

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

A N A C T

RELATING TO DEPARTMENT OF BEHAVIORAL HEALTHCARE, DEVELOPMENTAL  
DISABILITIES AND HOSPITALS - CERTIFICATION OF CHEMICAL DEPENDENCY  
PROFESSIONALS

Introduced By: Senators Archambault, Satchell, Sheehan, Nesselbush, and Sosnowski

Date Introduced: March 02, 2017

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.**

5 (a) Notwithstanding any provision of the Rhode Island general laws to the contrary, the  
6 department of behavioral healthcare, developmental disabilities and hospitals shall have the  
7 following powers 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 governments,

1 community service providers, public and private organizations in their substance-abuse education,  
2 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) To act for all purposes in the capacity of "state substance-abuse authority" as the sole  
8 designated agency with the sole responsibility for planning, coordinating, managing,  
9 implementing, and reporting on state substance-abuse planning and policy efforts as it relates to  
10 requirements set forth in pertinent federal substance-abuse laws and regulations;

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

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

15 (11) To license facilities and programs for the care and treatment of substance abusers  
16 and for the prevention of substance abuse [and certify a list of qualified chemical dependency](#)  
17 [professionals licensed by the board of chemical dependency professionals pursuant to chapter 69](#)  
18 [of title 5 for use by other state agencies including, but not limited to, the adjudication office of the](#)  
19 [department of transportation, the district and superior court and the division of probation and](#)  
20 [parole, to refer individuals requiring substance abuse treatment](#);

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

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

25 (14) To exercise the authority and responsibilities relating to education, prevention, and  
26 treatment of substance abuse, as contained in, but not limited to, the following chapters: chapter  
27 1.10 of title 23; chapter 10.1 of title 23; chapter 28.2 of title 23; chapter 21.2 of title 16; chapter  
28 21.3 of title 16; chapter 50.1 of title 42; chapter 109 of title 42; chapter 69 of title 5 and § 35-4-  
29 18;

30 (15) To establish a Medicare Part D restricted-receipt account in the hospitals and  
31 community rehabilitation services program to receive and expend Medicare Part D  
32 reimbursements from pharmacy benefit providers consistent with the purposes of this chapter;

33 (16) To establish a RICLAS group home operations restricted-receipt account in the  
34 services for the developmentally disabled program to receive and expend rental income from

1 RICLAS group clients for group home-related expenditures, including food, utilities, community  
2 activities, and the maintenance of group homes;

3 (17) To establish a non-Medicaid, third-party payor restricted-receipt account in the  
4 hospitals and community rehabilitation services program to receive and expend reimbursement  
5 from non-Medicaid, third-party payors to fund hospital patient services that are not Medicaid  
6 eligible;

7 (18) To certify recovery housing facilities directly, or through a contracted entity, as  
8 defined by department guidelines, which includes adherence to using National Alliance for  
9 Recovery Residences (NARR) standards. In accordance with a schedule to be determined by the  
10 department, all referrals from state agencies or state-funded facilities shall be to certified houses,  
11 and only certified recovery housing facilities shall be eligible to receive state funding to deliver  
12 recovery housing services; and

13 (19) To act in conjunction with the executive office of health and human services as the  
14 state's co-designated agency for administering federal aid and for the purpose of the calculation of  
15 expenditures relative to the substance-abuse block grant and federal funding maintenance of  
16 effort requirements.

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

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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1           This act would expand the pool of facilities and programs for the care and treatment of  
2 substance abusers and for the prevention of substance abuse to include chemical dependency  
3 professionals licensed by the department of health (DOH) by directing the department of  
4 behavioral healthcare, developmental disabilities and hospitals (DBHDDH) to certify a list of  
5 qualified professionals.

6           This act would take effect upon passage.

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