

Introduced: 2/15/68
Referred: Health, Welfare
and Education and Finance

1 IN THE HOUSE

BY BOARDMAN, CESSNUN AND BANFIELD

2 HOUSE BILL NO. 565

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to a community mental health services
7 program."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 18 is amended by adding a new chapter to read:

10 CHAPTER 23. COMMUNITY MENTAL HEALTH SERVICES PROGRAM.

11 Sec. 18.23.010. COMMUNITY MENTAL HEALTH SERVICES PLAN. (a) The
12 commissioner shall prepare a state plan for community mental health
13 services, which plan shall consist of:

14 (1) an inventory of mental health resources in the state;
15 (2) a delineation of the state into areas for purposes of
16 community mental health services; and

17 (3) a statement of the relative need of the various areas
18 for additional services, taking into consideration existing resources
19 and the relative fiscal capacity of the various areas.

20 (b) A borough or a home rule city or a first class city may
21 establish by ordinance or resolution a community mental health
22 services program. Two or more of these local governments by agreement
23 and with the approval of the commissioner may establish a joint mental
24 health services program.

25 (c) The borough assembly of a borough, or the city council of a
26 city, which has established or is establishing a mental health services
27 program conforming to the provisions of this chapter and the regula-
28 tions promulgated under it may apply for the assistance provided by
29 this chapter by submitting annually to the commissioner its plan and

1 budget for the next fiscal year. No program is eligible for assistance
2 under this chapter unless its plan and budget conform to the state plan
3 and the priorities established under it.

4 Sec. 18.23.020. ADDITIONAL DUTIES OF THE COMMISSIONER. In addi-
5 tion to his other duties and powers the commissioner shall

6 (1) promulgate regulations

7 (A) governing the eligibility of community mental
8 health services programs to receive state funds under this chapter;

9 (B) prescribing standards for qualification of personnel
10 and quality of professional service rendered in programs receiving
11 state funds under this chapter, taking into consideration the per-
12 sonnel needs and resources in various parts of the state;

13 (C) governing eligibility for service under a community
14 mental health services program;

15 (D) prescribing fees to be charged for services under
16 a community mental health services program, taking into considera-
17 tion a patient's need and ability to pay;

18 (2) review and evaluate community programs and the perfor-
19 mance of personnel and make recommendations on these matters to the
20 community program administrator;

21 (3) provide consultative staff service to communities to
22 assist in ascertaining community needs and in planning and establishing
23 community mental health services programs;

24 (4) review plans and budgets submitted by a borough assembly
25 or city council seeking assistance under this chapter; and

26 (5) within 10 days of the convening of each legislative
27 session, submit to the legislature a report of activities engaged in
28 and financial assistance granted under this chapter.

29 Sec. 18.23.030. PROGRAM SERVICES. (a) The commissioner may

1 furnish financial assistance to boroughs, home rule cities and first
2 class cities for the establishment and operation of community mental
3 health services programs which provide at least five of the following
4 services: (1) inpatient, (2) outpatient, (3) partial hospitalization,
5 (4) emergency, (5) consultation and education services to professional
6 personnel and community agencies, (6) diagnosis, (7) rehabilitation,
7 and (8) research and training activities necessary in providing the
8 foregoing services.

9 (b) The services specified in (a) of this section may be pro-
10 vided for alcoholism, drug addiction and mental retardation as well as
11 other mental and emotional disorders.

12 Sec. 18.23.040. PROGRAM EXPENSES. The state share of eligible
13 items of expenditure in a community mental health services program
14 shall be determined by the commissioner upon consideration of the
15 urgency of the need and the local government's financial ability to
16 meet the need. Eligible items of expenditure include, but are not
17 limited to, the following:

- 18 (1) salaries and fringe benefits;
- 19 (2) contract facilities and services, including those for
20 operation and maintenance;
- 21 (3) per diem and travel expenses of staff members and
22 members of the board; and
- 23 (4) capital improvements authorized by the commissioner.

24 Sec. 18.23.050. ADVISORY COMMUNITY MENTAL HEALTH BOARD. Each
25 community mental health services program shall have an advisory com-
26 munity mental health board of seven members selected by the chief
27 executive officer of the borough or city. When two or more local
28 governments establish a joint community mental health program the
29 chief executive officer of each shall appoint two members to a

1 selection committee which shall select the members of the board.
2 Members of the board shall be representative of the general public,
3 welfare agencies, labor, business, local health agencies, the legal
4 profession and doctors engaged in the private practice of medicine or
5 psychiatry.

6 Sec. 18.23.060. TERM OF OFFICE OF BOARD MEMBERS. The term of
7 office of each member of a community mental health board is four years
8 except that of the members first appointed two shall be for a term of
9 four years, two shall be for a term of three years, two shall be for a
10 term of two years and one shall be for a term of one year. Vacancies
11 shall be filled for the unexpired term in the same manner as original
12 appointments.

13 Sec. 18.23.070. DUTIES OF COMMUNITY MENTAL HEALTH BOARD. Subject
14 to the provisions of this chapter and regulations promulgated under it,
15 each community mental health board shall

16 (1) review and evaluate the community's mental health
17 services, facilities and needs;

18 (2) advise the borough assembly or city council, or in the
19 case of a joint program and board, the assemblies or councils, of a
20 program of community mental health services and facilities; and

21 (3) serve in a general advisory capacity to the director of
22 the community program.

23 Sec. 18.23.080. ADMINISTRATION OF COMMUNITY MENTAL HEALTH
24 SERVICES PROGRAM. The administration of a community mental health
25 services program is the responsibility of an individual or agency
26 designated by the borough assembly or city council. If any of the
27 services are provided by a private nonprofit organization that organiza-
28 tion is contractually responsible to the borough or city.

29 Sec. 18.23.090. DUTIES OF ADMINISTRATOR. The individual or the

1 chief executive officer of an agency designated responsible for a
2 community mental health services program shall

3 (1) serve as chief executive officer of the community mental
4 health services program and shall be responsible to the borough assembly
5 or city council;

6 (2) exercise general supervision over mental health services
7 and facilities furnished;

8 (3) recommend to the borough assembly or city council, after
9 consultation with the board, the provision of services, the establish-
10 ment of facilities, the contracting for services and facilities and
11 other matters necessary or desirable to accomplish the purposes of this
12 chapter;

13 (4) submit an annual report to the borough assembly or city
14 council, reporting all activities of the program including a financial
15 accounting of expenditures and a forecast of anticipated needs for the
16 ensuing year; and

17 (5) perform other duties necessary to accomplish the
18 purposes of this chapter.

19 Sec. 18.23.100. DEFINITION. In this chapter "commissioner" means
20 the commissioner of health and welfare.
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