
ENGROSSED SUBSTITUTE HOUSE BILL 1609

State of Washington

52nd Legislature

1991 Regular Session

By House Committee on Human Services (originally sponsored by Representatives Leonard, Winsley, Riley, Brekke, R. King, Anderson, Phillips, Dellwo, Spanel, Haugen, Hine, Jones, Pruitt, Basich, R. Johnson, Van Luven, Wang, Valle, Inslee, Belcher, Sheldon and O'Brien).

Read first time February 18, 1991.

1 AN ACT Relating to mental health services for children; adding a
2 new chapter to Title 71 RCW; creating new sections; and declaring an
3 emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature intends to encourage the
6 development of community-based interagency collaborative efforts to
7 plan for and provide mental health services to children in a manner
8 that coordinates existing categorical children's mental health programs
9 and funding, is sensitive to the unique cultural circumstances of
10 children of color, eliminates duplicative case management, and to the
11 greatest extent possible, blends categorical funding to offer more
12 service options to each child.

1 provided through education, children and family services, juvenile
2 justice, mental health, health care, alcohol and substance abuse, and
3 developmental disabilities programs, such as: The primary intervention
4 program; treatment foster care; the fair start program; therapeutic
5 child care and day treatment for children in the child protective
6 services system, as provided in RCW 74.14B.040; family reconciliation
7 services counseling, as provided in chapter 13.32A RCW; the community
8 mental health services act, as provided in chapter 71.24 RCW; mental
9 health services for minors, as provided in chapter 71.34 RCW; mental
10 health services provided by the medical assistance program, limited
11 casualty program for the medically needy and children's health program,
12 as provided in chapter 74.09 RCW; counseling for delinquent children,
13 as provided in RCW 72.05.170; mental health service provided by child
14 welfare services, as provided in chapter 74.13 RCW; and services to
15 emotionally disturbed and mentally ill children, as provided in chapter
16 74.14A RCW.

17 (b) For each program or service inventoried pursuant to (a) of this
18 subsection:

19 (i) Statutory authority;

20 (ii) Level and source of funding state-wide and for each county and
21 school district in the state during the biennium ending June 30, 1991,
22 to the extent such information is available;

23 (iii) Agency administering the service state-wide and description
24 of how administration and service delivery are organized and provided
25 at the regional and local level;

26 (iv) Programmatic or financial eligibility criteria;

27 (v) Characteristics of, and number of children served state-wide
28 and in each county and school district during the biennium ending June
29 30, 1991, to the extent such information is available;

1 (vi) Number of children of color served, by race and nationality,
2 and number and type of minority mental health providers, by race and
3 nationality, in each regional support network area, to the extent such
4 information is available; and

5 (vii) Statutory changes necessary to remove categorical
6 restrictions in the program or service, including federal statutory or
7 regulatory changes.

8 (2) The office of financial management, in consultation with the
9 department, shall develop a plan and criteria for the use of early
10 periodic screening, diagnosis, and treatment services related to mental
11 health that includes at least the following components:

12 (a) Criteria for screening and assessment of mental illness and
13 emotional disturbance;

14 (b) Criteria for determining the appropriate level of medically
15 necessary services a child receives, including but not limited to
16 development of a multidisciplinary plan of care when appropriate, and
17 prior authorization for receipt of mental health services;

18 (c) Qualifications for children's mental health providers;

19 (d) Other cost control mechanisms, such as managed care
20 arrangements and prospective or capitated payments for mental health
21 services; and

22 (e) Mechanisms to ensure that federal medicaid matching funds are
23 obtained for services inventoried pursuant to subsection (1) of this
24 section, to the greatest extent practicable.

25 In developing the plan, the office of financial management shall
26 provide an opportunity for comment by the major child-serving systems
27 and regional support networks. The plan shall be submitted to
28 appropriate committees of the legislature on or before December 1,
29 1991.

PART II

CHILDREN'S MENTAL HEALTH SERVICES DELIVERY SYSTEMS

NEW SECTION. **Sec. 4.**

(1) On or before January 1, 1992, each regional support network, or county authority in counties that have not established a regional support network, shall initiate a local planning effort to develop a children's mental health services delivery system.

(2) Representatives of the following agencies or organizations and the following individuals shall participate in the local planning effort:

(a) Representatives of the department of social and health services in the following program areas: Children and family services, medical care, mental health, juvenile rehabilitation, alcohol and substance abuse, and developmental disabilities;

(b) The juvenile courts;

(c) The public health department or health district;

(d) The school districts;

(e) The educational service district serving schools in the county;

(f) Head start or early childhood education and assistance programs;

(g) Community action agencies; and

(h) Children's services providers, including minority mental health providers.

(3) Parents of children in need of mental health services and parents of children of color shall be invited to participate in the local planning effort.

(4) The following information shall be developed through the local planning effort and submitted to the secretary:

1 (a) A supplement to the county's January 1, 1991, children's mental
2 health services report prepared pursuant to RCW 71.24.049 to include
3 the following data:

4 (i) The number of children in need of mental health services in the
5 county or counties covered by the local planning effort, including
6 children in school and children receiving services through the
7 department of social and health services division of children and
8 family services, division of developmental disabilities, division of
9 alcohol and substance abuse, and division of juvenile rehabilitation,
10 grouped by severity of their mental illness;

11 (ii) The number of such children that are underserved or unserved
12 and the types of services needed by such children; and

13 (iii) The supply of children's mental health specialists in the
14 county or counties covered by the local planning effort.

15 (b) A children's mental health services delivery plan that includes
16 a description of the following:

17 (i) Children that will be served, giving consideration to children
18 who are at significant risk of experiencing mental illness, as well as
19 those already experiencing mental illness;

20 (ii) How appropriate services needed by children served through the
21 plan will be identified and provided, including prevention and
22 identification services;

23 (iii) How a lead case manager for each child will be identified;

24 (iv) How funding for existing services will be coordinated to
25 create more flexibility in meeting children's needs. Such funding
26 shall include the services and programs inventoried pursuant to section
27 3(1) of this act;

28 (v) How the children's mental health delivery system will
29 incorporate the elements of the early periodic screening, diagnosis,

1 and treatment services plan developed pursuant to section 3(2) of this
2 act; and

3 (vi) How the children's mental health delivery system will
4 coordinate with the regional support network information system
5 developed pursuant to RCW 71.24.035(5)(g).

6 (5) In developing the children's mental health services delivery
7 plan, every effort shall be made to reduce duplication in service
8 delivery and promote complementary services among all entities that
9 provide children's services related to mental health.

10 (6) The children's mental health services delivery plan shall
11 address the needs of children of color through at least the following
12 mechanisms:

13 (a) Outreach initiatives, services, and modes of service delivery
14 that meet the unique needs of children of color;

15 (b) Services to children of color that are culturally relevant and
16 acceptable, as well as linguistically accessible; and

17 (c) Increasing access to minority mental health providers in the
18 children's mental health delivery system through contracts and
19 subcontracts with minority providers, affirmative action employment
20 efforts, or other appropriate actions.

21 NEW SECTION. **Sec. 5.** The office of financial management shall
22 prepare proposed legislation that would require five percent of
23 constitutionally available appropriated state general fund moneys for
24 each of the programs and services inventoried pursuant to section 3(1)
25 of this act, for the period beginning July 1, 1992, and ending June 30,
26 1993, to be deposited into a locally administered pooled account of
27 flexible funds exempt from existing statutory and regulatory
28 restrictions on the use of such funds, to meet the needs of children
29 that cannot be met through existing categorical programs. Children's

1 mental health services funded through basic education programs as
2 provided in chapter 28A.150 RCW, and funded through the medical
3 assistance program or the limited casualty program for the medically
4 needy as provided in chapter 74.09 RCW, shall be exempt from the pooled
5 account. The proposed legislation shall be provided to appropriate
6 committees of the legislature on or before December 1, 1991.

7 NEW SECTION. **Sec. 6.** Part headings as used in this act do not
8 constitute any part of the law.

9 NEW SECTION. **Sec. 7.** Sections 1 through 4 of this act shall
10 constitute a new chapter in Title 71 RCW.

11 NEW SECTION. **Sec. 8.** If any provision of this act or its
12 application to any person or circumstance is held invalid, the
13 remainder of the act or the application of the provision to other
14 persons or circumstances is not affected.

15 NEW SECTION. **Sec. 9.** This act is necessary for the immediate
16 preservation of the public peace, health, or safety, or support of the
17 state government and its existing public institutions, and shall take
18 effect immediately.

19 NEW SECTION. **Sec. 10.** If specific funding for the purposes of
20 this act, referencing this act by bill number, is not provided by June
21 30, 1991, in the omnibus appropriations act, this act shall be null and
22 void.