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1997 Regular Session
7lr2286

CF 7lr2285

By: Senator Young

Introduced and read first time: January 31, 1997

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Mental Hygiene Administration - Core Service Agencies - Procedure**

3 FOR the purpose of requiring the Secretary of Health and Mental Hygiene to establish
4 certain procedures within the Mental Hygiene Administration that give certain
5 community mental health programs the right to certain hearings and the right to
6 appeal certain decisions in a certain manner; requiring the Secretary to adopt
7 certain regulations; and generally relating to certain procedures within the Mental
8 Hygiene Administration.

9 BY repealing and reenacting, with amendments,
10 Article - Health - General
11 Section 10-1203
12 Annotated Code of Maryland
13 (1994 Replacement Volume and 1996 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article - Health - General**

17 10-1203.

18 (a) To the extent resources are available, the Secretary, after consultation with
19 the Maryland Advisory Council on Mental Hygiene as established in Subtitle 3 of this title
20 and federal requirements mandated under P.L. 99-660, may initiate the development of
21 core service agencies as a mechanism for community planning, management, and
22 financing of mental health services.

23 (b) When core service agencies are initiated, the Secretary shall:

24 (1) Define the priority populations to be served by the core service agencies,
25 with a special emphasis on the provision of services to the seriously mentally ill
26 populations;

27 (2) Define the essential mental health and associated support services to be
28 provided under the auspices of the core service agencies;

29 (3) Define the essential administrative functions to be carried out by core
30 service agencies; and

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1 (4) Outline the requirements for the core service agencies' governance
2 structure.

3 (c) To assure the continuing provision of appropriate services, the Secretary shall:

4 (1) Annually review and may approve the core service agencies' program
5 plan;

6 (2) In conjunction with the appropriate authorities, establish and maintain a
7 funding mechanism for the core service agencies which may include the allocation of
8 funds for inpatient services;

9 (3) Develop a mechanism whereby any unexpended funds remaining at the
10 end of the year shall remain with the core service agencies or the community providers;

11 (4) Establish procedures to facilitate intraagency and interagency linkages
12 at State and local levels with the core service agencies; and

13 (5) Establish procedures within the Mental Hygiene Administration for a
14 process regarding program, policy, or contract [dispute] DISPUTES THAT GIVES ALL
15 COMMUNITY MENTAL HEALTH PROGRAMS REGULATED BY THE ADMINISTRATION
16 THE RIGHT TO:

17 (I) A HEARING BEFORE THE DIRECTOR; AND

18 (II) THE RIGHT TO APPEAL A DECISION OF THE DIRECTOR AS A
19 CONTESTED CASE IN ACCORDANCE WITH TITLE 10, SUBTITLE 2 OF THE STATE
20 GOVERNMENT ARTICLE.

21 (d) The Secretary [may] SHALL adopt regulations to carry out the provisions of
22 this subtitle.

23 (e) If a core service agency violates any provision of this subtitle, the Secretary
24 may deny approval of the core service agency and, after written notification of denial of
25 approval, cease funding or request the return of unspent funds by the core service agency.

26 (f) If a county elects to terminate its core service agency, the county may do so
27 upon 90 days' written notice to the Secretary.

28 (g) The Secretary may not require a core service agency to provide services the
29 Department does not provide funding for.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 October 1, 1997.