

**2016 -- S 2579 SUBSTITUTE A**

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LC004906/SUB A  
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**STATE OF RHODE ISLAND**

**IN GENERAL ASSEMBLY**

**JANUARY SESSION, A.D. 2016**

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A N A C T

RELATING TO BEHAVIORAL HEALTHCARE, DEVELOPMENTAL DISABILITIES AND  
HOSPITALS

Introduced By: Senators Lynch Prata, and Ruggerio

Date Introduced: February 25, 2016

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.** -- (a) Notwithstanding any provision of the  
5 Rhode Island general laws to the contrary, the department of ~~mental health, retardation,~~  
6 behavioral healthcare, developmental disabilities and hospitals shall have the following powers  
7 and duties:

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

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

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

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

18           (5) Provide support, guidance, and technical assistance to individuals, local

1 governments, community service providers, public and private organizations in their substance  
2 abuse education, prevention and treatment activities;

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

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

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

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

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

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

16 (12) To promulgate rules and regulations necessary to carry out the requirements of this  
17 chapter;

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

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

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

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

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

1 eligible; and

2 (18) Subject to appropriation, to certify recovery housing facilities directly or through a  
3 contracted entity, as defined by department guidelines, which includes adherence to using  
4 National Alliance for Recovery Residences (NARR) standards. In accordance with a schedule to  
5 be determined by the department, all referrals from state agencies or state funded facilities shall  
6 be to certified houses, and only certified recovery housing facilities shall be eligible to receive  
7 state funding to deliver recovery housing services.

8 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 authorize the department of behavioral healthcare, developmental  
2 disabilities and hospitals to certify recovery housing facilities directly or through a contracted  
3 entity, subject to appropriations, using National Alliance for Recovery Residences (NARR)  
4 standards. This act would further provide that, in accordance with a schedule to be determined by  
5 department regulations, all referrals from state funded facilities would be to certified houses, and  
6 only certified recovery housing would be eligible to receive funding to deliver recovery housing  
7 services.

8           This act would take effect upon passage.

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