

Introduced: 5/1/85  
Referred: Health, Education &  
Social Services and Judiciary

1 IN THE HOUSE

BY M.M.MILLER

2

HOUSE BILL NO. 412

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to mental health."

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

8 \* Section 1. AS 47.30.520 is amended to read:

9           Sec. 47.30.520.   LEGISLATIVE PURPOSE. It is the purpose of the  
10 legislature in enacting the Community Mental Health Services Act to  
11 assist local communities in planning, organizing, and financing com-  
12 munity mental health services through locally developed, administered,  
13 and controlled community mental health programs. It is further in-  
14 tended to better utilize existing resources at both state and local  
15 levels in order to

16           (1) develop and implement plans for initiating maximum  
17 mental health services based on demonstrated need for services in each  
18 geographical planning area, as well as regionalized comprehensive  
19 mental health services;

20           (2) improve the effectiveness of existing mental health  
21 services;

22           (3) integrate state-operated and community mental health  
23 programs into a unified mental health system;

24           (4) provide a means for participation by local communities  
25 in the determination of the need for and the allocation of mental  
26 health resources;

27           (5) establish a uniform ratio of local and state government  
28 responsibility for financing mental health services;

29           (6) provide a means of allocating state mental health funds

1 to treat mental illness in the following priority:

2 (A) chronically mentally ill persons;

3 (B) children and adolescents; and

4 (C) persons requiring direct mental health interven-  
5 tion [ACCORDING TO COMMUNITY NEEDS];

6 (7) encourage the full use of all existing public or pri-  
7 vate agencies, facilities, personnel, and funds to accomplish these  
8 objectives; and

9 (8) prevent unnecessary duplication and fragmentation of  
10 services and expenditures.

11 \* Sec. 2. AS 47.30.530 is amended to read:

12 Sec. 47.30.530. DUTIES OF DEPARTMENT. The department shall  
13 administer the provisions of AS 47.30.520 - 47.30.620 and shall

14 (1) define and develop standards for various levels and  
15 qualities of mental health care;

16 (2) provide fiscal and professional technical assistance in  
17 planning, organizing, developing, implementing, and administering  
18 local mental health services;

19 (3) develop budgets and receive and distribute state appro-  
20 priations and funds in accordance with the provisions of AS 47.30.-  
21 520 - 47.30.620;

22 (4) establish standards of education and experience for  
23 professional, technical, and administrative personnel employed in  
24 community mental health services;

25 (5) assist the community in establishing the organization  
26 and operation of community mental health services;

27 (6) develop a standardized system for measuring and report-  
28 ing to the department the types, quantities and quality of services;  
29 and develop a cost accounting system which will demonstrate the cost

1 of various levels and qualities of care;

2 (7) provide each local community planning and services  
3 delivery entity with statistics, reports, and other data relevant to  
4 development of indices indicating the need for mental health services,  
5 or relevant to evaluating the effectiveness of existing services;

6 (8) review each local community plan and require each plan  
7 to include

8 (A) treatment for the chronically mentally ill as a  
9 first priority, treatment of children and adolescents as a second  
10 priority, and treatment of persons requiring direct mental health  
11 intervention as a third priority, as well as an affirmative  
12 showing that the most effective and economic use will be made of  
13 all available public and private resources in the community  
14 including careful consideration of the most effective and econo-  
15 mic alternative forms and patterns of services;

16 (B) a five-year projection of needs, services, and  
17 resources; and

18 (C) adequate provisions for review and evaluation of  
19 services provided in the local community;

20 (9) adopt regulations and establish priorities, after  
21 consultation with local communities affected and in conjunction with a  
22 state mental health advisory council, which are necessary to carry out  
23 the purposes of AS 47.30.520 - 47.30.620.

24 \* Sec. 3. AS 47.30 is amended by adding new sections to read:

25 Sec. 47.30.545. PLANNING FOR COMMUNITY MENTAL HEALTH SERVICES.  
26 The department may not enter into a contract with an eligible communi-  
27 ty entity under which the department purchases community mental health  
28 services from the entity unless the local community plan providing for  
29 mental health services also provides for meeting and maintaining the

1 following treatment standards:

2 (1) facilities shall consist of small residential or day  
3 treatment centers, in as close to a normal home or non-institutional  
4 environment as possible without sacrificing client safety or care;

5 (2) staffing patterns shall reflect the cultural, linguis-  
6 tic, sexual, and other social characteristics of the community, and  
7 shall incorporate multidisciplinary professional staff to meet client  
8 diagnostic and treatment needs;

9 (3) programs shall be designed to reduce overdependence on  
10 medications as primary treatment tools and encourage self-sufficient  
11 and independent functioning through prevocational and vocational  
12 training; programs shall promote client participation in planning,  
13 operating, and evaluating daily treatment and rehabilitation;

14 (4) programs shall be designed to coordinate with the  
15 social service system as a whole and in particular shall be designed  
16 to include the following two elements: (A) an acute hospital or a  
17 crisis unit for evaluation, diagnosis, and disposition planning for  
18 persons in psychiatric crisis; and (B) a case management system in  
19 which the case manager serves as a coordinator of the various elements  
20 of the system and as an advocate for the clients in the system; all  
21 case managers shall be under direct supervision of a psychiatrist,  
22 psychologist, or a mental health clinician with a master's degree.

23 Sec. 47.30.547. COMMUNITY MENTAL HEALTH SERVICES FOR THE CHRONI-  
24 CALLY ILL. Communities that provide mental health services for the  
25 chronically mentally ill may receive funds from the department for the  
26 following program elements:

27 (1) a short-term residential treatment program for indivi-  
28 duals experiencing an acute episode or a situational crisis requiring  
29 temporary removal from their home environment;

1           (2) a long-term residential treatment program with a full  
2 day treatment component for persons who require intensive support;

3           (3) a transitional residential treatment program designed  
4 for persons who are able to take part in programs in the general  
5 community, but who without continued support would be at risk of  
6 returning to a hospital;

7           (4) a semi-supervised, independent, but structured living  
8 arrangement for persons who without some support and structure would  
9 be at risk of returning to the hospital;

10          (5) a day treatment program capable of providing services  
11 for clients whose residential needs are being met but who require  
12 additional or extended treatment services;

13          (6) sheltered workshops that provide an opportunity for  
14 clients to experience the benefits of active employment with graduated  
15 levels of skill and energy required;

16          (7) socialization centers designed to serve a broad range  
17 of clients, as well as persons living in the community in general.

18 \* Sec. 4. AS 47.30.550 is amended by adding a new subsection to read:

19           (b) Notwithstanding (a) of this section, the department shall  
20 purchase 100 percent of the eligible costs of services provided for  
21 the chronically mentally ill, subject to the availability of state  
22 funds to the department for implementing AS 47.30.520 - 47.30.620.