formal service delivery standards
479 designed to measure the quality of services delivered to community
480 clients, as well as the timeliness of services to community
481 clients provided by regional mental health/intellectual disability
482 commissions and other community services providers;



483 (z) To establish regional state offices to provide
484 mental health crisis intervention centers and services available
485 throughout the state to be utilized on a case-by-case emergency
486 basis. The regional services director, other staff and delivery
487 systems shall meet the minimum standards of the Department of
488 Mental Health;

489 (aa) To require performance contracts with community
490 mental health/intellectual disability service providers to contain
491 performance indicators to measure successful outcomes, including
492 diversion of persons from inpatient psychiatric hospitals,
493 rapid/timely response to emergency cases, client satisfaction with
494 services and other relevant performance measures;

495 (bb) To enter into interagency agreements with other
496 state agencies, school districts and other local entities as
497 determined necessary by the department to ensure that local mental
498 health service entities are fulfilling their responsibilities to
499 the overall state plan for behavioral services;

500 (cc) To establish and maintain a toll-free grievance
501 reporting telephone system for the receipt and referral for
502 investigation of all complaints by clients of state and community
503 mental health/intellectual disability facilities;

504 (dd) To establish a peer review/quality assurance
505 evaluation system that assures that appropriate assessment,
506 diagnosis and treatment is provided according to established
507 professional criteria and guidelines;



508 (ee) To develop and implement state plans for the
509 purpose of assisting with the care and treatment of persons with
510 Alzheimer's disease and other dementia. This plan shall include
511 education and training of service providers, caregivers in the
512 home setting and others who deal with persons with Alzheimer's
513 disease and other dementia, and development of adult day care,
514 family respite care and counseling programs to assist families who
515 maintain persons with Alzheimer's disease and other dementia in
516 the home setting. No agency shall be required to provide any
517 services under this section until such time as sufficient funds
518 have been appropriated or otherwise made available by the
519 Legislature specifically for the purposes of the treatment of
520 persons with Alzheimer's and other dementia;

521 (ff) Working with the advice and consent of the
522 administration of Ellisville State School, to enter into
523 negotiations with the Economic Development Authority of Jones
524 County for the purpose of negotiating the possible exchange, lease
525 or sale of lands owned by Ellisville State School to the Economic
526 Development Authority of Jones County. It is the intent of the
527 Mississippi Legislature that such negotiations shall ensure that
528 the financial interest of the persons with an intellectual
529 disability served by Ellisville State School will be held
530 paramount in the course of these negotiations. The Legislature
531 also recognizes the importance of economic development to the
532 citizens of the State of Mississippi and Jones County, and



533 encourages fairness to the Economic Development Authority of Jones
534 County. Any negotiations proposed which would result in the
535 recommendation for exchange, lease or sale of lands owned by
536 Ellisville State School must have the approval of the State Board
537 of Mental Health. The State Board of Mental Health may and has
538 the final authority as to whether or not these negotiations result
539 in the exchange, lease or sale of the properties it currently
540 holds in trust for persons with an intellectual disability served
541 at Ellisville State School.

542 If the State Board of Mental Health authorizes the sale of
543 lands owned by Ellisville State School, as provided for under this
544 paragraph (ff), the monies derived from the sale shall be placed
545 into a special fund that is created in the State Treasury to be
546 known as the "Ellisville State School Client's Trust Fund." The
547 principal of the trust fund shall remain inviolate and shall never
548 be expended. Any interest earned on the principal may be expended
549 solely for the benefits of clients served at Ellisville State
550 School. The State Treasurer shall invest the monies of the trust
551 fund in any of the investments authorized for the Mississippi
552 Prepaid Affordable College Tuition Program under Section 37-155-9,
553 and those investments shall be subject to the limitations
554 prescribed by Section 37-155-9. Unexpended amounts remaining in
555 the trust fund at the end of a fiscal year shall not lapse into
556 the State General Fund, and any interest earned on amounts in the
557 trust fund shall be deposited to the credit of the trust fund.



558 The administration of Ellisville State School may use any interest
559 earned on the principal of the trust fund, upon appropriation by
560 the Legislature, as needed for services or facilities by the
561 clients of Ellisville State School. Ellisville State School shall
562 make known to the Legislature, through the Legislative Budget
563 Committee and the respective Appropriations Committees of the
564 House and Senate, its proposed use of interest earned on the
565 principal of the trust fund for any fiscal year in which it
566 proposes to make expenditures thereof. The State Treasurer shall
567 provide Ellisville State School with an annual report on the
568 Ellisville State School Client's Trust Fund to indicate the total
569 monies in the trust fund, interest earned during the year,
570 expenses paid from the trust fund and such other related
571 information.

572 Nothing in this section shall be construed as applying to or
573 affecting mental health/intellectual disability services provided
574 by hospitals as defined in Section 41-9-3(a), and/or their
575 subsidiaries and divisions, which hospitals, subsidiaries and
576 divisions are licensed and regulated by the Mississippi State
577 Department of Health unless such hospitals, subsidiaries or
578 divisions voluntarily request certification by the Mississippi
579 State Department of Mental Health.

580 All new programs authorized under this section shall be
581 subject to the availability of funds appropriated therefor by the
582 Legislature;



583 (gg) Working with the advice and consent of the
584 administration of Boswell Regional Center, to enter into
585 negotiations with the Economic Development Authority of Simpson
586 County for the purpose of negotiating the possible exchange, lease
587 or sale of lands owned by Boswell Regional Center to the Economic
588 Development Authority of Simpson County. It is the intent of the
589 Mississippi Legislature that such negotiations shall ensure that
590 the financial interest of the persons with an intellectual
591 disability served by Boswell Regional Center will be held
592 paramount in the course of these negotiations. The Legislature
593 also recognizes the importance of economic development to the
594 citizens of the State of Mississippi and Simpson County, and
595 encourages fairness to the Economic Development Authority of
596 Simpson County. Any negotiations proposed which would result in
597 the recommendation for exchange, lease or sale of lands owned by
598 Boswell Regional Center must have the approval of the State Board
599 of Mental Health. The State Board of Mental Health may and has
600 the final authority as to whether or not these negotiations result
601 in the exchange, lease or sale of the properties it currently
602 holds in trust for persons with an intellectual disability served
603 at Boswell Regional Center. In any such exchange, lease or sale
604 of such lands owned by Boswell Regional Center, title to all
605 minerals, oil and gas on such lands shall be reserved, together
606 with the right of ingress and egress to remove same, whether such



607 provisions be included in the terms of any such exchange, lease or
608 sale or not.

609 If the State Board of Mental Health authorizes the sale of
610 lands owned by Boswell Regional Center, as provided for under this
611 paragraph (gg), the monies derived from the sale shall be placed
612 into a special fund that is created in the State Treasury to be
613 known as the "Boswell Regional Center Client's Trust Fund." The
614 principal of the trust fund shall remain inviolate and shall never
615 be expended. Any earnings on the principal may be expended solely
616 for the benefits of clients served at Boswell Regional Center.
617 The State Treasurer shall invest the monies of the trust fund in
618 any of the investments authorized for the Mississippi Prepaid
619 Affordable College Tuition Program under Section 37-155-9, and
620 those investments shall be subject to the limitations prescribed
621 by Section 37-155-9. Unexpended amounts remaining in the trust
622 fund at the end of a fiscal year shall not lapse into the State
623 General Fund, and any earnings on amounts in the trust fund shall
624 be deposited to the credit of the trust fund. The administration
625 of Boswell Regional Center may use any earnings on the principal
626 of the trust fund, upon appropriation by the Legislature, as
627 needed for services or facilities by the clients of Boswell
628 Regional Center. Boswell Regional Center shall make known to the
629 Legislature, through the Legislative Budget Committee and the
630 respective Appropriations Committees of the House and Senate, its
631 proposed use of the earnings on the principal of the trust fund



632 for any fiscal year in which it proposes to make expenditures
633 thereof. The State Treasurer shall provide Boswell Regional
634 Center with an annual report on the Boswell Regional Center
635 Client's Trust Fund to indicate the total monies in the trust
636 fund, interest and other income earned during the year, expenses
637 paid from the trust fund and such other related information.

638 Nothing in this section shall be construed as applying to or
639 affecting mental health/intellectual disability services provided
640 by hospitals as defined in Section 41-9-3(a), and/or their
641 subsidiaries and divisions, which hospitals, subsidiaries and
642 divisions are licensed and regulated by the Mississippi State
643 Department of Health unless such hospitals, subsidiaries or
644 divisions voluntarily request certification by the Mississippi
645 State Department of Mental Health.

646 All new programs authorized under this section shall be
647 subject to the availability of funds appropriated therefor by the
648 Legislature;

649 (hh) Notwithstanding any other section of the code, the
650 Board of Mental Health shall be authorized to fingerprint and
651 perform a criminal history record check on every employee or
652 volunteer. Every employee and volunteer shall provide a valid
653 current social security number and/or driver's license number
654 which shall be furnished to conduct the criminal history record
655 check. If no disqualifying record is identified at the state



656 level, fingerprints shall be forwarded to the Federal Bureau of
657 Investigation for a national criminal history record check;

658 (ii) The Department of Mental Health shall have the
659 authority for the development of a consumer friendly single point
660 of intake and referral system within its service areas for persons
661 with mental illness, an intellectual disability, developmental
662 disabilities or alcohol or substance abuse who need assistance
663 identifying or accessing appropriate services. The department
664 will develop and implement a comprehensive evaluation procedure
665 ensuring that, where appropriate, the affected person or their
666 parent or legal guardian will be involved in the assessment and
667 planning process. The department, as the point of intake and as
668 service provider, shall have the authority to determine the
669 appropriate institutional, hospital or community care setting for
670 persons who have been diagnosed with mental illness, an
671 intellectual disability, developmental disabilities and/or alcohol
672 or substance abuse, and may provide for the least restrictive
673 placement if the treating professional believes such a setting is
674 appropriate, if the person affected or their parent or legal
675 guardian wants such services, and if the department can do so with
676 a reasonable modification of the program without creating a
677 fundamental alteration of the program. The least restrictive
678 setting could be an institution, hospital or community setting,
679 based upon the needs of the affected person or their parent or
680 legal guardian;



681 (jj) To have the sole power and discretion to enter
682 into, sign, execute and deliver long-term or multiyear leases of
683 real and personal property owned by the Department of Mental
684 Health to and from other state and federal agencies and private
685 entities deemed to be in the public's best interest. Any monies
686 derived from such leases shall be deposited into the funds of the
687 Department of Mental Health for its exclusive use. Leases to
688 private entities shall be approved by the Department of Finance
689 and Administration and all leases shall be filed with the
690 Secretary of State;

691 (kk) To certify and establish minimum standards and
692 minimum required services for county facilities used for housing,
693 feeding and providing medical treatment for any person who has
694 been involuntarily ordered admitted to a treatment center by a
695 court of competent jurisdiction. The minimum standard for the
696 initial assessment of those persons being housed in county
697 facilities is for the assessment to be performed by a physician,
698 preferably a psychiatrist, or by a nurse practitioner, preferably
699 a psychiatric nurse practitioner. If the department finds
700 deficiencies in any such county facility or its provider based on
701 the minimum standards and minimum required services established
702 for certification, the department shall give the county or its
703 provider a six-month probationary period to bring its standards
704 and services up to the established minimum standards and minimum
705 required services. After the six-month probationary period, if



706 the department determines that the county or its provider still
707 does not meet the minimum standards and minimum required services,
708 the department may remove the certification of the county or
709 provider and require the county to contract with another county
710 having a certified facility to hold those persons for that period
711 of time pending transportation and admission to a state treatment
712 facility. Any cost incurred by a county receiving an
713 involuntarily committed person from a county with a decertified
714 holding facility shall be reimbursed by the home county to the
715 receiving county * * *; and

716 (11) To provide mental health services to persons
717 within the counties and geographic areas assigned to the
718 department by the coordinator under Section 6(4) of this act. The
719 State Board of Mental Health shall promulgate any rules and
720 regulations:

721 (i) Necessary to implement this paragraph (11);
722 and

723 (ii) Requested by the coordinator in the
724 fulfillment of his or her duties under Sections 1 through 7 of
725 this act.

726 **SECTION 9.** Section 41-19-33, Mississippi Code of 1972, is
727 amended as follows:

728 41-19-33. (1) Each region so designated or established
729 under Section 41-19-31 shall establish a regional commission to be
730 composed of members appointed by the boards of supervisors of the



731 various counties in the region. It shall be the duty of such
732 regional commission to administer mental health/intellectual
733 disability programs certified and required by the State Board of
734 Mental Health and as specified in Section 41-4-1(2). In addition,
735 once designated and established as provided hereinabove, a
736 regional commission shall have the following authority and shall
737 pursue and promote the following general purposes:

738 (a) To establish, own, lease, acquire, construct,
739 build, operate and maintain mental illness, mental health,
740 intellectual disability, alcoholism and general rehabilitative
741 facilities and services designed to serve the needs of the people
742 of the region so designated, provided that the services supplied
743 by the regional commissions shall include those services
744 determined by the Department of Mental Health to be necessary and
745 may include, in addition to the above, services for persons with
746 developmental and learning disabilities; for persons suffering
747 from narcotic addiction and problems of drug abuse and drug
748 dependence; and for the aging as designated and certified by the
749 Department of Mental Health. Such regional mental health and
750 intellectual disability commissions and other community service
751 providers shall, on or before July 1 of each year, submit an
752 annual operational plan to the Department of Mental Health for
753 approval or disapproval based on the minimum standards and minimum
754 required services established by the department for certification
755 and itemize the services as specified in Section 41-4-1(2). As



756 part of the annual operation plan required by Section 41-4-7(h)
757 submitted by any regional community mental health center or by any
758 other reasonable certification deemed acceptable by the
759 department, the community mental health center shall state those
760 services specified in Section 41-4-1(2) that it will provide and
761 also those services that it will not provide. If the department
762 finds deficiencies in the plan of any regional commission or
763 community service provider based on the minimum standards and
764 minimum required services established for certification, the
765 department shall give the regional commission or community service
766 provider a six-month probationary period to bring its standards
767 and services up to the established minimum standards and minimum
768 required services. After the six-month probationary period, if
769 the department determines that the regional commission or
770 community service provider still does not meet the minimum
771 standards and minimum required services established for
772 certification, the department may remove the certification of the
773 commission or provider, and from and after July 1, 2011, the
774 commission or provider shall be ineligible for state funds from
775 Medicaid reimbursement or other funding sources for those
776 services. After the six-month probationary period, the Department
777 of Mental Health may identify an appropriate community service
778 provider to provide any core services in that county that are not
779 provided by a community mental health center. However, the
780 department shall not offer reimbursement or other accommodations



781 to a community service provider of core services that were not
782 offered to the decertified community mental health center for the
783 same or similar services.

784 (b) To provide facilities and services for the
785 prevention of mental illness, mental disorders, developmental and
786 learning disabilities, alcoholism, narcotic addiction, drug abuse,
787 drug dependence and other related handicaps or problems (including
788 the problems of the aging) among the people of the region so
789 designated, and for the rehabilitation of persons suffering from
790 such illnesses, disorders, handicaps or problems as designated and
791 certified by the Department of Mental Health.

792 (c) To promote increased understanding of the problems
793 of mental illness, intellectual disabilities, alcoholism,
794 developmental and learning disabilities, narcotic addiction, drug
795 abuse and drug dependence and other related problems (including
796 the problems of the aging) by the people of the region, and also
797 to promote increased understanding of the purposes and methods of
798 the rehabilitation of persons suffering from such illnesses,
799 disorders, handicaps or problems as designated and certified by
800 the Department of Mental Health.

801 (d) To enter into contracts and to make such other
802 arrangements as may be necessary, from time to time, with the
803 United States government, the government of the State of
804 Mississippi and such other agencies or governmental bodies as may
805 be approved by and acceptable to the regional commission for the



806 purpose of establishing, funding, constructing, operating and
807 maintaining facilities and services for the care, treatment and
808 rehabilitation of persons suffering from mental illness, an
809 intellectual disability, alcoholism, developmental and learning
810 disabilities, narcotic addiction, drug abuse, drug dependence and
811 other illnesses, disorders, handicaps and problems (including the
812 problems of the aging) as designated and certified by the
813 Department of Mental Health.

814 (e) To enter into contracts and make such other
815 arrangements as may be necessary with any and all private
816 businesses, corporations, partnerships, proprietorships or other
817 private agencies, whether organized for profit or otherwise, as
818 may be approved by and acceptable to the regional commission for
819 the purpose of establishing, funding, constructing, operating and
820 maintaining facilities and services for the care, treatment and
821 rehabilitation of persons suffering from mental illness, an
822 intellectual disability, alcoholism, developmental and learning
823 disabilities, narcotic addiction, drug abuse, drug dependence and
824 other illnesses, disorders, handicaps and problems (including the
825 problems of the aging) relating to minimum services established by
826 the Department of Mental Health.

827 (f) To promote the general mental health of the people
828 of the region.

829 (g) To pay the administrative costs of the operation of
830 the regional commissions, including per diem for the members of



831 the commission and its employees, attorney's fees, if and when
832 such are required in the opinion of the commission, and such other
833 expenses of the commission as may be necessary. The Department of
834 Mental Health standards and audit rules shall determine what
835 administrative cost figures shall consist of for the purposes of
836 this paragraph. Each regional commission shall submit a cost
837 report annually to the Department of Mental Health in accordance
838 with guidelines promulgated by the department.

839 (h) To employ and compensate any personnel that may be
840 necessary to effectively carry out the programs and services
841 established under the provisions of the aforesaid act, provided
842 such person meets the standards established by the Department of
843 Mental Health.

844 (i) To acquire whatever hazard, casualty or workers'
845 compensation insurance that may be necessary for any property,
846 real or personal, owned, leased or rented by the commissions, or
847 any employees or personnel hired by the commissions.

848 (j) To acquire professional liability insurance on all
849 employees as may be deemed necessary and proper by the commission,
850 and to pay, out of the funds of the commission, all premiums due
851 and payable on account thereof.

852 (k) To provide and finance within their own facilities,
853 or through agreements or contracts with other local, state or
854 federal agencies or institutions, nonprofit corporations, or
855 political subdivisions or representatives thereof, programs and



856 services for persons with mental illness, including treatment for
857 alcoholics, and promulgating and administering of programs to
858 combat drug abuse and programs for services for persons with an
859 intellectual disability.

860 (l) To borrow money from private lending institutions
861 in order to promote any of the foregoing purposes. A commission
862 may pledge collateral, including real estate, to secure the
863 repayment of money borrowed under the authority of this paragraph.
864 Any such borrowing undertaken by a commission shall be on terms
865 and conditions that are prudent in the sound judgment of the
866 members of the commission, and the interest on any such loan shall
867 not exceed the amount specified in Section 75-17-105. Any money
868 borrowed, debts incurred or other obligations undertaken by a
869 commission, regardless of whether borrowed, incurred or undertaken
870 before or after March 15, 1995, shall be valid, binding and
871 enforceable if it or they are borrowed, incurred or undertaken for
872 any purpose specified in this section and otherwise conform to the
873 requirements of this paragraph.

874 (m) To acquire, own and dispose of real and personal
875 property. Any real and personal property paid for with state
876 and/or county appropriated funds must have the written approval of
877 the Department of Mental Health and/or the county board of
878 supervisors, depending on the original source of funding, before
879 being disposed of under this paragraph.



880 (n) To enter into managed care contracts and make such
881 other arrangements as may be deemed necessary or appropriate by
882 the regional commission in order to participate in any managed
883 care program. Any such contract or arrangement affecting more
884 than one (1) region must have prior written approval of the
885 Department of Mental Health before being initiated and annually
886 thereafter.

887 (o) To provide facilities and services on a discounted
888 or capitated basis. Any such action when affecting more than one
889 (1) region must have prior written approval of the Department of
890 Mental Health before being initiated and annually thereafter.

891 (p) To enter into contracts, agreements or other
892 arrangements with any person, payor, provider or other entity,
893 under which the regional commission assumes financial risk for the
894 provision or delivery of any services, when deemed to be necessary
895 or appropriate by the regional commission. Any action under this
896 paragraph affecting more than one (1) region must have prior
897 written approval of the Department of Mental Health before being
898 initiated and annually thereafter.

899 (q) To provide direct or indirect funding, grants,
900 financial support and assistance for any health maintenance
901 organization, preferred provider organization or other managed
902 care entity or contractor, where such organization, entity or
903 contractor is operated on a nonprofit basis. Any action under
904 this paragraph affecting more than one (1) region must have prior



905 written approval of the Department of Mental Health before being
906 initiated and annually thereafter.

907 (r) To form, establish, operate, and/or be a member of
908 or participant in, either individually or with one or more other
909 regional commissions, any managed care entity as defined in
910 Section 83-41-403(c). Any action under this paragraph affecting
911 more than one (1) region must have prior written approval of the
912 Department of Mental Health before being initiated and annually
913 thereafter.

914 (s) To meet at least annually with the board of
915 supervisors of each county in its region for the purpose of
916 presenting its total annual budget and total mental
917 health/intellectual disability services system. The commission
918 shall submit an annual report on the adult mental health services,
919 children mental health services and intellectual disability
920 services required by the State Board of Mental Health.

921 (t) To provide alternative living arrangements for
922 persons with serious mental illness, including, but not limited
923 to, group homes for persons with chronic mental illness.

924 (u) To make purchases and enter into contracts for
925 purchasing in compliance with the public purchasing law, Sections
926 31-7-12 and 31-7-13, with compliance with the public purchasing
927 law subject to audit by the State Department of Audit.

928 (v) To * * * ensure that all available funds are used
929 for the benefit of persons with mental illness, persons with an



930 intellectual disability, substance abusers and persons with
931 developmental disabilities with maximum efficiency and minimum
932 administrative cost. At any time a regional commission, and/or
933 other related organization whatever it may be, accumulates surplus
934 funds in excess of one-half (1/2) of its annual operating budget,
935 the entity must submit a plan to the Department of Mental Health
936 stating the capital improvements or other projects that require
937 such surplus accumulation. If the required plan is not submitted
938 within forty-five (45) days of the end of the applicable fiscal
939 year, the Department of Mental Health shall withhold all state
940 appropriated funds from such regional commission until such time
941 as the capital improvement plan is submitted. If the submitted
942 capital improvement plan is not accepted by the department, the
943 surplus funds shall be expended by the regional commission in the
944 local mental health region on group homes for persons with mental
945 illness, persons with an intellectual disability, substance
946 abusers, children or other mental health/intellectual disability
947 services approved by the Department of Mental Health.

948 (w) Notwithstanding any other provision of law, to
949 fingerprint and perform a criminal history record check on every
950 employee or volunteer. Every employee or volunteer shall provide
951 a valid current social security number and/or driver's license
952 number that will be furnished to conduct the criminal history
953 record check. If no disqualifying record is identified at the



954 state level, fingerprints shall be forwarded to the Federal Bureau
955 of Investigation for a national criminal history record check.

956 (x) Notwithstanding any other provisions of law, each
957 regional commission shall have the authority to create and operate
958 a primary care health clinic to treat (i) its patients; and (ii)
959 its patients' family members related within the third degree; and
960 (iii) its patients' household members or caregivers, subject to
961 the following requirements:

962 (i) The regional commission may employ and
963 compensate any personnel necessary and must satisfy applicable
964 state and federal laws and regulations regarding the
965 administration and operation of a primary care health clinic.

966 (ii) A Mississippi licensed physician must be
967 employed or under agreement with the regional commission to
968 provide medical direction and/or to carry out the physician
969 responsibilities as described under applicable state and/or
970 federal law and regulations.

971 (iii) The physician providing medical direction
972 for the primary care clinic shall not be certified solely in
973 psychiatry.

974 (iv) A sliding fee scale may be used by the
975 regional commission when no other payer source is identified.

976 (v) The regional commission must ensure services
977 will be available and accessible promptly and in a manner that
978 preserves human dignity and assures continuity of care.



979 (vi) The regional commission must provide a
980 semiannual report to the Chairmen of the Public Health Committees
981 in both the House of Representatives and Senate. At a minimum,
982 for each reporting period, these reports shall describe the number
983 of patients provided primary care services, the types of services
984 provided, and the payer source for the patients. Except for
985 patient information and any other information that may be exempt
986 from disclosure under the Health Information Portability and
987 Accountability Act (HIPAA) and the Mississippi Public Records Act,
988 the reports shall be considered public records.

989 (vii) The regional commission must employ or
990 contract with a core clinical staff that is multidisciplinary and
991 culturally and linguistically competent.

992 (viii) The regional commission must ensure that
993 its physician as described in subparagraph (ii) of this paragraph
994 (x) has admitting privileges at one or more local hospitals or has
995 an agreement with a physician who has admitting privileges at one
996 or more local hospitals to ensure continuity of care.

997 (ix) The regional commission must provide an
998 independent financial audit report to the State Department of
999 Mental Health and, except for patient information and any other
1000 information that may be exempt from disclosure under HIPAA and the
1001 Mississippi Public Records Act, the audit report shall be
1002 considered a public record.



1003 For the purposes of this paragraph (x), the term "caregiver"
1004 means an individual who has the principal and primary
1005 responsibility for caring for a child or dependent adult,
1006 especially in the home setting.

1007 (y) In general to take any action which will promote,
1008 either directly or indirectly, any and all of the foregoing
1009 purposes.

1010 (2) The types of services established by the State
1011 Department of Mental Health that must be provided by the regional
1012 mental health/intellectual disability centers for certification by
1013 the department, and the minimum levels and standards for those
1014 services established by the department, shall be provided by the
1015 regional mental health/intellectual disability centers to children
1016 when such services are appropriate for children, in the
1017 determination of the department.

1018 (3) (a) Upon an instruction from the coordinator pursuant
1019 to Section 6(4) of this act, a regional commission shall reassign
1020 any of its regions to another regional commission, to the
1021 Department of Mental Health, or to a nonprofit entity for the
1022 provision of mental health services.

1023 (b) Each regional commission shall compile quarterly
1024 financial statements and status reports from each individual
1025 community health center. The compiled reports shall be submitted
1026 to the coordinator quarterly. The reports shall contain a:

1027 (i) Balance sheet;



1028 (ii) Statement of operations;
1029 (iii) Statement of cash flows; and
1030 (iv) Description of the status of individual
1031 community health center's actions taken to increase access to and
1032 availability of community mental health services.

1033 **SECTION 10.** This act shall take effect and be in force from
1034 and after its passage.

