

2016 -- H 7117

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

A N A C T

RELATING TO BEHAVIORAL HEALTHCARE, DEVELOPMENTAL DISABILITIES AND
HOSPITALS

Introduced By: Representatives McNamara, and Bennett

Date Introduced: January 13, 2016

Referred To: House Finance

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.** -- (a) 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 promulgate rules and regulations necessary to carry out the requirements of this
16 chapter;

17 (13) Perform other acts and exercise any other powers necessary or convenient to carry
18 out the intent and purposes of this chapter; ~~and~~

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

24 (15) To establish a Medicare Part D restricted receipt account in the Hospitals and
25 Community Rehabilitation Services program to receive and expend Medicare Part D
26 reimbursements from pharmacy benefit providers consistent with the purposes of this chapter-; ~~;~~

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

31 (17) To establish a non-Medicaid third-party payor restricted receipt account in the
32 hospitals and community rehabilitation services program to receive and expend reimbursement
33 from non-Medicaid third-party payors to fund hospital patient services that are not Medicaid
34 eligible-; ~~;~~ and

1 (18) To certify recovery housing facilities and programs for residential substance abuse
2 treatment.

3 (b) After July 1, 2017, only certified recovery housing shall be eligible to receive funding
4 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

1 This act would authorize the department of behavioral healthcare, developmental
2 disabilities and hospitals to certify recovery housing facilities and programs for residential
3 substance abuse treatment. In addition, after July 1, 2017, only department-certified recovery
4 housing facilities would be eligible to receive funding to delivery recovery housing services.

5 This act would take effect upon passage.

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