



# House of Representatives

General Assembly

**File No. 75**

February Session, 2016

Substitute House Bill No. 5456

*House of Representatives, March 21, 2016*

The Committee on Public Health reported through REP. RITTER of the 1st Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

**AN ACT CONCERNING THE RECOMMENDATIONS OF THE DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES FOR REVISIONS TO THE MENTAL HEALTH AND ADDICTION SERVICES STATUTES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 17a-456 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2016*):

3 There shall be a Board of Mental Health and Addiction Services that  
4 shall consist of: (1) Nineteen members appointed by the Governor,  
5 subject to the provisions of section 4-9a, five of whom shall have had  
6 experience in the field of substance abuse, five of whom shall be from  
7 the mental health community, three of whom shall be physicians  
8 licensed to practice medicine in this state who have had experience in  
9 the field of psychiatry, two of whom shall be psychologists licensed to  
10 practice in this state, two of whom shall be persons representing  
11 families of individuals with psychiatric disabilities, and two of whom  
12 shall be persons representing families of individuals recovering from

13 substance [abuse problems] use disorders; (2) the chairmen of the  
14 regional mental health boards established pursuant to section 17a-484;  
15 (3) one designee of each such board; (4) two designees from each of the  
16 five subregions represented by the substance abuse subregional  
17 planning and action councils established pursuant to section 17a-671;  
18 (5) one designee from each mental health region established pursuant  
19 to section 17a-478, each of whom shall represent individuals with  
20 psychiatric disabilities, selected by such regional mental health boards  
21 in collaboration with advocacy groups; and (6) one designee from each  
22 of the five subregions represented by such substance abuse  
23 subregional planning and action councils, each of whom shall  
24 represent individuals recovering from substance [abuse problems] use  
25 disorders, selected by such substance abuse subregional planning and  
26 action councils in collaboration with advocacy groups. The members of  
27 the board shall serve without compensation except for necessary  
28 expenses incurred in performing their duties. The members of the  
29 board may include representatives of nongovernment organizations or  
30 groups, and of state agencies, concerned with planning, operation or  
31 utilization of facilities providing mental health and substance abuse  
32 services, including consumers and providers of such services who are  
33 familiar with the need for such services, except that no more than half  
34 of the members of the board shall be providers of such services.  
35 Appointed members shall serve on the board for terms of four years  
36 each and members who are designees shall serve on the board at the  
37 pleasure of the designating authority. No appointed member of the  
38 board shall be employed by the state or be a member of the staff of any  
39 institution for which such member's compensation is paid wholly by  
40 the state. A majority of the board shall constitute a quorum.

41 Sec. 2. Subsection (c) of section 17a-485d of the general statutes is  
42 repealed and the following is substituted in lieu thereof (*Effective*  
43 *October 1, 2016*):

44 (c) The Commissioner of Social Services shall take such action as  
45 may be necessary to amend the Medicaid state plan to provide for  
46 coverage of optional adult rehabilitation services supplied by

47 providers of mental health services or substance abuse rehabilitation  
48 services for adults with serious and persistent mental illness or who  
49 have alcoholism or other substance [abuse conditions] use disorders,  
50 that are certified by the Department of Mental Health and Addiction  
51 Services. The Commissioner of Social Services shall adopt regulations,  
52 in accordance with the provisions of chapter 54, to implement optional  
53 rehabilitation services under the Medicaid program. The commissioner  
54 shall implement policies and procedures to administer such services  
55 while in the process of adopting such policies or procedures in  
56 regulation form, provided notice of intention to adopt the regulations  
57 is printed in the Connecticut Law Journal within forty-five days of  
58 implementation, and any such policies or procedures shall be valid  
59 until the time final regulations are effective.

60 Sec. 3. Subsection (e) of section 17a-485d of the general statutes is  
61 repealed and the following is substituted in lieu thereof (*Effective*  
62 *October 1, 2016*):

63 (e) The Commissioner of Mental Health and Addiction Services  
64 shall have the authority to certify providers of mental health or  
65 substance abuse rehabilitation services for adults with serious and  
66 persistent mental illness or who have alcoholism or other substance  
67 [abuse conditions] use disorders for the purpose of coverage of  
68 optional rehabilitation services. The Commissioner of Mental Health  
69 and Addiction Services shall adopt regulations, in accordance with the  
70 provisions of chapter 54, for purposes of certification of such  
71 providers. The commissioner shall implement policies and procedures  
72 for purposes of such certification while in the process of adopting such  
73 policies or procedures in regulation form, provided notice of intention  
74 to adopt the regulations is printed in the Connecticut Law Journal no  
75 later than twenty days after implementation and any such policies and  
76 procedures shall be valid until the time the regulations are effective.

77 Sec. 4. Subsection (a) of section 17a-485i of the general statutes is  
78 repealed and the following is substituted in lieu thereof (*Effective*  
79 *October 1, 2016*):

80 (a) The Commissioner of Mental Health and Addiction Services  
81 shall, within available appropriations, operate a behavioral health  
82 recovery program to provide clinical substance abuse treatment,  
83 psychiatric treatment and nonclinical recovery support services, which  
84 are not covered under the Medicaid program, for individuals with  
85 substance [abuse] use disorders or psychiatric disabilities who are  
86 eligible for Medicaid pursuant to Sections 1902(a)(10)(A)(i)(VIII) and  
87 1902(k)(2) of the Social Security Act. Services provided under the  
88 program may include, but shall not be limited to, residential substance  
89 abuse treatment, recovery support services, peer supports, housing  
90 assistance, transportation, food, clothing and personal care items. The  
91 Department of Mental Health and Addiction Services shall be  
92 responsible for all services and payments related to the provision of  
93 the behavioral health recovery support services for eligible recipients.

94 Sec. 5. Subsection (p) of section 17a-451 of the 2016 supplement to  
95 the general statutes is repealed and the following is substituted in lieu  
96 thereof (*Effective October 1, 2016*):

97 (p) The commissioner may contract for services to be provided for  
98 the department or by the department for the prevention of mental  
99 illness or substance [abuse] use in persons, as well as other mental  
100 health or substance [abuse] use disorder services described in section  
101 17a-478 and shall consult with providers of such services in developing  
102 methods of service delivery.

103 Sec. 6. Subsection (a) of section 17a-674 of the general statutes is  
104 repealed and the following is substituted in lieu thereof (*Effective*  
105 *October 1, 2016*):

106 (a) There is established a Substance [Abuse] Use Disorder Revolving  
107 Loan Fund. The fund shall contain any moneys required by law to be  
108 deposited in the fund and may contain any other funds as provided in  
109 subsection (b) of this section. The fund shall be administered and used  
110 by the Department of Mental Health and Addiction Services for loans  
111 to private nonprofit agencies for the cost of establishing group homes  
112 for four or more persons recovering from substance [abuse problems]

113 use disorders. Payments made on any loans made pursuant to this  
114 section shall be deposited in said fund.

115 Sec. 7. Subsection (a) of section 17a-710 of the general statutes is  
116 repealed and the following is substituted in lieu thereof (*Effective*  
117 *October 1, 2016*):

118 (a) It shall be the policy of the Department of Mental Health and  
119 Addiction Services to develop and implement treatment programs for  
120 [substance-abusing] pregnant women of any age with substance use  
121 disorders and their children. The department shall seek private and  
122 public funds for such programs. Each program shall, to the extent  
123 possible and within available appropriations, offer comprehensive  
124 services, including (1) education and prevention programs in high  
125 schools and family planning clinics; (2) outreach services to identify  
126 pregnant women with substance [abusers] use disorders early and  
127 enroll them in prenatal care and substance abuse treatment programs;  
128 (3) case management services; (4) hospital care with substance abuse  
129 treatment available in coordination with obstetric services; (5) pediatric  
130 care, including therapeutic care for neurologically, behaviorally or  
131 developmentally impaired infants; (6) child care for other siblings; (7)  
132 classes on parenting skills; (8) home visitation for those who need  
133 additional support or who are reluctant to enter a treatment program;  
134 (9) access to WIC and other entitlement programs; (10) vocational  
135 training for mothers seeking entry to the job market; and (11) a  
136 housing component. To the extent possible all services shall be  
137 coordinated to be delivered from a centralized location, utilizing  
138 medical vans where available and providing transportation assistance  
139 when needed.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2016</i>	17a-456
Sec. 2	<i>October 1, 2016</i>	17a-485d(c)
Sec. 3	<i>October 1, 2016</i>	17a-485d(e)
Sec. 4	<i>October 1, 2016</i>	17a-485i(a)

Sec. 5	<i>October 1, 2016</i>	17a-451(p)
Sec. 6	<i>October 1, 2016</i>	17a-674(a)
Sec. 7	<i>October 1, 2016</i>	17a-710(a)

**PH**      *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

***OFA Fiscal Note******State Impact:*** None***Municipal Impact:*** None***Explanation***

The bill has no fiscal impact as it makes changes which are technical in nature.

***The Out Years******State Impact:*** None***Municipal Impact:*** None

**OLR Bill Analysis**

**sHB 5456**

***AN ACT CONCERNING THE RECOMMENDATIONS OF THE DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES FOR REVISIONS TO THE MENTAL HEALTH AND ADDICTION SERVICES STATUTES.***

**SUMMARY:**

This bill makes technical changes in Department of Mental Health and Addiction Services-related statutes. Specifically, it substitutes the term “substance use disorders” for “substance abuse problems” to reflect current practice and comply with the American Psychiatric Association’s Diagnostic and Statistical Manual of Mental Disorders (DSM-V).

EFFECTIVE DATE: October 1, 2016

**COMMITTEE ACTION**

Public Health Committee

Joint Favorable Substitute

Yea 26 Nay 0 (03/07/2016)