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## NCARF Legislative Update

2007 Session

May 18, 2007 Number 9

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### Crossover Deadline

With the House budget complete and the Senate has not begun their work on the budget, work has been focused on “crossover”. “Crossover” is a self-imposed deadline where non-appropriation bills must pass one of the chambers or the bill is considered dead. The “Crossover” deadline this year has been extended to May 24<sup>th</sup>. With this deadline looming, committees in both chambers have been meeting non-stop and will do so again all next week.

One bill that we have been tracking closely is H1654 that moves some of the rule making authority from the Secretary of DHHS to the Commission of MH/DD/SA. Many groups favor this move because the Commission’s rule making process is much more open and seeks public comment prior to the rule being implemented. It is scheduled to be heard on the floor of the House on Monday.

### Senate Budget

Since both Chambers are working to meet the “Crossover” deadline the Senate has not publicly been working on the budget. However, at the Coalition Rally this week Senator Nesbitt, Co-Chair of the LOC stated he was optimistic that the Senate would approve a larger mental health budget than the House. He didn't know how much more, but he said more money is needed for community crisis services that keep people out of state hospitals.

The NCARF will continue to seek additional funds for Supported Employment – Long Term Supports and CAP MR/DD.

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Bill: **HB199**

Sponsors: Clary (R110); Earle (D101); Weiss (D35); Bordsen (D63)

Title: FUNDS FOR HOUSING OPTIONS FOR MENTALLY ILL

Summary: An Act to Appropriate Funds to Increase Availability of Housing Options for North Carolinians with Disabilities, as Recommended by the North Carolina Study Commission on Aging.

Subjects: Appropriations; Family & Juveniles; Health & Medical Practice; State Affairs

Related: 2007:SB51

Progress: 1st Chamber: Referred to Committee

Status: 02/15/2007 – House Committee On Mental Health Reform

History: 02/14/2007 – H Filed in the House.

02/15/2007 – H Passed 1st Reading.

02/15/2007 – H Referred To House Committee On Mental Health Reform and, if favorable, To Com on Appropriations.

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Bill: **HB201**

Sponsors: Earle (D101); Weiss (D35); Bordsen (D63); England (D112)

Title: SPECIAL CARE POP. DENTISTRY FUNDS AND STUDY

Summary: An Act to Appropriate Funds to the Department of Health and Human Services, Division of Public Health, for the Purchase of an Additional Mobile Dental Unit, and to Require the Board of Governors of the University of North Carolina to Study the Dedication of One or More Dental Scholarship Program Slots to Dentists Serving Special Care Populations, as Recommended by the North Carolina Study Commission on Aging.

Subjects: Appropriations; Interim Studies; State Affairs; Welfare

Related: 2007:SB52

Progress: 1st Chamber: Referred to Committee

Status: 03/15/2007 – House Committee On Appropriations

History: 02/14/2007 – H Filed in the House.

02/15/2007 – H Passed 1st Reading.

02/15/2007 – H Referred To House Committee On Aging.

03/15/2007 – H Reported favorably by committee substitute.

03/15/2007 – H Re-referred To House Committee On Appropriations.

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Bill: **HB424**

Sponsors: Clary (R110); Moore (R111); Farmer-Butterfield (D24)

Title: STUDY RESPITE CARE

Summary: An Act to Direct the Department of Health and Human Services to Study Respite Care and to Recommend Ways to Improve the Current Respite Care Delivery System.

Subjects: Health & Medical Practice; Interim Studies

Progress: Session Law

Status: 05/11/2007 – Chaptered Session Laws

History: 02/28/2007 – H Filed in the House.  
03/01/2007 – H Passed 1st Reading.  
03/01/2007 – H Referred To House Committee On Health.  
03/14/2007 – H Reported favorably by committee.  
03/14/2007 – H Calendared pursuant to House Rule 36(b).  
03/14/2007 – H Placed On Calendar For 3/15/2007.  
03/15/2007 – H Passed 2nd & 3rd Reading.  
03/19/2007 – S Received From House.  
03/19/2007 – S Referred To Senate Committee On Health Care.  
04/26/2007 – S Reported favorably by committee.  
04/30/2007 – S Withdrawn from the Calendar.  
04/30/2007 – S Placed On Calendar For 5/1/2007.  
05/01/2007 – S Passed 2nd & 3rd Reading.  
05/02/2007 – H Ratified.  
05/03/2007 – G Presented to the Governor 5/3/2007.  
05/11/2007 – G Signed by the Governor 5/11/2007.  
05/11/2007 – R Chaptered Session Law 2007-39.

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Bill: **HB553**

Sponsors: Insko (D56); Harrison (D57)

Title: PROHIBIT EXECUTION/SEVERE MENTAL DISABILITY

Summary: An Act to Provide that a Defendant Convicted of First Degree Murder Who Had a Severe Mental Disability at the Time of the Commission of the Capital Crime Shall not be Sentenced to Death.

Subjects: State Affairs; Criminal Procedure & Penal Code; Civil Matters & Courts

Related: 2007:SB1075

Progress: 1st Chamber: Referred to Committee

Status: 03/12/2007 – House Committee On Judiciary I

History: 03/07/2007 – H Filed in the House.  
03/12/2007 – H Passed 1st Reading.  
03/12/2007 – H Referred To House Committee On Judiciary I.

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Bill: **HB625**

Sponsors: Insko (D56)

Title: AMEND MH/DD/SA STATUTES/RENAME FACILITIES.-AB  
Summary: An Act to Amend the Mental Health, Developmental Disabilities, and Substance Abuse Services Statutes and to Rename Mental Health, Developmental Disabilities, and Substance Abuse Services Facilities.  
Subjects: Family & Juveniles; Health & Medical Practice; State Affairs  
Related: 2007:SB918  
Progress: 1st Chamber: Referred to Committee  
Status: 03/14/2007 – House Committee On Mental Health Reform  
History: 03/13/2007 – H Filed in the House.  
03/14/2007 – H Passed 1st Reading.  
03/14/2007 – H Referred To House Committee On Mental Health Reform.

Bill: **HB627**  
Sponsors: Insko (D56)  
Title: EXTEND PILOT/CLARIFY LME FUNCTIONS/LME ADMIN  
Summary: An Act to Extend the First Commitment Pilot Program, to Further Clarify Lme Core Functions, and to Allow Additional Time for an Lme to Merge When It Has Gone Below the Two Hundred Thousand Population or Six County Threshold Due to a Change in County Membership as Recommended by the Joint Legislative Committee on Mental Health, Developmental Disabilities, and Substance Abuse Services; and to Allow Area Authorities with Eight or More Counties to Have Up to Thirty Members on the Board.  
Subjects: County Affairs; Family & Juveniles; Health & Medical Practice  
Related: 2007:SB1262  
Progress: 1st Chamber: Reported from Committee  
Status: 05/17/2007 – Reported by House committee  
History: 03/13/2007 – H Filed in the House.  
03/14/2007 – H Passed 1st Reading.  
03/14/2007 – H Referred To House Committee On Mental Health Reform.  
05/17/2007 – H Reported favorably by committee substitute.  
05/17/2007 – H Calendared pursuant to House Rule 36(b).  
05/17/2007 – H Placed On Calendar For 5/21/2007.  
Scheduled 05/21/2007 – House Calendar, 7:00 p.m., House Chamber  
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Bill: **HB628**  
Sponsors: Insko (D56)  
Title: UNIFORM SLIDING FEES - MH/DD/SA SERVICES  
Summary: An Act to Create a Uniform Sliding Fee Schedule for Mh/dd/sa Services as Recommended by the Joint Legislative Oversight Committee for Mental Health, Developmental Disabilities, and Substance Abuse Services.  
Subjects: Family & Juveniles; Health & Medical Practice

Related: 2007:SB1265  
Progress: 2nd Chamber: Referred to Committee  
Status: 04/23/2007 – Senate Committee On Health Care  
History: 03/13/2007 – H Filed in the House.  
03/14/2007 – H Passed 1st Reading.  
03/14/2007 – H Referred To House Committee On Mental Health Reform and, if favorable, To Com on Finance.  
03/26/2007 – H Reported favorably by committee substitute.  
03/26/2007 – H Re-referred To House Committee On Finance.  
04/17/2007 – H Reported favorably by committee substitute.  
04/17/2007 – H Calendared pursuant to House Rule 36(b).  
04/17/2007 – H Placed On Calendar For 4/18/2007.  
04/18/2007 – H Passed 2nd Reading.  
04/19/2007 – H Passed 3rd Reading.  
04/23/2007 – S Received From House.  
04/23/2007 – S Referred To Senate Committee On Health Care.

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Bill: **HB691**  
Sponsors: Insko (D56)  
Title: BUILD COMMUNITY INFRASTRUCTURE - MH/DD/SA  
Summary An Act to Build Community Infrastructure for Mental Health, Developmental : Disabilities, and Substance Abuse Services and to Appropriate Funds as Recommended by the Joint Legislative Oversight Committee on Mental Health, Developmental Disabilities, and Substance Abuse Services.  
Subjects: Health & Medical Practice; Appropriations; State Affairs  
Related: 2007:SB1266  
Progress: 1st Chamber: Referred to Committee  
Status: 03/15/2007 – House Committee On Mental Health Reform  
History: 03/14/2007 – H Filed in the House.  
03/15/2007 – H Passed 1st Reading.  
03/15/2007 – H Referred To House Committee On Mental Health Reform and, if favorable, To Com on Appropriations.

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Bill: **HB934**  
Sponsors: Insko (D56); Parmon (D72)  
Title: FUNDS TO EXPAND MH/DD/SA SYSTEM  
Summary An Act to Appropriate Funds to the Department of Health and Human : Services, Division of Mental Health, Developmental Disabilities, and Substance Abuse Services, for Expansion of Services and Support for Persons with Mental Health, Developmental Disabilities, and Addictive Diseases, as Recommended by Coalition 2001.

Subjects: Appropriations; County Affairs; Family & Juveniles; Health & Medical Practice; Welfare

Related: 2007:SB1236

Progress: 1st Chamber: Referred to Committee

Status: 03/21/2007 – House Committee On Appropriations

History: 03/20/2007 – H Filed in the House.

03/21/2007 – H Passed 1st Reading.

03/21/2007 – H Referred To House Committee On Appropriations.

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Bill: **HB973**

Sponsors: Alexander (D106); Insko (D56); Wainwright (D12); Holliman (D81)

Title: MENTAL HEALTH EQUITABLE COVERAGE

Summary: An Act to Require Equity in Health Insurance Coverage for Mental Illness and Chemical Dependency.

Subjects: Family & Juveniles; Health & Medical Practice

Progress: 1st Chamber: Referred to Committee

Status: 05/08/2007 – House Committee On Insurance

History: 03/21/2007 – H Filed in the House.

03/22/2007 – H Passed 1st Reading.

03/22/2007 – H Referred To House Committee On Health and, if favorable, To Com on Insurance.

05/08/2007 – H Reported favorably by committee substitute.

05/08/2007 – H Re-referred To House Committee On Insurance.

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Bill: **HB1435**

Sponsors: Earle (D101); Insko (D56); Barnhart (R82); England (D112)

Title: FUNDS FOR RESPITE SERVICES

Summary: An Act to Appropriate Funds to the Department of Health and Human Services for Respite Services for Individuals in the Developmental Disability and Mentally Ill Target Populations.

Subjects: Appropriations; Family & Juveniles; Health & Medical Practice; Welfare

Progress: 1st Chamber: Referred to Committee

Status: 04/16/2007 – House Committee On Appropriations

History: 04/12/2007 – H Filed in the House.

04/16/2007 – H Passed 1st Reading.

04/16/2007 – H Referred To House Committee On Appropriations.

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Bill: **HB1522**

Sponsors: Insko (D56)

Title: LOCAL MGMT ENTITY/BOARD MEMBERSHIP  
Summary: An Act to Provide that a Health Care Provider that Contracts with a Local Management Entity to Provide Services May not be Appointed to or Serve on the Local Management Entities Board.  
Subjects: Business & Manufacturing; County Affairs; Health & Medical Practice  
Progress: 2nd Chamber: Referred to Committee  
Status: 05/16/2007 – Senate Committee On Health Care  
History: 04/16/2007 – H Filed in the House.  
04/17/2007 – H Passed 1st Reading.  
04/17/2007 – H Referred To House Committee On Mental Health Reform.  
05/08/2007 – H Reported favorably by committee substitute.  
05/08/2007 – H Calendared pursuant to House Rule 36(b).  
05/10/2007 – H Placed On Calendar For 5/14/2007.  
05/15/2007 – H Passed 2nd & 3rd Reading.  
05/16/2007 – S Received From House.  
05/16/2007 – S Referred To Senate Committee On Health Care.

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Bill: **HB1541**  
Sponsors: Alexander (D106); Insko (D56); Howard (R79); Justus (R117)  
Title: LME PROVIDERS/ACCEPT NON-MEDICAID  
Summary: An Act to Require Providers Under Contract with a Local Management Entity to Also Provide Services to Non-Medicaid Eligible Individuals in the Target Population.  
Subjects: Business & Manufacturing; County Affairs; Health & Medical Practice  
Progress: 1st Chamber: Referred to Committee  
Status: 04/18/2007 – House Committee On Mental Health Reform  
History: 04/17/2007 – H Filed in the House.  
04/18/2007 – H Passed 1st Reading.  
04/18/2007 – H Referred To House Committee On Mental Health Reform.

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Bill: **HB1557**  
Sponsors: Owens (D1)  
Title: LME RESTRUCTING PILOT/FUNDS  
Summary: An Act to Appropriate Funds to the Department of Health and Human Services, Division of Mental Health, Developmental Disabilities, and Substance Abuse Services, to Provide for a Pilot Project to Assess the Feasibility of Enacting Mental Health Services Transformation to a Comprehensive Best Practice Service in Rural Communities.  
Subjects: Appropriations; Family & Juveniles; Health & Medical Practice  
Progress: 1st Chamber: Referred to Committee  
Status: 05/07/2007 – House Committee On Appropriations

History: 04/17/2007 – H Filed in the House.  
04/18/2007 – H Passed 1st Reading.  
04/18/2007 – H Referred To House Committee On Mental Health Reform and,  
if favorable, To Com on Appropriations.  
05/07/2007 – H Reported favorably by committee.  
05/07/2007 – H Re-referred To House Committee On Appropriations.

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Bill: **HB1784**  
Sponsors: Insko (D56)  
Title: IMPROVE MH/DD/SA QUALITY CONTROL - LMES  
Summary: An Act to Improve the Quality and Accessibility of Mental Health,  
Developmental Disabilities, and Substance Abuse Services.  
Subjects: Health & Medical Practice  
Progress: 2nd Chamber: Referred to Committee  
Status: 05/16/2007 – Senate Committee On Health Care  
History: 04/18/2007 – H Filed in the House.  
04/19/2007 – H Passed 1st Reading.  
04/19/2007 – H Referred To House Committee On Mental Health Reform.  
05/08/2007 – H Reported favorably by committee substitute.  
05/08/2007 – H Calendared pursuant to House Rule 36(b).  
05/10/2007 – H Placed On Calendar For 5/14/2007.  
05/14/2007 – H Postponed To 5/15/2007.  
05/15/2007 – H Passed 2nd Reading.  
05/15/2007 – H Amendment Adopted 1.  
05/15/2007 – H Passed 3rd Reading.  
05/16/2007 – S Received From House.  
05/16/2007 – S Referred To Senate Committee On Health Care.

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Bill: **SB337**  
Sponsors: Snow (D50)  
Title: MENTAL HEALTH/LME BOARD STRUCTURE  
Summary: An Act to Amend the Structure of Local Management Entity Boards  
Pertaining to the Service of County Managers and the Number of Board  
Members.  
Subjects: County Affairs  
Progress: 2nd Chamber: Referred to Committee  
Status: 05/03/2007 – House Committee On Mental Health Reform  
History: 02/26/2007 – S Filed in the Senate.  
02/27/2007 – S Referred To Senate Committee On Health Care.  
04/12/2007 – S Reported favorably by committee substitute.  
04/12/2007 – S Committee substitute adopted.

04/12/2007 – S Placed On Calendar For 4/17/2007.  
04/17/2007 – S Withdrawn from the Calendar.  
04/17/2007 – S Placed On Calendar For 4/24/2007.  
04/24/2007 – S Withdrawn from the Calendar.  
04/24/2007 – S Placed On Calendar For 5/1/2007.  
05/01/2007 – S Amendment Adopted 1.  
05/01/2007 – S Passed 2nd & 3rd Reading.  
05/01/2007 – S Engrossed.  
05/03/2007 – H Passed 1st Reading.  
05/03/2007 – H Referred To House Committee On Mental Health Reform  
and, if favorable, To Com on Health.

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Bill: **SB918**  
Sponsors: Nesbitt (D49)  
Title: AMEND MH/DD/SA STATUTES/RENAME FACILITIES.-AB  
Summary: An Act to Amend the Mental Health, Developmental Disabilities, and  
Substance Abuse Services Statutes and to Rename Mental Health,  
Developmental Disabilities, and Substance Abuse Services Facilities.  
Subjects: Health & Medical Practice; State Affairs  
Related: 2007:HB625  
Progress: 1st Chamber: Referred to Committee  
Status: 03/20/2007 – Senate Committee On Health Care  
History: 03/19/2007 – S Filed in the Senate.  
03/20/2007 – S Referred To Senate Committee On Health Care.

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Bill: **SB1188**  
Sponsors: Shaw (D21)  
Title: CAP-MR/DD WAIVER CHANGE  
Summary: An Act to Direct the Department of Health and Human Services, Division of  
: Mental Health, Developmental Disabilities, and Substance Abuse Services, to  
Allow Payments for Personal Care Services to Certain Guardians and Family  
Members.  
Subjects: State Affairs; Health & Medical Practice; Family & Juveniles  
Progress: 1st Chamber: Referred to Committee  
Status: 03/22/2007 – Senate Committee On Appropriations/Base Budget  
History: 03/20/2007 – S Filed in the Senate.  
03/22/2007 – S Referred To Senate Committee On Appropriations/Base  
Budget.

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Bill: **SB1191**  
Sponsors: Nesbitt (D49)  
Title: LMES HANDLE CASE MANAGEMENT  
Summary: An Act to Make Case Management an Administrative Function to be Implemented by Local Management Entities and to Appropriate Funds.  
Subjects: Appropriations; Health & Medical Practice  
Progress: 1st Chamber: Referred to Committee  
Status: 03/22/2007 – Senate Committee On Appropriations/Base Budget  
History: 03/20/2007 – S Filed in the Senate.  
03/22/2007 – S Referred To Senate Committee On Appropriations/Base Budget.

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Bill: **SB1236**  
Sponsors: Nesbitt (D49)  
Title: FUNDS TO EXPAND MH/DD/SA SYSTEM  
Summary: An Act to Appropriate Funds to the Department of Health and Human Services, Division of Mental Health, Developmental Disabilities, and Substance Abuse Services, for Expansion of Services and Support for Persons with Mental Health, Developmental Disabilities, and Addictive Diseases, as Recommended by Coalition 2001.  
Subjects: Appropriations; Health & Medical Practice; State Affairs  
Related: 2007:HB934  
Progress: 1st Chamber: Referred to Committee  
Status: 03/26/2007 – Senate Committee On Appropriations/Base Budget  
History: 03/21/2007 – S Filed in the Senate.  
03/26/2007 – S Referred To Senate Committee On Appropriations/Base Budget.

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Bill: **SB1262**  
Sponsors: Nesbitt (D49)  
Title: EXTEND PILOT/CLARIFY LME FUNCTIONS/LME ADMIN  
Summary: An Act to Extend the First Commitment Pilot Program, to Further Clarify Lme Core Functions, and to Allow Additional Time for an Lme to Merge When It Has Gone Below the Two Hundred Thousand Population or Six County Threshold Due to a Change in County Membership as Recommended by the Joint Legislative Oversight Committee on Mental Health, Developmental Disabilities, and Substance Abuse Services.  
Subjects: Higher Education; State Affairs  
Related: 2007:HB627  
Progress: 1st Chamber: Referred to Committee  
Status: 03/26/2007 – Senate Committee On Health Care

History: 03/21/2007 – S Filed in the Senate.  
03/26/2007 – S Referred To Senate Committee On Health Care.

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Bill: **SB1265**  
Sponsors: Nesbitt (D49)  
Title: UNIFORM SLIDING FEES - MH/DD/SA SERVICES  
Summary: An Act to Create a Uniform Sliding Fee Schedule for Mh/dd/sa Services as Recommended by the Joint Legislative Oversight Committee for Mental Health, Developmental Disabilities, and Substance Abuse Services.  
Subjects: Higher Education; Interim Studies  
Related: 2007:HB628  
Progress: 1st Chamber: Referred to Committee  
Status: 03/26/2007 – Senate Committee On Health Care  
History: 03/21/2007 – S Filed in the Senate.  
03/26/2007 – S Referred To Senate Committee On Health Care.

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Bill: **SB1266**  
Sponsors: Nesbitt (D49)  
Title: BUILD COMMUNITY INFRASTRUCTURE - MH/DD/SA  
Summary: An Act to Build Community Infrastructure for Mental Health, Developmental Disabilities, and Substance Abuse Services and to Appropriate Funds as Recommended by the Joint Legislative Oversight Committee on Mental Health, Developmental Disabilities, and Substance Abuse Services.  
Subjects: Higher Education; Interim Studies; Appropriations  
Related: 2007:HB691  
Progress: 1st Chamber: Referred to Committee  
Status: 03/26/2007 – Senate Committee On Appropriations/Base Budget  
History: 03/21/2007 – S Filed in the Senate.  
03/26/2007 – S Referred To Senate Committee On Appropriations/Base Budget.

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