

COMMITTEE REPORT

SENATE

3/24/75

Mr. President:

Date 4.14.75

The Committee on FINANCE has had SB 24
~~community mental health services~~
under consideration. A Majority of the members of the Committee

- recommends it DO PASS
- recommends it DO NOT PASS
- recommends it DO PASS WITH ATTACHED AMENDMENT(S)
- recommends it BE REPLACED WITH ^{HESS} CS FOR SB 24 AND THAT
CS FOR SB 24 DO PASS
- "and" recommends it BE REFERRED TO THE _____
COMMITTEE
- reports it back WITHOUT RECOMMENDATION
- "other"

Members signing the Majority report:

Lee Kay _____

Members NOT concurring in the Majority report:

_____ recommends:
 _____ recommends:
 _____ recommends:
 _____ recommends:
 _____ recommends:

Lee Kay Chairman

The Legislature of the State of Alaska
FISCAL NOTE

First Session -- Ninth Legislature

I. REQUEST

Bill No. CSSB 24
 Title: Community Mental Health Services Act
 Requested by: Senator Bill Ray Date: _____
 Return Date Requested: _____
 Agency: Health & Social Services Program: Division of Mental Health

II. FISCAL DETAIL

Operated

Budget Request Unit(s) Affected: Community/Mental Health Centers

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL	8.4	8.4	11.2	11.2	11.2	11.2
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.	211.7	582.5	1239.2	2002.6	2782.0	3560.4
		(264.4)	(290.8)	(319.9)	(351.9)	(387.1)
TOTAL	220.1	590.9	1250.4	2013.8	2793.2	3571.6

B. FUNDING: (Thousands of dollars)

GENERAL FUND 90-10	220.1	590.9	1250.4	2013.8	2793.2	3571.6
FEDERAL FUNDS						
OTHER	62.2	166.9	368.7	601.5	834.3	1068.2

C. POSITIONS:

PERMANENT/TEMPORARY	3/	3/	3/	4/	4/	4/
MAN MONTHS (P./T.)	36/	36/	36/	48/	48/	48/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

IV. ATTACHMENTS

THE LEGISLATURE OF THE STATE OF ALASKA - FISCAL NOTE

The present matching ratio established by policy is to fund 75% of the operating budgets of Ketchikan and Kodiak. In Fiscal Year 1975, the Legislature funded Gateway Community Mental Health Center at 138.4 and Kodiak Aleutian Center at 81.7 for a total of 220.1.

The State also has regional offices in Anchorage, Juneau and Fairbanks, which operated mental health clinics. In Fiscal Year 1975 the Legislature funded Anchorage at 227.1, Juneau at 175.1, and Fairbanks at 205.3 for a total of 607.5.

In Fiscal Year 1975 a total of 827.6 General Funds were appropriated for community mental health programs in Alaska.

The largest community mental health center is in Ketchikan with an operating budget of 231.2 in Fiscal Year 1976. This center has the only community mental health program in Alaska which we feel has an adequate staff to serve the need of its catchment area (population approximately 20,000). This center has a staff of 5 professionals, 1 aide, 1 administrative assistant, and 2 clerical staff. Contrast this with the state-operated clinic in Anchorage of 5 professionals and 2 clerical personnel responsible for a catchment area population of approximately 158,000.

Although it is anticipated that projections of cost will be unique to each community dependent on its geographical locations, its available manpower, its present mental health and its needs, a rough estimate of the cost of a community mental health program resources for Alaska can be projected.

Assuming the Ketchikan program is adequate and by projecting the figures of 20,000 population and a budget of 231.2 to the entire State would indicate that Alaska could develop a statewide community mental health program for approximately 4,639.8. Using the matching formula in this Bill of 75%, the State's General Fund share would be 3,479.9. The State already has a 827.6 General Fund appropriation for community mental health services. Consequently, an additional 2,652.3 would be required. It has been brought to our attention that the 75% match would be inadequate in poverty areas and a 90% match would be more realistic. Below is a list of mental health planning areas and their designation as poverty or non-poverty areas. 13 of the planning areas are designated as poverty areas encompassing 44,000 persons or 13% of the total population (base 330,000).

Utilizing the 90% - 10% matching ratio in the 13 planning districts would increase the total estimated General Fund cost to 3,571.6 or an additional 92.1.

District	Poverty* Non-Poverty	District Center	July 1/73 Population Estimate by Dpt. of Labor
1	Poverty	Barrow	2,814
2	"	Kotzebue	4,352
3	"	Bettles	461
4	"	Fort Yukon	934
5	"	Nome	5,682
6	"	Galena	1,862
7	Non-Poverty	Fairbanks	52,074
8	Poverty	Tok	649
9	"	Bethel	11,784
10	"	Aniak	1,881
11	"	McGrath	585
12	Non-Poverty	Anchorage	158,026
13	Poverty	Glenallen	1,204
14	"	Dillingham	4,858
15	Non-Poverty	Kodiak	8,868
16	Poverty	Sand Point/Unalaska	6,914
17	Non-Poverty	Kenai	13,781
18	"	Seward	2,446
19	"	Valdez	3,903
20	"	Juneau	21,102
21	"	Sitka	11,095
22	"	Ketchikan	13,823

* Poverty areas are determined by 15% or more of the population falling under 125% of the O.E.O. Poverty Guidelines (Per 1970 Census Data).

SENATE FINANCE COMMITTEE ²⁷

LEGISLATIVE INTENT 18

FOR 3

14

COMMITTEE SUBSTITUTE FOR SENATE BILL 24

It is the Intent of the Legislature that an expanded role for Community Mental Health Centers, as provided by CSSB 24, be funded solely through whatever funds are appropriated in the Budget ~~and~~ under State and Community Mental Health Centers and whatever additional Federal funds a community is able to obtain; ~~no~~ The establishment of ~~an ongoing~~ a continuing program of State assistance for Community Mental Health Centers through CSSB 24 ^{is designed to} ~~should~~ facilitate a ~~the~~ community's ~~the~~ acquisition of Federal funding ~~should Federal funding~~ (supplemental appropriations will be considered.)

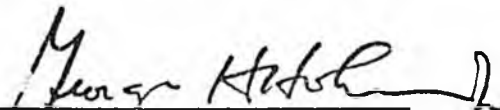
SENATE JOURNAL

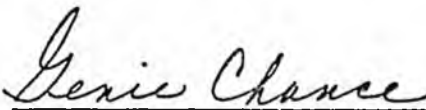
COMMITTEE REPORT ON SENATE BILL 24

Senate Bill 24, relating to community mental health centers, enables the State of Alaska to assist its local communities in planning, organizing and financing locally administered mental health services.

This bill is important to the development of community mental health services in Alaska and will allow local centers to become the primary treatment resource.

A 90/10 funding ratio is included for areas that are designated poverty areas. This will have little fiscal impact overall, but greatly increase effectiveness for small communities.


George Honman
Chairman
Senate Health, Education and
Social Services Committee


Genie Chance
Vice Chairman
Senate Health, Education and
Social Services Committee

District	Poverty * Non-Poverty	District Center	July 1, 1973 Population Estimates by Dept. of Labor
1	Poverty	Barrow	2,814
2	"	Kotzebue	4,352
3	"	Bettles	461
4	"	Fort Yukon	934
5	"	Nome	5,682
6	"	Galena	1,862
7	Non-poverty	Fairbanks	52,074
8	Poverty	Tok	649
9	"	Bethel	11,784
10	"	Aniak	1,881
11	"	McGrath	585
12	Non-poverty	Anchorage	158,026
13	Poverty	Glenallen	1,204
14	"	Dillingham	4,858
15	Non-poverty	Kodiak	8,868
16	Poverty	Cold Bay	6,914
17	Non-poverty	Kenai	13,781
18	"	Seward	2,446
19	"	Valdez	3,903
20	"	Juneau	21,102
21	"	Sitka	11,095
22	"	Ketchikan	13,823

In districts in which

(* Poverty areas are determined by 15% or more of the population falling under 125% of the O. E. O. Poverty Guidelines (Per 1970 Census Data)

FILE WITH
BILL

TELEGRAM

RCA ALASKA COMMUNICATIONS, INC.
PHONE: 586-6440
JUNEAU, ALASKA 99801

#

975 MAR 30 PM 7 39

02022 NL ANCHORAGE ALASKA 50 03-30 520P ADT

PMS SENATOR BILL RAY

JUN

3108

ALASKA CHAPTER NATIONAL ASSOCIATION OF SOCIAL WORKERS
SUPPORTS (SB24) CONCERNING COMMUNITY MENTAL HEALTH SERVICES.
WE STRONGLY URGE THAT IT BE PASSED OUT OF FINANCE COMMITTEE
AS SOON AS POSSIBLE WITH A DO PASS RECOMMENDATION
CECILIA KLEINKAUF CHAIRMAN SOCIAL ACTION COMMITTEE NASW
4201 MCINNES 99504

The Legislature of the State of Alaska
FISCAL NOTE

First Session - Ninth Legislature

I. REQUEST

Bill No. CSSB 24
 Title: Community Mental Health Services Act
 Requested by: Senator Bill Ray Date: _____
 Return Date Requested: _____
 Agency: Health & Social Services Program: Division of Mental Health

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Community/Mental Health Centers Operated

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL	8.4	8.4	11.2	11.2	11.2	11.2
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.	211.7	582.5	1239.2	2002.6	2782.0	3560.4
		(264.4)	(290.8)	(319.9)	(351.9)	(387.1)
TOTAL	220.1	590.9	1250.4	2013.8	2793.2	3571.6

B. FUNDING: (Thousands of dollars)

GENERAL FUND 90-10	220.1	590.9	1250.4	2013.8	2793.2	3571.6
FEDERAL FUNDS						
OTHER	62.2	166.9	368.7	601.5	834.3	1068.2

C. POSITIONS:

PERMANENT/TEMPORARY	3/	3/	3/	4/	4/	4/
MAN MONTHS (P./T.)	35/	36/	36/	48/	48/	48/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

In a letter of intent carried on Page 714 of the Senate Journal, the Senate Finance Committee specified that this program "be funded solely through whatever funds are appropriated in the Budget under State and Community Health Centers and whatever additional Federal funds a community is able to obtain." Thus, FY 76 fiscal impact is considered to be 0.

J. H. Hogan

IV. ATTACHMENTS

V. DATE: 3-26-75

PREPARED BY: George M. Hurdler

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

THE LEGISLATURE OF THE STATE OF ALASKA - FISCAL NOTE

The present matching ratio established by policy is to fund 75% of the operating budgets of Ketchikan and Kodiak. In Fiscal Year 1975, the Legislature funded Gateway Community Mental Health Center at 138.4 and Kodiak Aleutian Center at 81.7 for a total of 220.1.

The State also has regional offices in Anchorage, Juneau and Fairbanks, which operated mental health clinics. In Fiscal Year 1975 the Legislature funded Anchorage at 227.1, Juneau at 175.1, and Fairbanks at 205.3 for a total of 607.5.

In Fiscal Year 1975 a total of 827.6 General Funds were appropriated for community mental health programs in Alaska.

The largest community mental health center is in Ketchikan with an operating budget of 281.2 in Fiscal Year 1976. This center has the only community mental health program in Alaska which we feel has an adequate staff to serve the need of its catchment area (population approximately 20,000). This center has a staff of 5 professionals, 1 aide, 1 administrative assistant, and 2 clerical staff. Contrast this with the state-operated clinic in Anchorage of 5 professionals and 2 clerical personnel responsible for a catchment area population of approximately 158,000.

Although it is anticipated that projections of cost will be unique to each community dependent on its geographical locations, its available manpower, its present mental health and its needs, a rough estimate of the cost of a community mental health program resources for Alaska can be projected.

Assuming the Ketchikan program is adequate and by projecting the figures of 20,000 population and a budget of 281.2 to the entire State would indicate that Alaska could develop a statewide community mental health program for approximately 4,639.8. Using the matching formula in this Bill of 75%, the State's General Fund share would be 3,479.9. The State already has a 827.6 General Fund appropriation for community mental health services. Consequently, an additional 2,652.3 would be required. It has been brought to our attention that the 75% match would be inadequate in poverty areas and a 90% match would be more realistic. Below is a list of mental health planning areas and their designation as poverty or non-poverty areas. 13 of the planning areas are designated as poverty areas encompassing 44,000 persons or 13% of the total population (base 330,000).

Utilizing the 90% - 10% matching ratio in the 13 planning districts would increase the total estimated General Fund cost to 3,571.6 or an additional 92.1.

District	Poverty* Non-Poverty	District Center	July 1/73 Population Estimate by Dpt. of Labor
1	Poverty	Barrow	2,814
2	"	Kotzebue	4,352
3	"	Bettles	461
4	"	Fort Yukon	934
5	"	Nome	5,682
6	"	Galena	1,862
7	Non-Poverty	Fairbanks	52,074
8	Poverty	Tok	649
9	"	Bethel	11,784
10	"	Aniak	1,881
11	"	McGrath	585
12	Non-Poverty	Anchorage	158,026
13	Poverty	Glenallen	1,204
14	"	Dillingham	4,858
15	Non-Poverty	Kodiak	8,868
16	Poverty	Sand Point/Unalaska	6,914
17	Non-Poverty	Kenai	13,781
18	"	Seward	2,446
19	"	Valdez	3,903
20	"	Juneau	21,102
21	"	Sitka	11,095
22	"	Ketchikan	13,823

* Poverty areas are determined by 15% or more of the population falling under 125% of the O.E.O. Poverty Guidelines (Per 1970 Census Data).

Offered: 3/24/75
Referred: Finance

Original sponsor: Chance

1 IN THE SENATE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2

CS FOR SENATE BILL NO. 24

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

NINTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act relating to community mental health services;
7 and providing for an effective date."

8

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

9

* Section 1. AS 47.30 is amended by adding new sections to read:

10

ARTICLE 5. COMMUNITY MENTAL HEALTH SERVICES.

11

Sec. 47.30.520. LEGISLATIVE PURPOSE. It is the purpose of the

12

legislature in enacting the Community Mental Health Services Act to

13

assist local communities in planning, organizing and financing commun-

14

ity mental health services through locally developed, administered and

15

controlled community mental health programs. It is further intended

16

to better utilize existing resources at both state and local levels in

17

order to:

18

(1) develop and implement plans for initiating maximum

19

mental health services based on demonstrated need for services in each

20

geographical planning area, as well as regionalized comprehensive

21

mental health services;

22

(2) improve the effectiveness of existing mental health

23

services;

24

(3) integrate state-operated and community mental health

25

programs into a unified mental health system;

26

(4) provide a means for participation by local communities

27

in the determination of the need for and the allocation of mental

28

health resources;

29

(5) establish a uniform ratio of local and state government

1 responsibility for financing mental health services;

2 (6) provide a means of allocating state mental health funds
3 according to community needs;

4 (7) encourage the full use of all existing public or private
5 agencies, facilities, personnel, and funds to accomplish these objec-
6 tives; and

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

9 Sec. 47.30.530. DUTIES OF DEPARTMENT. The department shall
10 administer the provisions of secs. 520 - 620 of this chapter and shall

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

13 (2) provide fiscal and professional technical assistance in
14 planning, organizing, developing, implementing, and administering
15 local mental health services;

16 (3) develop budgets, receive and disburse state appropria-
17 tions and funds in accordance with the provisions of secs. 520 - 620
18 of this chapter;

19 (4) establish standards of education and experience for
20 professional, technical and administrative personnel employed in com-
21 munity mental health services;

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

24 (6) develop a standardized system for measuring and report-
25 ing to the department the types, quantities and quality of services;
26 and a cost accounting system which will demonstrate the cost of various
27 levels and qualities of care;

28 (7) provide each local community planning and services
29 delivery entity with statistics, reports, and other data relevant to

1 development of indices indicating the need for mental health services,
2 or relevant to evaluating the effectiveness of existing services;

3 (8) review each local community plan and require each plan
4 to include

5 (A) an affirmative showing that the most effective and
6 economic use will be made of all available public and private
7 resources in the community including careful consideration of the
8 most effective and economic alternative forms and patterns of
9 services;

10 (B) a five-year projection of needs, services and
11 resources; and

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

14 (9) adopt regulations and establish priorities, after con-
15 sultation with local communities affected and in conjunction with a
16 state mental health advisory council, which are necessary to carry out
17 the purposes of secs. 520 - 620 of this chapter.

18 Sec. 47.30.540. ELIGIBLE LOCAL COMMUNITY ENTITIES. (a) A city
19 or borough government or other political subdivision of the state, a
20 nonprofit corporation, or a combination of these, is eligible to
21 receive funds and administer local programs under secs. 520 - 620 of
22 this chapter. In order to insure equitable access to funds and pro-
23 grams through the state, the department shall determine appropriate
24 geographical areas to be served by local programs in consultation with
25 representatives of the geographical areas in question.

26 (b) The entity designated by the department in the local area as
27 the organizational unit to receive funds under secs. 520 - 620 of this
28 chapter and to administer the program shall insure a broad base of
29 community support as evidenced by a governing board reasonably

1 representative of the professional, civic, and citizen groups in the
2 community. No more than two members, or 40 per cent of the membership,
3 whichever is greater, may be providers of services under the program.
4 In order to receive funds under secs. 520 - 620 of this chapter, a
5 local community entity shall agree to

6 (1) give priority to mental health programs and services
7 that have a maximum impact on other tax funded programs;

8 (2) furnish services through a qualified staff meeting
9 reasonable standards of experience and training;

10 (3) conform to a state cost accounting system showing the
11 true cost of services rendered, collect fees for services according to
12 a schedule based on an analysis of reasonable ability to pay, and pro-
13 vide that no person shall be refused services because of inability to
14 pay for those services;

15 (4) maintain adequate clinical and administrative records
16 and to furnish periodic reports to the department;

17 (5) furnish the department an annual report of the preceding
18 fiscal year, including an evaluation of the effectiveness of the
19 previous year's programs and their costs; and

20 (6) furnish the department each year a satisfactory annual
21 update of a long-range planning and budget statement that describes
22 program goals for the coming year, the steps and resources necessary
23 to implement the goals, the projected means by which these resources
24 will be secured and the procedures necessary to evaluate the program.

25 (c) Members of local governing boards may be reimbursed for
26 necessary travel expenses incurred in the organization and operation
27 of local programs as may be determined by the department.

28 Sec. 47.30.550. COST-SHARING FORMULA; LIMITATIONS. If the
29 department finds that it is necessary for the purposes of secs. 520 -

1 620 of this chapter, the department may enter into a contract with an
2 eligible community entity under which the department purchases commun-
3 ity mental health services from the entity in accordance with the
4 community entity's approved plan and secs. 520 - 620 of this chapter.
5 The department shall purchase the services by participating in 75 per
6 cent of the eligible costs of the services to be furnished under the
7 plan subject to the availability of state funds to the department for
8 implementing secs. 520 - 620 of this chapter. In districts designated
9 by the department as poverty areas, the department shall purchase the
10 services by participating in 90 per cent of the eligible costs.

11 Sec. 47.30.560. FUNDS FOR LOCAL PROGRAMS. The contracts for
12 services provided for in secs. 520 - 620 of this chapter shall be
13 reviewed, revised if necessary, and approved at the expiration of each
14 contract year. A contract shall be approved if the department finds
15 that the community entity has complied with its plan, secs. 520 - 620 of
16 this chapter, and any applicable regulations adopted by the department.
17 Expenditures for the purchase of services shall be made in accordance
18 with the approved contract, budgets and program projections.

19 Sec. 47.30.570. ELIGIBLE COSTS; MAINTENANCE OF LOCAL EFFORT. The
20 department shall adopt regulations specifying the types of services and
21 program costs eligible for state participation. These regulations shall
22 include

23 (1) a provision excluding capital expenditures as eligible
24 costs; and

25 (2) a requirement that the community entity contractor or
26 applicant agrees as a condition of contract approval that it will not
27 supplant existing local fund support of community mental health services
28 with funds received under secs. 520 - 620 of this chapter and that it
29 will continue local funding support of community mental health services,

1 in any year in which it contracts with the department, at a level that
2 is at least equal to the local funding support in the previous year.

3 Sec. 47.30.580. COMPREHENSIVE SERVICES. Plans and regulations
4 adopted under secs. 520 - 620 of this chapter shall allow local programs
5 sufficient administrative and program flexibility so that local com-
6 munity mental health programs may be joined with other programs such as
7 mental retardation programs, drug abuse programs, alcoholism programs
8 and comprehensive mental health services programs.

9 Sec. 47.30.590. PATIENT RIGHTS AND THE CONFIDENTIAL NATURE OF
10 RECORDS AND INFORMATION. The department shall adopt regulations to
11 assure patient rights and to safeguard the confidential nature of records
12 and information about the recipients of services provided under secs.
13 520 - 620 of this chapter. The regulations shall require that local
14 community entities develop and include in any plan submitted for approval
15 adequate provisions for safeguarding confidential information. The
16 department's regulations shall provide for disclosure of confidential
17 information to mental health professionals providing services to a
18 recipient and to other appropriate service agencies when it is in the
19 defined best interests of the patient.

20 Sec. 47.30.600. APPLICABILITY TO EXISTING PROGRAMS. No local
21 community entity existing on January 1, 1974 that received state funds
22 for a community mental health services program in the fiscal year ending
23 June 30, 1974 may receive less state support through the purchase of
24 services under secs. 520 - 620 of this chapter in the fiscal year ending
25 June 30, 1975 than it received in the preceding fiscal year. In order
26 to assure the continuity of state support of existing programs the
27 department may waive requirements of secs. 520 - 620 of this chapter in
28 approving contracts with existing entities for the fiscal year ending
29 June 30, 1975, only.

1 Sec. 47.30.605. MENTAL HEALTH ADVISORY COUNCIL. (a) There shall
2 be a Mental Health Advisory Council appointed by the governor to advise
3 and assist the department in initiating and implementing community
4 mental health services. The council consists of 12 appointed voting
5 members who are interested and knowledgeable in mental health. No more
6 than four members should be providers of direct mental health services.

7 (b) The council shall

8 (1) advise the division on the state mental health plans
9 before implementation of these plans;

10 (2) periodically review all mental health services in the
11 state, reports of which shall be prepared and submitted to the governor,
12 the legislature, the department and the Comprehensive Health Advisory
13 Council;

14 (3) conduct independent investigations and studies as may be
15 necessary;

16 (4) recommend rules, regulations and standards for the admin-
17 istration of community mental health services;

18 (5) encourage coordination on a regional basis, of community
19 mental health services to insure nonduplication and nonfragmentation of
20 services.

21 (c) The council shall meet at the call of the chairman but shall
22 meet at least once quarterly.

23 (d) Members of the council are not entitled to a salary, but are
24 entitled to per diem, reimbursement for travel, and other expenses
25 authorized by law for other boards.

26 Sec. 47.30.610. DEFINITIONS. In secs. 520 - 610 of this chapter

27 (1) "department" means the Department of Health and Social
28 Services;

29 (2) "poverty area" means a district in which 15 per cent or

1 more of the population, based upon 1970 census data, falls under 125
2 per cent of the Office of Economic Opportunity poverty guidelines.

3 Sec. 47.30.620. SHORT TITLE. Sections 520 - 620 of this chapter
4 may be cited as the Community Mental Health Services Act.

5 * Sec. 2. This Act takes effect July 1, 1975.
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

1 IN THE SENATE

BY CHANCE

2 SENATE BILL NO. 24

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to community mental health services;
7 and providing for an effective date."

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

9 * Section 1. AS 47.30 is amended by adding new sections to read:

10 ARTICLE 5. COMMUNITY MENTAL HEALTH SERVICES.

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

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

22 (2) improve the effectiveness of existing mental health
23 services;

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

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

29 (5) establish a uniform ratio of local and state government

1 responsibility for financing mental health services;

2 (6) provide a means of allocating state mental health funds
3 according to community needs;

4 (7) encourage the full use of all existing public or private
5 agencies, facilities, personnel, and funds to accomplish these objec-
6 tives; and

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

9 Sec. 47.30.530. DUTIES OF DEPARTMENT. The department shall
10 administer the provisions of secs. 520 - 620 of this chapter and shall

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

13 (2) provide fiscal and professional technical assistance in
14 planning, organizing, developing, implementing, and administering
15 local mental health services;

16 (3) develop budgets, receive and disburse state appropria-
17 tions and funds in accordance with the provisions of secs. 520 - 620
18 of this chapter;

19 (4) establish standards of education and experience for
20 professional, technical and administrative personnel employed in com-
21 munity mental health services;

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

24 (6) develop a standardized system for measuring and report-
25 ing to the department the types, quantities and quality of services;
26 and a cost accounting system which will demonstrate the cost of various
27 levels and qualities of care;

28 (7) provide each local community planning and services
29 delivery entity with statistics, reports, and other data relevant to

1 development of indices indicating the need for mental health services,
2 or relevant to evaluating the effectiveness of existing services;

3 (8) review each local community plan and require each plan
4 to include

5 (A) an affirmative showing that the most effective and
6 economic use will be made of all available public and private
7 resources in the community including careful consideration of the
8 most effective and economic alternative forms and patterns of
9 services;

10 (B) a five-year projection of needs, services and
11 resources; and

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

14 (9) adopt regulations and establish priorities, after con-
15 sultation with local communities affected and in conjunction with a
16 state mental health advisory council, which are necessary to carry out
17 the purposes of secs. 520 - 620 of this chapter.

18 Sec. 47.30.540. ELIGIBLE LOCAL COMMUNITY ENTITIES. (a) A city
19 or borough government or other political subdivision of the state, a
20 nonprofit corporation, or a combination of these, is eligible to
21 receive funds and administer local programs under secs. 520 - 620 of
22 this chapter. In order to insure equitable access to funds and pro-
23 grams through the state, the department shall determine appropriate
24 geographical areas to be served by local programs in consultation with
25 representatives of the geographical areas in question.

26 (b) The entity designated by the department in the local area as
27 the organizational unit to receive funds under secs. 520 - 620 of this
28 chapter and to administer the program shall insure a broad base of
29 community support as evidenced by a governing board reasonably

1 representative of the professional, civic, and citizen groups in the
2 community. No more than two members, or 40 per cent of the membership,
3 whichever is greater, may be providers of services under the program.
4 In order to receive funds under secs. 520 - 620 of this chapter, a
5 local community entity shall agree to

6 (1) give priority to mental health programs and services
7 that have a maximum impact on other tax funded programs;

8 (2) furnish services through a qualified staff meeting
9 reasonable standards of experience and training;

10 (3) conform to a state cost accounting system showing the
11 true cost of services rendered, collect fees for services according to
12 a schedule based on an analysis of reasonable ability to pay, and pro-
13 vide that no person shall be refused services because of inability to
14 pay for those services;

15 (4) maintain adequate clinical and administrative records
16 and to furnish periodic reports to the department;

17 (5) furnish the department an annual report of the preceding
18 fiscal year, including an evaluation of the effectiveness of the
19 previous year's programs and their costs; and

20 (6) furnish the department each year a satisfactory annual
21 update of a long-range planning and budget statement that describes
22 program goals for the coming year, the steps and resources necessary
23 to implement the goals, the projected means by which these resources
24 will be secured and the procedures necessary to evaluate the program.

25 (c) Members of local governing boards may be reimbursed for
26 necessary travel expenses incurred in the organization and operation
27 of local programs as may be determined by the department.

28 Sec. 47.30.550. COST-SHARING FORMULA; LIMITATIONS. If the
29 department finds that it is necessary for the purposes of secs. 520 -

1 620 of this chapter, the department may enter into a contract with an
2 eligible community entity under which the department purchases communi-
3 ty mental health services from the entity in accordance with the
4 community entity's approved plan and secs. 520 - 620 of this chapter.
5 The department shall purchase the services by participating in 75 per
6 cent of the eligible costs of the services to be furnished under the
7 plan subject to the availability of state funds to the department for
8 implementing secs. 520 - 620 of this chapter.

9 Sec. 47.30.560. FUNDS FOR LOCAL PROGRAMS. The contracts for
10 services provided for in secs. 520 - 620 of this chapter shall be
11 reviewed, revised if necessary, and approved at the expiration of each
12 contract year. A contract shall be approved if the department finds
13 that the community entity has complied with its plan, secs. 520 - 620
14 of this chapter, and any applicable regulations adopted by the depart-
15 ment. Expenditures for the purchase of services shall be made in
16 accordance with the approved contract, budgets and program projections.

17 Sec. 47.30.570. ELIGIBLE COSTS; MAINTENANCE OF LOCAL EFFORT.
18 The department shall adopt regulations specifying the types of services
19 and program costs eligible for state participation. These regulations
20 shall include

21 (1) a provision excluding capital expenditures as eligible
22 costs; and

23 (2) a requirement that the community entity contractor or
24 applicant agrees as a condition of contract approval that it will not
25 supplant existing local fund support of community mental health ser-
26 vices with funds received under secs. 520 - 620 of this chapter and
27 that it will continue local funding support of community mental health
28 services, in any year in which it contracts with the department, at a
29 level that is at least equal to the local funding support in the

1 previous year.

2 Sec. 47.30.580. COMPREHENSIVE SERVICES. Plans and regulations
3 adopted under secs. 520 - 620 of this chapter shall allow local pro-
4 grams sufficient administrative and program flexibility so that local
5 community mental health programs may be joined with other programs
6 such as mental retardation programs, drug abuse programs, alcoholism
7 programs and comprehensive mental health services programs.

8 Sec. 47.30.590. PATIENT RIGHTS AND THE CONFIDENTIAL NATURE OF
9 RECORDS AND INFORMATION. The department shall adopt regulations to
10 assure patient rights and to safeguard the confidential nature of
11 records and information about the recipients of services provided
12 under secs. 520 - 620 of this chapter. The regulations shall require
13 that local community entities develop and include in any plan submitted
14 for approval adequate provisions for safeguarding confidential infor-
15 mation. The department's regulations shall provide for disclosure of
16 confidential information to mental health professionals providing
17 services to a recipient and to other appropriate service agencies when
18 it is in the defined best interests of the patient.

19 Sec. 47.30.600. APPLICABILITY TO EXISTING PROGRAMS. No local
20 community entity existing on January 1, 1974 that received state funds
21 for a community mental health services program in the fiscal year
22 ending June 30, 1974 may receive less state support through the pur-
23 chase of services under secs. 520 - 620 of this chapter in the fiscal
24 year ending June 30, 1975 than it received in the preceding fiscal
25 year. In order to assure the continuity of state support of existing
26 programs the department may waive requirements of secs. 520 - 620 of
27 this chapter in approving contracts with existing entities for the
28 fiscal year ending June 30, 1975, only.

29 Sec. 47.30.605. MENTAL HEALTH ADVISORY COUNCIL. (a) There shall

1 be a Mental Health Advisory Council appointed by the governor to advise
2 and assist the director of the division of mental health in initiating
3 and implementing community mental health services. The council con-
4 sists of nine appointed voting members who are interested and knowledge-
5 able in mental health. At least one but no more than two of the members
6 shall be members of the Department of Health and Social Services Advisory
7 Board. No more than three members should be providers of direct mental
8 health services.

9 (b) The council shall

10 (1) advise the division on the state mental health plans
11 before implementation of these plans;

12 (2) periodically review all mental health services in the
13 state, reports of which shall be prepared and submitted to the governor,
14 the legislature, the department and the Comprehensive Health Advisory
15 Council;

16 (3) conduct independent investigations and studies as may be
17 necessary;

18 (4) recommend rules, regulations and standards for the
19 administration of community mental health services;

20 (5) encourage coordination on a regional basis, of community
21 mental health services to insure nonduplication and nonfragmentation of
22 services.

23 (c) The council shall meet at the call of the chairman but shall
24 meet at least once quarterly.

25 (d) Members of the council are not entitled to a salary, but are
26 entitled to per diem, reimbursement for travel, and other expenses
27 authorized by law for other boards.

28 Sec. 47.30.610. DEFINITIONS. In secs. 520 - 610 of this chapter
29 "department" means the Department of Health and Social Services.

1 Sec. 47.30.620. SHORT TITLE. Sections 520 - 620 of this chapter
2 may be cited as the Community Mental Health Services Act.

3 * Sec. 2. This Act takes effect July 1, 1975.
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

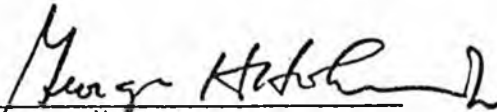
SENATE JOURNAL

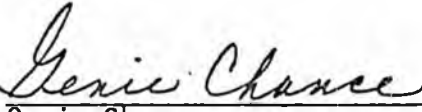
COMMITTEE REPORT ON SENATE BILL 24

Senate Bill 24, relating to community mental health centers, enables the State of Alaska to assist its local communities in planning, organizing and financing locally administered mental health services.

This bill is important to the development of community mental health services in Alaska and will allow local centers to become the primary treatment resource.

A 90/10 funding ratio is included for areas that are designated poverty areas. This will have little fiscal impact overall, but greatly increase effectiveness for small communities.


George Hohman
Chairman
Senate Health, Education and
Social Services Committee


Genie Chance
Vice Chairman
Senate Health, Education and
Social Services Committee

District	Poverty * Non-Poverty	District Center	July 1, 1973 Population Estimates by Dept. of Labor
1	Poverty	Barrow	2,814
2	"	Kotzebue	4,352
3	"	Bettles	461
4	"	Fort Yukon	934
5	"	Nome	5,682
6	"	Galena	1,862
7	Non-poverty	Fairbanks	52,074
8	Poverty	Tok	649
9	"	Bethel	11,784
10	"	Aniak	1,881
11	"	McGrath	585
12	Non-poverty	Anchorage	158,026
13	Poverty	Glenallen	1,204
14	"	Dillingham	4,858
15	Non-poverty	Kodiak	8,868
16	Poverty	Cold Bay	6,914
17	Non-poverty	Kenai	13,781
18	"	Seward	2,446
19	"	Valdez	3,903
20	"	Juneau	21,102
21	"	Sitka	11,095
22	"	Ketchikan	13,823

In districts in which

* [Poverty areas are determined by] 15% or more of the population falling under 125% of the O. E. O. Poverty Guidelines (Per 1970 Census Data)

five in ten