

By: Senator(s) Kirby

To: Public Health and  
Welfare

SENATE BILL NO. 2881

1 AN ACT TO AMEND SECTION 41-4-7, MISSISSIPPI CODE OF 1972, TO  
 2 PROVIDE AN ADDITIONAL POWER AND DUTY FOR THE DEPARTMENT OF MENTAL  
 3 HEALTH; TO REQUIRE THE DEPARTMENT TO CERTIFY PRIVATELY-OWNED  
 4 MENTAL HEALTH PROVIDERS THAT ARE NOT A PART OF THE COMMUNITY OR  
 5 REGIONAL MENTAL HEALTH SERVICE PROVIDERS AND DO NOT RECEIVE STATE  
 6 FUNDING; TO PROVIDE THAT THE DEPARTMENT MAY WAIVE ANY ADDITIONAL  
 7 REQUIREMENTS THAT ARE SUITABLE FOR REGIONAL AND COMMUNITY MENTAL  
 8 HEALTH PROVIDERS BUT NOT FOR PRIVATELY-OWNED MENTAL HEALTH  
 9 PROVIDERS; AND FOR RELATED PURPOSES.

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

11 **SECTION 1.** Section 41-4-7, Mississippi Code of 1972, is  
 12 amended as follows:

13 41-4-7. The State Board of Mental Health shall have the  
 14 following powers and duties:

15 (a) To appoint a full-time Executive Director of the  
 16 Department of Mental Health, who shall be employed by the board  
 17 and shall serve as executive secretary to the board. The first  
 18 director shall be a duly licensed physician with special interest  
 19 and competence in psychiatry, and shall possess a minimum of three  
 20 (3) years' experience in clinical and administrative psychiatry.  
 21 Subsequent directors shall possess at least a master's degree or



22 its equivalent, and shall possess at least ten (10) years'  
23 administrative experience in the field of mental health. The  
24 salary of the executive director shall be determined by the board;

25 (b) To appoint a Medical Director for the Department of  
26 Mental Health. The medical director shall provide clinical  
27 oversight in the implementation of evidence-based and best  
28 practices; provide clinical leadership in the integration of  
29 mental health, intellectual disability and addiction services with  
30 community partners in the public and private sectors; and provide  
31 oversight regarding standards of care. The medical director shall  
32 serve at the will and pleasure of the board, and will undergo an  
33 annual review of job performance and future service to the  
34 department;

35 (c) To establish and implement its state strategic  
36 plan;

37 (d) To develop a strategic plan for the development of  
38 services for persons with mental illness, persons with  
39 developmental disabilities and other clients of the public mental  
40 health system. Such strategic planning program shall require that  
41 the board, acting through the Strategic Planning and Best  
42 Practices Committee, perform the following functions respecting  
43 the delivery of services:

44 (i) Establish measures for determining the  
45 efficiency and effectiveness of the services specified in Section  
46 41-4-1(2);



47 (ii) Conducting studies of community-based care in  
48 other jurisdictions to determine which services offered in these  
49 jurisdictions have the potential to provide the citizens of  
50 Mississippi with more effective and efficient community-based  
51 care;

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

54 (iv) Recommending to the Legislature by January 1,  
55 2014, any necessary additions, deletions or other changes  
56 necessary to the services specified in Section 41-4-1(2);

57 (v) Implementing by July 1, 2012, a system of  
58 performance measures for the services specified in Section  
59 41-4-1(2);

60 (vi) Recommending to the Legislature any changes  
61 that the department believes are necessary to the current laws  
62 addressing civil commitment;

63 (vii) Conducting any other activities necessary to  
64 the evaluation and study of the services specified in Section  
65 41-4-1(2);

66 (viii) Assisting in conducting all necessary  
67 strategic planning for the delivery of all other services of the  
68 department. Such planning shall be conducted so as to produce a  
69 single strategic plan for the services delivered by the public  
70 mental health system and shall establish appropriate mission  
71 statements, goals, objectives and performance indicators for all



72 programs and services of the public mental health system. For  
73 services other than those specified in Section 41-4-1(2), the  
74 committee shall recommend to the State Board of Mental Health a  
75 strategic plan that the board may adopt or modify;

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

79 (f) [Repealed]

80 (g) To enter into contracts with any other state or  
81 federal agency, or with any private person, organization or group  
82 capable of contracting, if it finds such action to be in the  
83 public interest;

84 (h) To collect reasonable fees for its services;  
85 however, if it is determined that a person receiving services is  
86 unable to pay the total fee, the department shall collect no more  
87 than the amount such person is able to pay;

88 (i) To certify, coordinate and establish minimum  
89 standards and establish minimum required services, as specified in  
90 Section 41-4-1(2), for regional mental health and intellectual  
91 disability commissions and other community service providers for  
92 community or regional programs and services in adult mental  
93 health, children and youth mental health, intellectual  
94 disabilities, alcoholism, drug misuse, developmental disabilities,  
95 compulsive gambling, addictive disorders and related programs  
96 throughout the state. Such regional mental health and



97 intellectual disability commissions and other community service  
98 providers shall, on or before July 1 of each year, submit an  
99 annual operational plan to the State Department of Mental Health  
100 for approval or disapproval based on the minimum standards and  
101 minimum required services established by the department for  
102 certification and itemize the services specified in Section  
103 41-4-1(2), including financial statements. As part of the annual  
104 operation plan required by this paragraph (i) submitted by any  
105 regional community mental health center or by any other reasonable  
106 certification deemed acceptable by the department, the community  
107 mental health center shall state those services specified in  
108 Section 41-4-1(2) that it will provide and also those services  
109 that it will not provide. If the department finds deficiencies in  
110 the plan of any regional commission or community service provider  
111 based on the minimum standards and minimum required services  
112 established for certification, the department shall give the  
113 regional commission or community service provider a six-month  
114 probationary period to bring its standards and services up to the  
115 established minimum standards and minimum required services. The  
116 regional commission or community service provider shall develop a  
117 sustainability business plan within thirty (30) days of being  
118 placed on probation, which shall be signed by all commissioners  
119 and shall include policies to address one or more of the  
120 following: the deficiencies in programmatic services, clinical  
121 service staff expectations, timely and appropriate billing,



122 processes to obtain credentialing for staff, monthly reporting  
123 processes, third-party financial reporting and any other required  
124 documentation as determined by the department. After the  
125 six-month probationary period, if the department determines that  
126 the regional commission or community service provider still does  
127 not meet the minimum standards and minimum required services  
128 established for certification, the department may remove the  
129 certification of the commission or provider and from and after  
130 July 1, 2011, the commission or provider shall be ineligible for  
131 state funds from Medicaid reimbursement or other funding sources  
132 for those services. However, the department shall not mandate a  
133 standard or service, or decertify a regional commission or  
134 community service provider for not meeting a standard or service,  
135 if the standard or service does not have funding appropriated by  
136 the Legislature or have a state, federal or local funding source  
137 identified by the department. No county shall be required to levy  
138 millage to provide a mandated standard or service above the  
139 minimum rate required by Section 41-19-39. After the six-month  
140 probationary period, the department may identify an appropriate  
141 community service provider to provide any core services in that  
142 county that are not provided by a community mental health center.  
143 However, the department shall not offer reimbursement or other  
144 accommodations to a community service provider of core services  
145 that were not offered to the decertified community mental health  
146 center for the same or similar services. The State Board of



147 Mental Health shall promulgate rules and regulations necessary to  
148 implement the provisions of this paragraph (i), in accordance with  
149 the Administrative Procedures Law (Section 25-43-1.101 et seq.);

150 (j) To establish and promulgate reasonable minimum  
151 standards for the construction and operation of state and all  
152 Department of Mental Health certified facilities, including  
153 reasonable minimum standards for the admission, diagnosis, care,  
154 treatment, transfer of patients and their records, and also  
155 including reasonable minimum standards for providing day care,  
156 outpatient care, emergency care, inpatient care and follow-up  
157 care, when such care is provided for persons with mental or  
158 emotional illness, an intellectual disability, alcoholism, drug  
159 misuse and developmental disabilities;

160 (k) To implement best practices for all services  
161 specified in Section 41-4-1(2), and to establish and implement all  
162 other services delivered by the Department of Mental Health. To  
163 carry out this responsibility, the board shall require the  
164 department to establish a division responsible for developing best  
165 practices based on a comprehensive analysis of the mental health  
166 environment to determine what the best practices for each service  
167 are. In developing best practices, the board shall consider the  
168 cost and benefits associated with each practice with a goal of  
169 implementing only those practices that are cost-effective  
170 practices for service delivery. Such best practices shall be  
171 utilized by the board in establishing performance standards and



172 evaluations of the community mental health centers' services  
173 required by paragraph (d) of this section;

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

177 (m) To establish and collect reasonable fees for  
178 necessary inspection services incidental to certification or  
179 compliance;

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

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

184 (p) To serve as the single state agency in receiving  
185 and administering any and all funds available from any source for  
186 the purpose of service delivery, training, research and education  
187 in regard to all forms of mental illness, intellectual  
188 disabilities, alcoholism, drug misuse and developmental  
189 disabilities, unless such funds are specifically designated to a  
190 particular agency or institution by the federal government, the  
191 Mississippi Legislature or any other grantor;

192 (q) To establish mental health holding centers for the  
193 purpose of providing short-term emergency mental health treatment,  
194 places for holding persons awaiting commitment proceedings or  
195 awaiting placement in a state mental health facility following  
196 commitment, and for diverting placement in a state mental health





197 facility. These mental health holding facilities shall be readily  
198 accessible, available statewide, and be in compliance with  
199 emergency services' minimum standards. They shall be  
200 comprehensive and available to triage and make appropriate  
201 clinical disposition, including the capability to access inpatient  
202 services or less restrictive alternatives, as needed, as  
203 determined by medical staff. Such facility shall have medical,  
204 nursing and behavioral services available on a  
205 twenty-four-hour-a-day basis. The board may provide for all or  
206 part of the costs of establishing and operating the holding  
207 centers in each district from such funds as may be appropriated to  
208 the board for such use, and may participate in any plan or  
209 agreement with any public or private entity under which the entity  
210 will provide all or part of the costs of establishing and  
211 operating a holding center in any district;

212 (r) To certify/license case managers, mental health  
213 therapists, intellectual disability therapists, mental  
214 health/intellectual disability program administrators, addiction  
215 counselors and others as deemed appropriate by the board. Persons  
216 already professionally licensed by another state board or agency  
217 are not required to be certified/licensed under this section by  
218 the Department of Mental Health. The department shall not use  
219 professional titles in its certification/licensure process for  
220 which there is an independent licensing procedure. Such  
221 certification/licensure shall be valid only in the state mental



222 health system, in programs funded and/or certified by the  
223 Department of Mental Health, and/or in programs certified/licensed  
224 by the State Department of Health that are operated by the state  
225 mental health system serving persons with mental illness, an  
226 intellectual disability, a developmental disability or addictions,  
227 and shall not be transferable;

228           (s) To develop formal mental health worker  
229 qualifications for regional mental health and intellectual  
230 disability commissions and other community service providers. The  
231 State Personnel Board shall develop and promulgate a recommended  
232 salary scale and career ladder for all regional mental  
233 health/intellectual disability center therapists and case managers  
234 who work directly with clients. The State Personnel Board shall  
235 also develop and promulgate a career ladder for all direct care  
236 workers employed by the State Department of Mental Health;

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

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

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



246 (w) To survey statutory designations, building markers  
247 and the names given to mental health/intellectual disability  
248 facilities and proceedings in order to recommend deletion of  
249 obsolete and offensive terminology relative to the mental  
250 health/intellectual disability system. Based upon a  
251 recommendation of the executive director, the board shall have the  
252 authority to name/rename any facility operated under the auspices  
253 of the Department of Mental Health for the sole purpose of  
254 deleting such terminology;

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

259 (y) To develop formal service delivery standards  
260 designed to measure the quality of services delivered to community  
261 clients, as well as the timeliness of services to community  
262 clients provided by regional mental health/intellectual disability  
263 commissions and other community services providers;

264 (z) To establish regional state offices to provide  
265 mental health crisis intervention centers and services available  
266 throughout the state to be utilized on a case-by-case emergency  
267 basis. The regional services director, other staff and delivery  
268 systems shall meet the minimum standards of the Department of  
269 Mental Health;



270 (aa) To require performance contracts with community  
271 mental health/intellectual disability service providers to contain  
272 performance indicators to measure successful outcomes, including  
273 diversion of persons from inpatient psychiatric hospitals,  
274 rapid/timely response to emergency cases, client satisfaction with  
275 services and other relevant performance measures;

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

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

285 (dd) To establish a peer review/quality assurance  
286 evaluation system that assures that appropriate assessment,  
287 diagnosis and treatment is provided according to established  
288 professional criteria and guidelines;

289 (ee) To develop and implement state plans for the  
290 purpose of assisting with the care and treatment of persons with  
291 Alzheimer's disease and other dementia. This plan shall include  
292 education and training of service providers, caregivers in the  
293 home setting and others who deal with persons with Alzheimer's  
294 disease and other dementia, and development of adult day care,



295 family respite care and counseling programs to assist families who  
296 maintain persons with Alzheimer's disease and other dementia in  
297 the home setting. No agency shall be required to provide any  
298 services under this section until such time as sufficient funds  
299 have been appropriated or otherwise made available by the  
300 Legislature specifically for the purposes of the treatment of  
301 persons with Alzheimer's and other dementia;

302 (ff) Working with the advice and consent of the  
303 administration of Ellisville State School, to enter into  
304 negotiations with the Economic Development Authority of Jones  
305 County for the purpose of negotiating the possible exchange, lease  
306 or sale of lands owned by Ellisville State School to the Economic  
307 Development Authority of Jones County. It is the intent of the  
308 Mississippi Legislature that such negotiations shall ensure that  
309 the financial interest of the persons with an intellectual  
310 disability served by Ellisville State School will be held  
311 paramount in the course of these negotiations. The Legislature  
312 also recognizes the importance of economic development to the  
313 citizens of the State of Mississippi and Jones County, and  
314 encourages fairness to the Economic Development Authority of Jones  
315 County. Any negotiations proposed which would result in the  
316 recommendation for exchange, lease or sale of lands owned by  
317 Ellisville State School must have the approval of the State Board  
318 of Mental Health. The State Board of Mental Health may and has  
319 the final authority as to whether or not these negotiations result



320 in the exchange, lease or sale of the properties it currently  
321 holds in trust for persons with an intellectual disability served  
322 at Ellisville State School.

323         If the State Board of Mental Health authorizes the sale of  
324 lands owned by Ellisville State School, as provided for under this  
325 paragraph (ff), the monies derived from the sale shall be placed  
326 into a special fund that is created in the State Treasury to be  
327 known as the "Ellisville State School Client's Trust Fund." The  
328 principal of the trust fund shall remain inviolate and shall never  
329 be expended. Any interest earned on the principal may be expended  
330 solely for the benefits of clients served at Ellisville State  
331 School. The State Treasurer shall invest the monies of the trust  
332 fund in any of the investments authorized for the Mississippi  
333 Prepaid Affordable College Tuition Program under Section 37-155-9,  
334 and those investments shall be subject to the limitations  
335 prescribed by Section 37-155-9. Unexpended amounts remaining in  
336 the trust fund at the end of a fiscal year shall not lapse into  
337 the State General Fund, and any interest earned on amounts in the  
338 trust fund shall be deposited to the credit of the trust fund.  
339 The administration of Ellisville State School may use any interest  
340 earned on the principal of the trust fund, upon appropriation by  
341 the Legislature, as needed for services or facilities by the  
342 clients of Ellisville State School. Ellisville State School shall  
343 make known to the Legislature, through the Legislative Budget  
344 Committee and the respective Appropriations Committees of the



345 House and Senate, its proposed use of interest earned on the  
346 principal of the trust fund for any fiscal year in which it  
347 proposes to make expenditures thereof. The State Treasurer shall  
348 provide Ellisville State School with an annual report on the  
349 Ellisville State School Client's Trust Fund to indicate the total  
350 monies in the trust fund, interest earned during the year,  
351 expenses paid from the trust fund and such other related  
352 information.

353 Nothing in this section shall be construed as applying to or  
354 affecting mental health/intellectual disability services provided  
355 by hospitals as defined in Section 41-9-3(a), and/or their  
356 subsidiaries and divisions, which hospitals, subsidiaries and  
357 divisions are licensed and regulated by the Mississippi State  
358 Department of Health unless such hospitals, subsidiaries or  
359 divisions voluntarily request certification by the Mississippi  
360 State Department of Mental Health.

361 All new programs authorized under this section shall be  
362 subject to the availability of funds appropriated therefor by the  
363 Legislature;

364 (gg) Working with the advice and consent of the  
365 administration of Boswell Regional Center, to enter into  
366 negotiations with the Economic Development Authority of Simpson  
367 County for the purpose of negotiating the possible exchange, lease  
368 or sale of lands owned by Boswell Regional Center to the Economic  
369 Development Authority of Simpson County. It is the intent of the



370 Mississippi Legislature that such negotiations shall ensure that  
371 the financial interest of the persons with an intellectual  
372 disability served by Boswell Regional Center will be held  
373 paramount in the course of these negotiations. The Legislature  
374 also recognizes the importance of economic development to the  
375 citizens of the State of Mississippi and Simpson County, and  
376 encourages fairness to the Economic Development Authority of  
377 Simpson County. Any negotiations proposed which would result in  
378 the recommendation for exchange, lease or sale of lands owned by  
379 Boswell Regional Center must have the approval of the State Board  
380 of Mental Health. The State Board of Mental Health may and has  
381 the final authority as to whether or not these negotiations result  
382 in the exchange, lease or sale of the properties it currently  
383 holds in trust for persons with an intellectual disability served  
384 at Boswell Regional Center. In any such exchange, lease or sale  
385 of such lands owned by Boswell Regional Center, title to all  
386 minerals, oil and gas on such lands shall be reserved, together  
387 with the right of ingress and egress to remove same, whether such  
388 provisions be included in the terms of any such exchange, lease or  
389 sale or not.

390 If the State Board of Mental Health authorizes the sale of  
391 lands owned by Boswell Regional Center, as provided for under this  
392 paragraph (gg), the monies derived from the sale shall be placed  
393 into a special fund that is created in the State Treasury to be  
394 known as the "Boswell Regional Center Client's Trust Fund." The





395 principal of the trust fund shall remain inviolate and shall never  
396 be expended. Any earnings on the principal may be expended solely  
397 for the benefits of clients served at Boswell Regional Center.  
398 The State Treasurer shall invest the monies of the trust fund in  
399 any of the investments authorized for the Mississippi Prepaid  
400 Affordable College Tuition Program under Section 37-155-9, and  
401 those investments shall be subject to the limitations prescribed  
402 by Section 37-155-9. Unexpended amounts remaining in the trust  
403 fund at the end of a fiscal year shall not lapse into the State  
404 General Fund, and any earnings on amounts in the trust fund shall  
405 be deposited to the credit of the trust fund. The administration  
406 of Boswell Regional Center may use any earnings on the principal  
407 of the trust fund, upon appropriation by the Legislature, as  
408 needed for services or facilities by the clients of Boswell  
409 Regional Center. Boswell Regional Center shall make known to the  
410 Legislature, through the Legislative Budget Committee and the  
411 respective Appropriations Committees of the House and Senate, its  
412 proposed use of the earnings on the principal of the trust fund  
413 for any fiscal year in which it proposes to make expenditures  
414 thereof. The State Treasurer shall provide Boswell Regional  
415 Center with an annual report on the Boswell Regional Center  
416 Client's Trust Fund to indicate the total monies in the trust  
417 fund, interest and other income earned during the year, expenses  
418 paid from the trust fund and such other related information.



419           Nothing in this section shall be construed as applying to or  
420 affecting mental health/intellectual disability services provided  
421 by hospitals as defined in Section 41-9-3(a), and/or their  
422 subsidiaries and divisions, which hospitals, subsidiaries and  
423 divisions are licensed and regulated by the Mississippi State  
424 Department of Health unless such hospitals, subsidiaries or  
425 divisions voluntarily request certification by the Mississippi  
426 State Department of Mental Health.

427           All new programs authorized under this section shall be  
428 subject to the availability of funds appropriated therefor by the  
429 Legislature;

430           (hh) Notwithstanding any other section of the code, the  
431 Board of Mental Health shall be authorized to fingerprint and  
432 perform a criminal history record check on every employee or  
433 volunteer. Every employee and volunteer shall provide a valid  
434 current social security number and/or driver's license number  
435 which shall be furnished to conduct the criminal history record  
436 check. If no disqualifying record is identified at the state  
437 level, fingerprints shall be forwarded to the Federal Bureau of  
438 Investigation for a national criminal history record check;

439           (ii) The Department of Mental Health shall have the  
440 authority for the development of a consumer friendly single point  
441 of intake and referral system within its service areas for persons  
442 with mental illness, an intellectual disability, developmental  
443 disabilities or alcohol or substance abuse who need assistance



444 identifying or accessing appropriate services. The department  
445 will develop and implement a comprehensive evaluation procedure  
446 ensuring that, where appropriate, the affected person or their  
447 parent or legal guardian will be involved in the assessment and  
448 planning process. The department, as the point of intake and as  
449 service provider, shall have the authority to determine the  
450 appropriate institutional, hospital or community care setting for  
451 persons who have been diagnosed with mental illness, an  
452 intellectual disability, developmental disabilities and/or alcohol  
453 or substance abuse, and may provide for the least restrictive  
454 placement if the treating professional believes such a setting is  
455 appropriate, if the person affected or their parent or legal  
456 guardian wants such services, and if the department can do so with  
457 a reasonable modification of the program without creating a  
458 fundamental alteration of the program. The least restrictive  
459 setting could be an institution, hospital or community setting,  
460 based upon the needs of the affected person or their parent or  
461 legal guardian;

462 (jj) To have the sole power and discretion to enter  
463 into, sign, execute and deliver long-term or multiyear leases of  
464 real and personal property owned by the Department of Mental  
465 Health to and from other state and federal agencies and private  
466 entities deemed to be in the public's best interest. Any monies  
467 derived from such leases shall be deposited into the funds of the  
468 Department of Mental Health for its exclusive use. Leases to



469 private entities shall be approved by the Department of Finance  
470 and Administration and all leases shall be filed with the  
471 Secretary of State;

472 (kk) To certify and establish minimum standards and  
473 minimum required services for county facilities used for housing,  
474 feeding and providing medical treatment for any person who has  
475 been involuntarily ordered admitted to a treatment center by a  
476 court of competent jurisdiction. The minimum standard for the  
477 initial assessment of those persons being housed in county  
478 facilities is for the assessment to be performed by a physician,  
479 preferably a psychiatrist, or by a nurse practitioner, preferably  
480 a psychiatric nurse practitioner. If the department finds  
481 deficiencies in any such county facility or its provider based on  
482 the minimum standards and minimum required services established  
483 for certification, the department shall give the county or its  
484 provider a six-month probationary period to bring its standards  
485 and services up to the established minimum standards and minimum  
486 required services. After the six-month probationary period, if  
487 the department determines that the county or its provider still  
488 does not meet the minimum standards and minimum required services,  
489 the department may remove the certification of the county or  
490 provider and require the county to contract with another county  
491 having a certified facility to hold those persons for that period  
492 of time pending transportation and admission to a state treatment  
493 facility. Any cost incurred by a county receiving an



494 involuntarily committed person from a county with a decertified  
495 holding facility shall be reimbursed by the home county to the  
496 receiving county; \* \* \*

497 (ll) To provide orientation training to all new  
498 commissioners of regional commissions and annual training for all  
499 commissioners with continuing education regarding the Mississippi  
500 mental health system and services as developed by the State  
501 Department of Mental Health. Training shall be provided at the  
502 expense of the department except for travel expenses which shall  
503 be paid by the regional commission; and

504 (mm) Effective July 1, 2024, to certify, coordinate and  
505 establish minimum standards and establish minimum required  
506 services, as specified in Section 41-4-1(2), for the certification  
507 of privately-owned mental health providers who are not a part of  
508 the state-operated mental health community providers and do not  
509 receive funding from the state. This additional certification  
510 classification shall be required to meet the minimum standards for  
511 services and safety as those promulgated for regional and  
512 community mental health providers. Privately-owned mental health  
513 providers so certified shall be exempt from the requirement to  
514 provide financial data and protected health information pertaining  
515 to the individuals receiving services at said privately-owned  
516 mental health providers. In addition, the Department of Mental  
517 Health may permanently waive any additional requirements that are  
518 specifically suitable for the regional and community mental health



519 providers, but are not suitable for the environment, structure or  
520 services offered by such privately-owned mental health providers.

521         **SECTION 2.** This act shall take effect and be in force from  
522 and after July 1, 2024.

