

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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SENATE BILL 327*

Short Title: Modify MHDDSAS Reporting Requirements. (Public)

Sponsors: Senators Nesbitt; Allran, Atwater, D. Berger, Blue, Dannelly, Forrester, Garrou, Jenkins, Jones, Mansfield, Purcell, Robinson, and White.

Referred to: Mental Health & Youth Services.

March 14, 2011

1 A BILL TO BE ENTITLED
2 AN ACT TO MODIFY DEPARTMENT OF HEALTH AND HUMAN SERVICES
3 REPORTING REQUIREMENTS PERTAINING TO MENTAL HEALTH,
4 DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, AS
5 RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON
6 MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE
7 SERVICES.

8 The General Assembly of North Carolina enacts:

9 **SECTION 1.(a)** The Department of Health and Human Services shall submit the
10 following reports to the Joint Legislative Oversight Committee on Mental Health,
11 Developmental Disabilities, and Substance Abuse Services:

- 12 (1) By September 1, 2011, a report summarizing for the one-year period
13 preceding the date of the report the deaths of clients of a State facility that
14 primarily provides services for the care, treatment, habilitation, or
15 rehabilitation of individuals with a mental illness, developmental disability,
16 or substance abuse disorder (State facility) and, if known, the deaths of
17 former clients of a State facility whose deaths occurred within 14 days of
18 discharge from the State facility.
- 19 (2) Beginning January 1, 2011, and annually thereafter, a report on a strategic
20 plan for organizing State and local resources to fund services provided to
21 individuals with a mental illness, developmental disability, or substance
22 abuse disorder. The report shall include criteria for the allocation of funds,
23 guidelines for utilization of funds, restrictions on use of funds, and a list of
24 expenditures.

25 **SECTION 1.(b)** G.S. 143C-9-2(d) reads as rewritten:

26 "(d) Beginning ~~July 1, 2007,~~ October 1, 2011, the Secretary of the Department of Health
27 and Human Services shall report annually to the Joint Legislative Oversight Committee on
28 Mental Health, Developmental Disabilities, and Substance Abuse Services and the Fiscal
29 Research Division on the balance of the Trust Fund and the expenditures made during the
30 preceding fiscal year from the Trust Fund. The report shall identify each expenditure by
31 recipient and purpose and shall indicate the authority under subsection (b) of this section for the
32 expenditure."

33 **SECTION 1.(c)** G.S. 10.19A(c) of S.L. 2009-451 reads as rewritten:

34 **"SECTION 10.19A.(c)** The Department of Health and Human Services, Division of
35 Mental Health, Developmental Disabilities, and Substance Abuse Services, shall require
36 quarterly reporting from LMEs in the format required under subsection (a) of this section. The



1 Department of Health and Human Services shall report the results of the quarterly reports to the
2 Joint Legislative Oversight Committee on Mental Health, Developmental Disabilities, and
3 Substance Abuse Services, the House of Representatives Appropriations Subcommittee on
4 Health and Human Services, the Senate Appropriations Committee on Health and Human
5 Services, and the Fiscal Research Division on or before ~~May 1, 2010~~ May 1, 2011, and
6 annually thereafter."

7 **SECTION 1.(d)** G.S. 122C-102(c) reads as rewritten:

8 "(c) State Performance Measures. – The State Plan shall also include a mechanism for
9 measuring the State's progress towards increased performance on the following matters: access
10 to services, consumer-focused outcomes, individualized planning and supports, promotion of
11 best practices, quality management systems, system efficiency and effectiveness, ~~and~~
12 ~~prevention and early intervention. Beginning October 1, 2006,~~ equitable allocation of
13 resources, prevention and early intervention, statewide system of crisis response for adults and
14 children, and management of the utilization of State facilities. Beginning January 1, 2012, and
15 every six months thereafter, the Secretary shall report to the General Assembly and the Joint
16 Legislative Oversight Committee on Mental Health, Developmental Disabilities, and Substance
17 Abuse Services, on the State's progress in these performance areas."

18 **SECTION 2.** This act is effective when it becomes law.