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By: **Senator Bromwell**

Introduced and read first time: February 6, 1998

Assigned to: Finance

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A BILL ENTITLED

1 AN ACT concerning

2                           **Department of Health and Mental Hygiene - Core Service Agencies -**  
3                           **Regulation**

4 FOR the purpose of altering the law so as to require the Secretary of the Department  
5 of Health and Mental Hygiene to adopt regulations to govern the operation of  
6 core service agencies of the Department; and generally relating to the regulation  
7 of core service agencies by the Secretary of the Department of Health and  
8 Mental Hygiene.

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 1997 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  
19 with the Maryland Advisory Council on Mental Hygiene as established in Subtitle 3 of  
20 this title and federal requirements mandated under P.L. 99-660, may initiate the  
21 development of core service agencies as a mechanism for community planning,  
22 management, and 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  
25 agencies, with a special emphasis on the provision of services to the seriously  
26 mentally ill populations;

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

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

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

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

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

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

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

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

17          (5)     Establish procedures within the Mental Hygiene Administration for a  
18 process regarding program, policy, or contract disputes that gives all community  
19 mental health programs regulated by the Administration the right to:

20                 (i)     Access the mediation process established by the Administration;  
21 and

22                 (ii)    If dissatisfied with the outcome of the mediation by the  
23 Administration, request a hearing with the Office of Administrative Hearings in  
24 accordance with Title 10, Subtitle 2 of the State Government Article.

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

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

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

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

35     SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
36 October 1, 1998.

