

By: Representatives Holland, Scott, Clark

To: Public Health and Human
ServicesHOUSE BILL NO. 1529
(As Passed the House)

1 AN ACT TO AMEND SECTIONS 43-14-1, 43-14-3 AND 43-14-5,
2 MISSISSIPPI CODE OF 1972, TO DELETE THE AUTOMATIC REPEALERS ON THE
3 STATUTES ESTABLISHING AND EMPOWERING THE INTERAGENCY COORDINATING
4 COUNCIL FOR CHILDREN AND YOUTH (ICCCY); TO EXPAND THE MEMBERSHIP
5 OF THE COUNCIL; TO DEFINE THE AUTHORITY OF THE COUNCIL TO ASSIST
6 MULTIDISCIPLINARY ASSESSMENT AND PLANNING (MAP) TEAMS TO BECOME
7 THE SINGLE POINT OF ENTRY FOR CERTAIN CHILDREN AND YOUTH; TO
8 CLARIFY THE PURPOSE OF THE MISSISSIPPI STATEWIDE SYSTEM OF CARE
9 FOR CHILDREN WITH EMOTIONAL AND BEHAVIORAL DISORDERS; AND FOR
10 RELATED PURPOSES.

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

12 **SECTION 1.** Section 43-14-1, Mississippi Code of 1972, is
13 amended as follows:

14 43-14-1. (1) The purpose of this chapter is to provide for
15 the development, implementation and oversight of a coordinated
16 interagency system of necessary services and care for children and
17 youth, called the Mississippi Statewide System of Care, up to age
18 twenty-one (21) with serious emotional/behavioral disorders
19 including, but not limited to, conduct disorders, or mental
20 illness who require services from a multiple services and multiple
21 programs system, and who can be successfully diverted from
22 inappropriate institutional placement. The Mississippi Statewide
23 System of Care is to be conducted in the most fiscally responsible
24 (cost-efficient) manner possible, based on an individualized plan
25 of care which takes into account other available interagency
26 programs, including, but not limited to, Early Intervention Act of
27 Infants and Toddlers, Section 41-87-1 et seq., Early Periodic
28 Screening Diagnosis and Treatment, Section 43-13-117(5), waived
29 program for home- and community-based services for developmentally
30 disabled people, Section 43-13-117(29), and waived program for



31 targeted case management services for children with special needs,
32 Section 43-13-117(31), those children identified through the
33 federal Individuals with Disabilities Education Act of 1997 as
34 having a serious emotional disorder (EMD), the Mississippi
35 Children's Health Insurance Program * * * and waived programs
36 for children with serious emotional disturbances, Section
37 43-13-117(46), and is tied to clinically and functionally
38 appropriate outcomes. Some of the outcomes are to reduce the
39 number of inappropriate out-of-home placements inclusive of those
40 out-of-state and to reduce the number of inappropriate school
41 suspensions and expulsions for this population of children. * * *
42 This coordinated interagency system of necessary services and care
43 shall be named the Mississippi Statewide System of Care * * *.
44 Children to be served by this chapter who are eligible for
45 Medicaid shall be screened through the Medicaid Early Periodic
46 Screening Diagnosis and Treatment (EPSDT) and their needs for
47 medically necessary services shall be certified through the EPSDT
48 process. For purposes of this chapter, the Mississippi Statewide
49 System of Care is defined as a coordinated network of agencies and
50 providers working as a team to make a full range of mental health
51 and other necessary services available as needed by children with
52 mental health problems and their families. The Mississippi
53 Statewide System of Care shall be:

54 (a) Child centered, family focused, family driven and
55 youth guided;

56 (b) Community based;

57 (c) Culturally competent and responsive; and shall
58 provide for:

59 (i) Service coordination or case management;

60 (ii) Prevention and early identification and
61 intervention;

62 (iii) Smooth transitions among agencies and
63 providers, and to the transition-age and adult service systems;



- 64 (iv) Human rights protection and advocacy;
- 65 (v) Nondiscrimination in access to services;
- 66 (vi) A comprehensive array of services composed of
- 67 treatment and informal supports that are identified as best
- 68 practices and/or evidence-based practices;
- 69 (vii) Individualized service planning that uses a
- 70 strengths-based, wraparound process;
- 71 (viii) Services in the least restrictive
- 72 environment;
- 73 (ix) Family participation in all aspects of
- 74 planning, service delivery and evaluation; and
- 75 (x) Integrated services with coordinated planning
- 76 across child-serving agencies.

77 Mississippi Statewide System of Care services shall be

78 timely, intensive, coordinated and delivered in the community.

79 Mississippi Statewide System of Care services shall include, but

80 not be limited to, the following:

- 81 (a) Comprehensive crisis and emergency response
- 82 services;
- 83 (b) Intensive case management;
- 84 (c) Day treatment;
- 85 (d) Alcohol and drug abuse group services for youth;
- 86 (e) Individual, group and family therapy;
- 87 (f) Respite services;
- 88 (g) Supported employment services for youth;
- 89 (h) Family education and support and family partners;
- 90 (i) Youth development and support and youth partners;
- 91 (j) Positive behavioral supports (PBIS) in schools;
- 92 (k) Transition-age supported and independent living
- 93 services; and
- 94 (l) Vocational/technical education services for youth.

95 (2) There is established the Interagency Coordinating

96 Council for Children and Youth (hereinafter referred to as the



97 "ICCCY"). The ICCCY shall consist of the following membership:
98 (a) The State Superintendent of Public Education;
99 (b) The Executive Director of the Mississippi
100 Department of Mental Health;
101 (c) The Executive Director of the State Department of
102 Health;
103 (d) The Executive Director of the Department of Human
104 Services;
105 (e) The Executive Director of the Division of Medicaid,
106 Office of the Governor;
107 (f) The Executive Director of the State Department of
108 Rehabilitation Services; * * *
109 (g) The Executive Director of Mississippi Families as
110 Allies for Children's Mental Health, Inc.;

111 (h) The Attorney General;
112 (i) A family member of a child or youth in the
113 population named in this chapter designated by Mississippi
114 Families as Allies;
115 (j) A youth or young adult in the population named in
116 this chapter designated by Mississippi Families as Allies;
117 (k) A local MAP team coordinator designated by the
118 Department of Mental Health;
119 (l) A child psychiatrist experienced in the public
120 mental health system designated by the Mississippi Psychiatric
121 Association;
122 (m) An individual with expertise and experience in
123 early childhood education designated jointly by the Department of
124 Mental Health and Mississippi Families as Allies;
125 (n) A representative of an organization that advocates
126 on behalf of disabled citizens in Mississippi designated by the
127 Department of Mental Health; and
128 (o) A faculty member or dean from a Mississippi
129 university specializing in training professionals who work in the



130 Mississippi Statewide System of Care designated by the Board of
131 Trustees of State Institutions of Higher Learning.

132 If a member of the council designates a representative to
133 attend council meetings, the designee shall bring full
134 decision-making authority of the member to the meeting. The
135 council shall select a chairman, who shall serve for a one-year
136 term and may not serve consecutive terms. The council shall adopt
137 internal organizational procedures necessary for efficient
138 operation of the council. Each member of the council shall
139 designate necessary staff of their departments to assist the ICCCY
140 in performing its duties and responsibilities. The ICCCY shall
141 meet and conduct business at least twice annually. The chairman
142 of the ICCCY shall notify all ICCCY members and all other persons
143 who request such notice as to the date, time, place and draft
144 agenda items for each meeting.

145 (3) The Interagency System of Care Council (ISCC) is created
146 to serve as the state management team for the ICCCY, with the
147 responsibility of collecting and analyzing data and funding
148 strategies necessary to improve the operation of the Mississippi
149 Statewide System of Care * * *, and to make recommendations to the
150 ICCCY and to the Legislature concerning such strategies on, at a
151 minimum, an annual basis. The System of Care Council also has the
152 responsibility of coordinating the local Multidisciplinary
153 Assessment and Planning (MAP) teams and "A" teams and may apply
154 for grants from public and private sources necessary to carry out
155 its responsibilities. The Interagency System of Care Council
156 shall be comprised of one (1) member from each of the appropriate
157 child-serving divisions or sections of the State Department of
158 Health, the Department of Human Services (Division of Family and
159 Children Services and Division of Youth Services), the State
160 Department of Mental Health (Division of Children and Youth,
161 Bureau of Alcohol and Drug Abuse, and Bureau of Intellectual and
162 Developmental Disabilities), the State Department of Education



163 (Office of Special Education and Office of Healthy Schools), the
164 Division of Medicaid of the Governor's Office, the Department of
165 Rehabilitation Services, and the Attorney General's office.
166 Additional members shall include a family member of a child, youth
167 or transition-age youth representing a family education and
168 support 501(c)3 organization, working with the population named in
169 this chapter designated by Mississippi Families as Allies, an
170 individual with expertise and experience in early childhood
171 education designated jointly by the Department of Mental Health
172 and Mississippi Families as Allies, a local MAP team
173 representative and a local "A" team representative designated by
174 the Department of Mental Health, a probation officer designated by
175 the Department of Corrections, a family member and youth or young
176 adult designated by Mississippi Families as Allies for Children's
177 Mental Health, Inc., (MSFAA), and a family member other than a
178 MSFAA representative to be designated by the Department of Mental
179 Health and the Director of the Compulsory School Attendance
180 Enforcement of the State Department of Education. Appointments to
181 the Interagency System of Care Council shall be made within sixty
182 (60) days after June 30, 2010. The council shall organize by
183 selecting a chairman from its membership to serve on an annual
184 basis, and the chairman may not serve consecutive terms.

185 (4) (a) As part of the Mississippi Statewide System of
186 Care, there is established a statewide system of local
187 Multidisciplinary Assessment, Planning and Resource (MAP) teams.
188 The MAP teams shall be comprised of one (1) representative each at
189 the county level from the major child-serving public agencies for
190 education, human services, health, mental health and
191 rehabilitative services approved by respective state agencies of
192 the Department of Education, the Department of Human Services, the
193 Department of Health, the Department of Mental Health and the
194 Department of Rehabilitation Services. These agencies shall, by
195 policy, contract or regulation require participation on MAP teams



196 and "A" teams at the county level by the appropriate staff. Three
197 (3) additional members may be added to each team, one (1) of which
198 may be a representative of a family education/support 501(c)3
199 organization with statewide recognition and specifically
200 established for the population of children defined in Section
201 43-14-1. The remaining members will be representatives of
202 significant community-level stakeholders with resources that can
203 benefit the population of children defined in Section 43-14-1.
204 The Department of Education shall assist in recruiting and
205 identifying parents to participate on MAP teams and "A" teams.

206 (b) For each local existing MAP team that is
207 established pursuant to paragraph (a) of this subsection, there
208 shall also be established an "A" (Adolescent) team which shall
209 work with a MAP team. The "A" teams shall provide System of Care
210 services for * * * youthful offenders who have serious behavioral
211 or emotional disorders. Each "A" team shall be comprised of, at a
212 minimum, the following five (5) members:

- 213 (i) A school counselor, mental health therapist or
214 social worker;
215 (ii) A community mental health professional;
216 (iii) A social services/child welfare
217 professional;
218 (iv) A youth court counselor; and
219 (v) A parent who had a child in the juvenile
220 justice system * * *.

221 (c) The Interagency Coordinating Council for Children
222 and Youth and the Interagency System of Care Council shall work to
223 develop MAP teams statewide that will serve to become the single
224 point of entry for children and youth about to be placed in
225 out-of-home care for reasons other than parental abuse/neglect.

226 (5) The Interagency Coordinating Council for Children and
227 Youth may provide input to one another and to the ISCC relative to
228 how each agency utilizes its federal and state statutes, policy



229 requirements and funding streams to identify and/or serve children
230 and youth in the population defined in this section. The ICCCY
231 shall support the implementation of the plans of the respective
232 state agencies for comprehensive, community-based,
233 multidisciplinary care, treatment and placement of these children.

234 (6) The ICCCY shall oversee a pool of state funds that may
235 be contributed by each participating state agency and additional
236 funds from the Mississippi Tobacco Health Care Expenditure Fund,
237 subject to specific appropriation therefor by the Legislature.
238 Part of this pool of funds shall be available for increasing the
239 present funding levels by matching Medicaid funds in order to
240 increase the existing resources available for necessary
241 community-based services for Medicaid beneficiaries.

242 (7) The local interagency coordinating care MAP team or "A"
243 team will facilitate the development of the individualized System
244 of Care programs for the population targeted in Section 43-14-1.

245 (8) Each local MAP team and "A" team shall serve as the
246 single point of entry and re-entry to ensure that comprehensive
247 diagnosis and assessment occur and shall coordinate needed
248 services through the local MAP team and "A" team members and local
249 service providers for the children named in subsection (1). Local
250 children in crisis shall have first priority for access to the MAP
251 team and "A" team processes and local System of Care services.

252 (9) The Interagency Coordinating Council for Children and
253 Youth shall facilitate monitoring of the performance of local MAP
254 teams.

255 (10) Each ICCCY member named in subsection (2) of this
256 section shall enter into a binding memorandum of understanding to
257 participate in the further development and oversight of the
258 Mississippi Statewide System of Care * * * for the children and
259 youth described in this section. The agreement shall outline the
260 system responsibilities in all operational areas, including
261 ensuring representation on MAP teams, funding, data collection,



262 referral of children to MAP teams and "A" teams, and training.
263 The agreement shall be signed and in effect by July 1 of each
264 year.

265 * * *

266 **SECTION 2.** Section 43-14-3, Mississippi Code of 1972, is
267 amended as follows:

268 43-14-3. In addition to the specific authority provided in
269 Section 43-14-1, the powers and responsibilities of the
270 Interagency Coordinating Council for Children and Youth shall be
271 as follows:

272 (a) To serve in an advisory capacity and to provide
273 state level leadership and oversight to the development of the
274 Mississippi Statewide System of Care * * *; and

275 (b) To insure the creation and availability of an
276 annual pool of funds from each participating agency member of the
277 ICCCY that includes the amount to be contributed by each agency
278 and a process for utilization of those funds.

279 * * *

280 **SECTION 3.** Section 43-14-5, Mississippi Code of 1972, is
281 amended as follows:

282 43-14-5. There is created in the State Treasury a special
283 fund into which shall be deposited all funds contributed by the
284 Department of Human Services, State Department of Health,
285 Department of Mental Health, State Department of Rehabilitation
286 Services insofar as recipients are otherwise eligible under the
287 Rehabilitation Act of 1973, as amended, and State Department of
288 Education for the operation of a statewide System of Care by MAP
289 teams and "A" teams utilizing such funds as may be made available
290 to those MAP teams through a Request for Proposal (RFP) approved
291 by the ICCCY.

292 * * *

293 **SECTION 4.** This act shall take effect and be in force from
294 and after July 1, 2010.

