

2015 -- H 6247

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

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A N A C T

RELATING TO BEHAVIORAL HEALTHCARE, DEVELOPMENTAL DISABILITIES AND
HOSPITALS

Introduced By: Representatives McNamara, and Bennett

Date Introduced: May 27, 2015

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 40.1-1-13 of the General Laws in Chapter 40.1-1 entitled
2 "Department of Behavioral Healthcare, Developmental Disabilities and Hospitals" is hereby
3 amended to read as follows:

4 **40.1-1-13. Powers and duties of the office.** -- Notwithstanding any provision of the
5 Rhode Island general laws to the contrary, the department of mental health, retardation, and
6 hospitals shall have the following powers and duties:

7 (1) To establish and promulgate the overall plans, policies, objectives, and priorities for
8 state substance abuse education, prevention and treatment; provided, however, that the director
9 shall obtain and consider input from all interested state departments and agencies prior to the
10 promulgation of any such plans or policies;

11 (2) Evaluate and monitor all state grants and contracts to local substance abuse service
12 providers;

13 (3) Develop, provide for, and coordinate the implementation of a comprehensive state
14 plan for substance abuse education, prevention and treatment;

15 (4) Ensure the collection, analysis, and dissemination of information for planning and
16 evaluation of substance abuse services;

17 (5) Provide support, guidance, and technical assistance to individuals, local
18 governments, community service providers, public and private organizations in their substance

1 abuse education, prevention and treatment activities;

2 (6) Confer with all interested department directors to coordinate the administration of
3 state programs and policies that directly affect substance abuse treatment and prevention;

4 (7) Seek and receive funds from the federal government and private sources in order to
5 further the purposes of this chapter;

6 (8) Act in the capacity of "state substance abuse authority" as that term has meaning for
7 coordination of state substance abuse planning and policy and as it relates to requirements set
8 forth in pertinent federal substance abuse laws and regulations;

9 (9) Propose, review and/or approve, as appropriate, proposals, policies or plans involving
10 insurance and managed care systems for substance abuse services in Rhode Island;

11 (10) To enter into, in compliance with the provisions of title 37, chapter 2, contractual
12 relationships and memoranda of agreement as necessary for the purposes of this chapter;

13 (11) To license facilities and programs for the care and treatment of substance abusers,
14 and for the prevention of substance abuse;

15 [\(12\) To certify recovery housing facilities and programs for residential substance abuse](#)
16 [treatment:](#)

17 ~~(12)~~[\(13\)](#) To promulgate rules and regulations necessary to carry out the requirements of
18 this chapter;

19 ~~(13)~~[\(14\)](#) Perform other acts and exercise any other powers necessary or convenient to
20 carry out the intent and purposes of this chapter; and

21 ~~(14)~~[\(15\)](#) To exercise the authority and responsibilities relating to education, prevention
22 and treatment of substance abuse, as contained in, but not limited to, the following chapters:
23 chapter 1.10 of title 23; chapter 10.1 of title 23; chapter 28.2 of title 23; chapter 21.2 of title 16;
24 chapter 21.3 of title 16; chapter 50.1 of title 42; chapter 109 of title 42; chapter 69 of title 5 and §
25 35-4-18.

26 ~~(15)~~[\(16\)](#) To establish a Medicare Part D restricted receipt account in the Hospitals and
27 Community Rehabilitation Services program to receive and expend Medicare Part D
28 reimbursements from pharmacy benefit providers consistent with the purposes of this chapter.

29 ~~(16)~~[\(17\)](#) To establish a RICLAS Group Home Operations restricted receipt account in
30 the services for the developmentally disabled program to receive and expend rental income from
31 RICLAS group clients for group home-related expenditures, including food, utilities, community
32 activities, and the maintenance of group homes.

33 ~~(17)~~[\(18\)](#) To establish a non-Medicaid third-party payor restricted receipt account in the
34 hospitals and community rehabilitation services program to receive and expend reimbursement

1 from non-Medicaid third-party payors to fund hospital patient services that are not Medicaid
2 eligible.

3 [\(19\) After July 1, 2016, only certified recovery housing shall be eligible to receive](#)
4 [funding to deliver recovery housing services.](#)

5 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T
RELATING TO BEHAVIORAL HEALTHCARE, DEVELOPMENTAL DISABILITIES AND
HOSPITALS

1 This act would amend the law on the department of behavioral healthcare, developmental
2 disabilities and hospitals to include the authority to certify recovery housing facilities and
3 programs for residential substance abuse treatment. In addition, after July 1, 2016, only certified
4 recovery housing will be eligible to receive funding to deliver recovery housing services.

5 This act would take effect upon passage.

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