

HOUSE BILL No. 2368

By Committee on Health and Human Services

2-15

1 AN ACT concerning social welfare; relating to the governor's mental
2 health services planning council; amending K.S.A. 39-1606 and K.S.A.
3 2012 Supp. 39-1605 and repealing the existing sections.

4
5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2012 Supp. 39-1605 is hereby amended to read as
7 follows: 39-1605. (a) There is hereby established the governor's ~~mental~~
8 *behavioral* health services planning council. The council shall consist of
9 ~~25~~ 33 members.

10 (b) So the composition of the council is in compliance with the
11 requirements of public law 102-321 and supplementary federal acts,
12 persons appointed to the council will be in accordance with the following:

13 (1) Nine members shall be state agency representatives who shall
14 include:

15 (A) ~~The commissioner of mental health and developmental~~
16 ~~disabilities~~ *secretary for aging and disability services or the secretary's*
17 *designee;*

18 (B) ~~the secretary of social and rehabilitation services for children and~~
19 *families* shall appoint one member for each of the following areas:
20 Vocational rehabilitation, ~~alcohol and drug abuse services, medical~~
21 ~~services~~ and children and family services;

22 (C) the commissioner of juvenile justice, *or the commissioner's*
23 *designee;*

24 (D) the commissioner of education;

25 (E) the secretary of corrections; ~~and~~

26 (F) the secretary of commerce. If a commissioner or secretary is
27 unable to participate, the commissioner or secretary shall appoint a
28 designee as the official member of the council; *and*

29 (G) *the secretary for aging and disability services shall appoint one*
30 *member for each of the following areas: Substance use disorder services*
31 *and medical services.*

32 (2) The governor shall appoint the following persons to the council:

33 (A) One member shall be a person licensed to practice medicine and
34 surgery with board certification in psychiatry;

35 (B) two members shall be executive directors of mental health
36 centers; ~~and~~

1 (C) one member shall be a representative of a behavioral health
2 advocacy group;

3 (D) one member shall be a substance use disorder prevention
4 professional;

5 (E) two members shall be executive directors of substance use
6 disorder treatment centers;

7 ~~(C)~~—13 (F) 17 members shall be individuals who are not state
8 employees or providers of ~~mental~~ behavioral health services. Of the ~~13~~ 17
9 members, four members shall be adult consumers with serious and
10 persistent mental illness; ~~three~~ two members shall be immediate family
11 members of adult consumers with serious and persistent mental illnesses;
12 four members shall be family members of minor children or youth with
13 severe emotional ~~disturbances~~; ~~disturbance~~; one member shall be a child
14 with severe emotional disturbance; two members shall be adults in
15 recovery from substance use disorders; one member shall be a family
16 member of an adult with a substance use disorder; one member shall be a
17 mentor to an adult with a substance use disorder; and two members shall
18 be members of the general public.

19 (c) The terms of members who are currently serving on the council
20 shall expire on the effective date of this act. At that time, appointees of the
21 governor under subsection (b)(2) shall be appointed to the council by the
22 governor with ^{+1/2} appointed for a term of two years and the other ^{+1/2} for a
23 term of four years as specified by the governor July 1, 2013. Thereafter,
24 each member appointed to the council by the governor shall be appointed
25 for a term of four years.

26 (d) Each member of the council shall serve until a successor is
27 appointed and qualified. In the case of a vacancy on the council, a
28 successor of like qualifications shall be appointed or designated to fill the
29 unexpired term in accordance with ~~subsections (b)(1) and (2)~~ subsection
30 (b).

31 (e) The governor shall designate the chairperson of the council. The
32 members of the council shall elect a vice-chairperson.

33 (f) Members of the governor's ~~mental~~ behavioral health services
34 planning council attending meetings of the council, or attending a
35 subcommittee meeting thereof authorized by the council, shall be paid
36 amounts provided in subsection (e) of K.S.A. 75-3223, and amendments
37 thereto.

38 Sec. 2. K.S.A. 39-1606 is hereby amended to read as follows: 39-
39 1606. (a) The governor's ~~mental~~ behavioral health services planning
40 council shall hold regular quarterly meetings and such other meetings as
41 the chairperson of such council deems advisable, and in addition shall
42 meet at such other times upon the call of the secretary.

43 (b) It is the duty of the governor's ~~mental~~ behavioral health services

1 planning council to:

2 (1) Confer, advise and consult with the secretary with respect to the
3 policies governing the management and operation of all state psychiatric
4 hospitals and facilities and community based ~~mental~~ *behavioral* health
5 services;

6 (2) serve as an advocate for targeted population members and other
7 individuals with mental illness, *behavioral health* or emotional problems;

8 (3) monitor, review and evaluate, not less than once each year, the
9 allocation and adequacy of ~~mental~~ *behavioral* health services within the
10 state;

11 (4) perform such other planning, reviewing and evaluating of ~~mental~~
12 *behavioral* health services in this state, as may be requested by the
13 secretary or as may be prescribed by law; and

14 (5) consult with and advise the governor, from time to time, with
15 reference to the management, conduct and operation of state psychiatric
16 hospitals and ~~mental~~ *behavioral* health programs.

17 (c) A member or members of the governor's ~~mental~~ *behavioral* health
18 services planning council, at least once each year, shall visit each state
19 psychiatric hospital and may visit other providers of community based
20 ~~mental~~ *behavioral* health services for the purpose of inspecting the state
21 psychiatric hospital, mental health center or the facility of other such
22 providers of community based ~~mental~~ *behavioral* health services. Such
23 visits shall be made at such times and in such manner as the council
24 determines at a regular meeting.

25 (d) The governor's ~~mental~~ *behavioral* health services planning
26 council shall make annual reports to the governor and the members of the
27 legislature and may make such recommendations as it deems advisable for
28 appropriate legislation.

29 Sec. 3. K.S.A. 39-1606 and K.S.A. 2012 Supp. 39-1605 are hereby
30 repealed.

31 Sec. 4. This act shall take effect and be in force from and after its
32 publication in the statute book.