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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

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A N A C T

RELATING TO BEHAVIORAL HEALTHCARE, DEVELOPMENTAL DISABILITIES AND  
HOSPITALS

Introduced By: Senators Lynch, Ruggerio, McCaffrey, Walaska, and Miller

Date Introduced: January 22, 2015

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1           SECTION 1. Section 40.1-1-13 of the General Laws in Chapter 40.1-1 entitled  
2 "Department of Behavioral Healthcare, Developmental Disabilities and Hospitals" is hereby  
3 amended to read as follows:

4           **40.1-1-13. Powers and duties of the office.** -- Notwithstanding any provision of the  
5 Rhode Island general laws to the contrary, the department of mental health, retardation, and  
6 hospitals shall have the following powers and duties:

7           (1) To establish and promulgate the overall plans, policies, objectives, and priorities for  
8 state substance abuse education, prevention and treatment; provided, however, that the director  
9 shall obtain and consider input from all interested state departments and agencies prior to the  
10 promulgation of any such plans or policies;

11           (2) Evaluate and monitor all state grants and contracts to local substance abuse service  
12 providers;

13           (3) Develop, provide for, and coordinate the implementation of a comprehensive state  
14 plan for substance abuse education, prevention and treatment;

15           (4) Ensure the collection, analysis, and dissemination of information for planning and  
16 evaluation of substance abuse services;

17           (5) Provide support, guidance, and technical assistance to individuals, local  
18 governments, community service providers, public and private organizations in their substance

1 abuse education, prevention and treatment activities;

2 (6) Confer with all interested department directors to coordinate the administration of  
3 state programs and policies that directly affect substance abuse treatment and prevention;

4 (7) Seek and receive funds from the federal government and private sources in order to  
5 further the purposes of this chapter;

6 (8) Act in the capacity of "state substance abuse authority" as that term has meaning for  
7 coordination of state substance abuse planning and policy and as it relates to requirements set  
8 forth in pertinent federal substance abuse laws and regulations;

9 (9) Propose, review and/or approve, as appropriate, proposals, policies or plans involving  
10 insurance and managed care systems for substance abuse services in Rhode Island;

11 (10) To enter into, in compliance with the provisions of title 37, chapter 2, contractual  
12 relationships and memoranda of agreement as necessary for the purposes of this chapter;

13 (11) To license facilities and programs for the care and treatment of substance abusers,  
14 and for the prevention of substance abuse;

15 [\(12\) To certify recovery housing facilities and programs for residential substance abuse](#)  
16 [treatment;](#)

17 ~~(12)~~[\(13\)](#) To promulgate rules and regulations necessary to carry out the requirements of  
18 this chapter;

19 ~~(13)~~[\(14\)](#) Perform other acts and exercise any other powers necessary or convenient to  
20 carry out the intent and purposes of this chapter; and

21 ~~(14)~~[\(15\)](#) To exercise the authority and responsibilities relating to education, prevention  
22 and treatment of substance abuse, as contained in, but not limited to, the following chapters:  
23 chapter 1.10 of title 23; chapter 10.1 of title 23; chapter 28.2 of title 23; chapter 21.2 of title 16;  
24 chapter 21.3 of title 16; chapter 50.1 of title 42; chapter 109 of title 42; chapter 69 of title 5 and §  
25 35-4-18.

26 ~~(15)~~[\(16\)](#) To establish a Medicare Part D restricted receipt account in the Hospitals and  
27 Community Rehabilitation Services program to receive and expend Medicare Part D  
28 reimbursements from pharmacy benefit providers consistent with the purposes of this chapter.

29 ~~(16)~~[\(17\)](#) To establish a RICLAS Group Home Operations restricted receipt account in  
30 the services for the developmentally disabled program to receive and expend rental income from  
31 RICLAS group clients for group home-related expenditures, including food, utilities, community  
32 activities, and the maintenance of group homes.

33 ~~(17)~~[\(18\)](#) To establish a non-Medicaid third-party payor restricted receipt account in the  
34 hospitals and community rehabilitation services program to receive and expend reimbursement

1 from non-Medicaid third-party payors to fund hospital patient services that are not Medicaid  
2 eligible.

3 [\(19\) After July 1, 2016, only certified recovery housing shall be eligible to receive](#)  
4 [funding to deliver recovery housing services.](#)

5 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T  
RELATING TO BEHAVIORAL HEALTHCARE, DEVELOPMENTAL DISABILITIES AND  
HOSPITALS

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1           This act would amend the law on the department of behavioral healthcare, developmental  
2 disabilities and hospitals to include the authority to certify recovery housing facilities and  
3 programs for residential substance abuse treatment. In addition, after July 1, 2016, only certified  
4 recovery housing will be eligible to receive funding to deliver recovery housing services.

5           This act would take effect upon passage.

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