

AN ACT RELATIVE TO CHILDREN'S MENTAL HEALTH (Ch. 321 of the Acts of 2008)

Implementation Chart

Note: All sections become effective 90 days after the law was enacted (or, 90 days after money is appropriated, if the section is subject to appropriation)

Section	Brief Synopsis	Implementation Issues
1 (§16P)	EOHHS Sect coordinates services for “stuck” kids; Sect to publish monthly report.	<ul style="list-style-type: none"> • <i>Subject to Appropriation?</i> • <i>Regulations to be promulgated? (dates)</i> • <i>Reports to be filed? (dates)</i> • <i>Task force to be convened? (details and dates)</i> Monthly report to be submitted to Children’s Behavioral Health Advisory Council, Child Advocate, Senate and House clerks, Mental Health & Substance Abuse Cmt, Children, Families and Person with Disabilities Cmt, Ways & Means Cmt
1 (§ 16Q)	Creates the Children’s Behavioral Health Advisory Council to review state’s child behavioral health system and make legislative and regulatory recommends for improvements	Council consists of at least 24 members: 10 ex-officio; 14 people appointed by EOHHS Sec’t, selected from lists submitted by 14 enumerated non-profit orgs; 4 community and provider members appointed by EOHHS Sec’t Annual report due October 1 to the Governor, Sect of EOHHS, Commissioners of Early Ed & Care and Elementary & Secondary Ed, Child Advocate, Senate and House clerks, Mental Health & Substance Abuse Cmt, Children, Families and Person with Disabilities Cmt, Health Care Financing Cmt, Ways & Means Cmt Sect of EOHHS, Commissioner of Elementary & Secondary Ed, Commissioner of Early Ed & Care shall jointly promulgate regulations (no date specified)
1 (§16R)	Establishes interagency review teams to collaborate when a child may qualify from services from several state agencies.	Sect of EOHHS shall publish annual report by February 15 . Report is to be provided to the child advocate.
1 (§16S)	Sect of EOHHS to coordinate the purchase of behavioral health services for children to integrate services provided by all EOHHS agencies. Sect, in consultation with DMH Comm., to establish guidelines for all agencies.	Sect, in consultation with DMH Comm. to establish guidelines for EOHHS agencies for the delivery of behavioral health services to children. Sect will consult with Comm of Early Ed & Care and Comm of Elementary & Secondary Ed to establish similar guidelines for those dept.

2	The Dept of Early Ed & Care shall provide consultation services and workforce development to meet the behavioral health needs of children in early ed and care programs	Subject to appropriation
3	The Board of Early Ed & Care will report on the behavioral health needs of the children it serves. Report to including information on the Dept's capacity to serve these children, best practices, strategies to improve services, and suspension/expulsion rates.	The Board will submit an annual report to the Sect of Ed, Sect of A&F, Senate and House clerks (who forwards to Cmt on Ed). The report and any recommendations for legislative and regulatory changes will be submitted by February 15 to the Sect of EOHHS, Sect of A & F, Children's Behavioral Health Advisory Council, Child Advocate, Ways & Means Cmts, Ed Cmt, Mental Health & Substance Abuse Cmt, Children, Families and Person with Disabilities Cmt, Senate and House clerks.
4, 6, 7, 10, 11, 12	Commissioners of DEEC, DYS, DCF, DMR, Dept. of Elementary & Secondary Ed, DPH will consult with DMH Comm. prior to taking actions substantially affecting the design and implementation of behavioral health services for children.	N/A
5	The Board of Early Ed & Care's workforce development system will include a plan to provide training to identify and address infant toddler and early childhood behavioral health needs.	Verify that Board's upcoming workforce development plan does include training on these issues.
8	DCF's responsibilities regarding children in their care and custody who are receiving inpatient psychiatric services; DCF's responsibilities regarding "stuck kids"	DCF to submit a monthly report to EOHHS Sect with detailed information about "stuck kids"
9 (§22)	DMH Comm. to be consulted on the design and implementation of the state's behavioral health services for children	EOHHS secretary to establish guidelines for this per section 1 (§16S)
9 (§23)	Creates the Children's Behavioral Health Research Center within DMH. Center's primary mission is to ensure a highly skilled and trained CMH workforce; Comm. can direct Center to do other activities.	Center's activities are subject to appropriation Publish an annual report on the service demand, delivery, cost, service gaps, effectiveness of services and new research. Report to be submitted to by Feb. 1 to the Governor, Behavioral Health Advisory Council, Child Advocate, Senate and House clerks, Mental Health & Substance Abuse Cmt, Ways & Means Cmts, Children, Families

		and Person with Disabilities Cmt, Health Care Financing Cmt
9 (§ 24)	DMH's responsibilities regarding children eligible for their services who are receiving inpatient psychiatric services; DMH's responsibilities regarding "stuck kids"	DMH to submit a monthly report to EOHHS Sect with detailed information about "stuck kids"
13	Defines "behavioral health manager" as a company under contact with a health insurance carrier to provide behavioral health services	N/A
14	Gives consumers a right to out-of-network services	N/A
15	Holds the parent HMO accountable for any behavioral health manager company that does not comply with the law. Provides consumers with notice from this company regarding their rights and the obligations of the company.	HMO must state on its new enrollment cards the name and # of the behavioral health manager
16	Repeals 2001 law which created the mental health commission for children	N/A
17	Sets terms of members on the Children's Behavioral Health Advisory Council (see Sec. 1, §16Q)	N/A
18	Office of Medicaid to convene a working group on the identification of children's behavioral health problems in pediatric primary care settings Office of Medicaid to develop reimbursement rates for behavioral health screenings.	Working group recommendations to be submitted by July 31, 2009 . Filed with the House and Senate clerks, Mental Health & Substance Abuse Cmt, Ways & Means Cmt. Reimbursement codes must be developed by October 31, 2009 . Section is repealed on November 1, 2009
19	Creates task force on behavioral health and the public schools. Task force to pilot an assessment tool to measure schools' capacity to address behavioral health needs.	Task Force, chaired by Comm. of Elementary & Secondary Ed, consists 10 ex-officio members; 16 members appointed by Comm. of Elementary & Secondary Ed. From a list of categories (e.g.: parent, community-based mental health providers, advocates, teachers, school psychologist)

		Interim report due December 31, 2009 . Final report due June 30, 2011 . Report submitted to: Governor, Child Advocate, Senate and House clerks, Mental Health & Substance Abuse Cmt, Children, Families and Person with Disabilities Cmt, Education Cmt.
20	MassHealth behavioral health contractor to develop a proposal for providing behavioral health consultative services to schools.	Section is repealed on July 1, 2011 Proposal due to Sect of EOHHS by December 1, 2009 . Section is repealed on December 2, 2009
21	Creates an Office of Compliance to coordinate and implement remedial plans and court order relating to <i>Rosie D</i> .	Compliance Coordinator to submit semiannual compliance reports. Submit to the House and Senate clerks, Ways & Means Cmts, Mental Health & Substance Abuse Cmt, Health Care Financing Cmt. Section is repealed on December 31, 2011
22-29	Relate to effective dates and repealing of sections; information is captured in prior section details	

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