

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

HOUSE BILL NO. 1655

By: Eddins

AS INTRODUCED

An Act relating to mental health; stating legislative intent; adding to the powers and duties of the Department of Mental Health and Substance Abuse Services; authorizing the Department to establish a managed care system for the delivery of mental health and substance abuse treatment services; specifying certain components of the system; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3-210 of Title 43A, unless there is created a duplication in numbering, reads as follows:

A. The Legislature recognizes that the Department of Mental Health and Substance Abuse Services is a major provider of behavioral health and substance abuse treatment services.

1. It has been and continues to be the policy of the state and the Department to provide comprehensive behavioral health care and substance abuse treatment to those who are dependent on the state

for necessary behavioral health services and substance abuse treatment; and

2. The costs of such services continue to increase.

B. The Legislature further recognizes that it is imperative that the state and the Department develop an effective and efficient system of behavioral health care and substance abuse treatment services in order for the state to continue to provide comprehensive behavioral health care and substance abuse treatment, and that the development and implementation of a managed care system for the delivery of behavioral health and substance abuse services is a promising and desirable means of achieving these goals.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3-211 of Title 43A, unless there is created a duplication in numbering, reads as follows:

A. In addition to the powers, duties and responsibilities set forth in this title, the Department of Mental Health and Substance Abuse Services shall have the power to establish a managed care system for the delivery of mental health and substance abuse services.

B. The development and implementation of the managed care system of services may include, but shall not be limited to:

1. Purchase of behavioral health care and substance abuse services for those receiving services from the Department;

2. Establishment of geographical regions for the delivery of behavioral health and substance abuse services;

3. Contracts with Managed Care Organizations, Administrative Service Organizations, Behavioral Health Organizations, or any other organizations designed to provide behavioral health or substance abuse services in the managed care environment for the delivery of state-purchased behavioral health services and substance abuse treatment;

4. Establishment of provider networks for behavioral health and substance abuse services within the geographical regions established pursuant to this section; and

5. The exchange of information regarding a client when necessary for eligibility determination and the appeals process, or for purposes directly related to the plan administration or for the purpose of conducting or assisting with an investigation or prosecution of violations, civil or criminal, as authorized by federal or state law, or the rules of the Department. All records of clients are deemed confidential. For the purposes of this section, "purposes directly related to the plan administration" means determinations and activities related to establishing eligibility, determining the amount of medical assistance, providing services to the recipients, utilization review committees, or implementation of an appeals process established by the Department.

C. The Department shall exercise all incidental powers which are necessary and proper to carry out the purposes of this section.

SECTION 3. This act shall become effective November 1, 1997.

46-1-5091            CLD