

# HOUSE . . . . . No. 1805

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## The Commonwealth of Massachusetts

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PRESENTED BY:

*James J. O'Day*

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*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to creating a community based flexible supports oversight commission.

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PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>James J. O'Day</i>	<i>14th Worcester</i>	<i>1/10/2013</i>
<i>Denise Andrews</i>	<i>2nd Franklin</i>	
<i>Denise Provost</i>	<i>27th Middlesex</i>	
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>	

# HOUSE . . . . . No. 1805

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By Mr. O'Day of West Boylston, a petition (accompanied by bill, House, No. 1805) of James J. O'Day and others relative to creating a community based flexible supports oversight commission . Mental Health and Substance Abuse.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 1429 OF 2011-2012.]

## The Commonwealth of Massachusetts

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In the Year Two Thousand Thirteen  
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An Act relative to creating a community based flexible supports oversight commission.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           Whereas, The Department of Mental Health shall establish a Community Based Flexible  
2   Supports (CBFS) Oversight Commission. The Commission shall oversee all matters that relate to  
3   CBFS concerning behavioral health, detoxification, homeless mentally ill, hospital discharge,  
4   community tenure, provider contracts, and all other matters related to CBFS. The Commission  
5   will provide inclusive and transparent oversight through genuine partnership and collaboration  
6   with a diverse group of stakeholders, including meaningful participation by consumers, family  
7   members of adults and children, legal and program advocates, providers, other state agencies,  
8   mental health professionals and professional organizations, legislators, representation from  
9   employee unions and members of racial, cultural and linguistic minority groups.

10           The CBFS commission will encourage public/private partnerships to pursue every  
11   opportunity to maximize available revenue sources, including but not limited to federal grants  
12   and maximization and capture of federal Medicaid match dollars, and these revenue sources will  
13   be reinvested in CBFS.

14           Be it enacted by the Senate and House of Representatives in General Court assembled,  
15   and by the authority of the same, as follows:

SECTION 1. The Commission shall have oversight to ensure outcomes measures, that were within the original CBFS RFR, are being collected and made publicly available.

(a) Increase in the percentage of clients who move to a less restrictive living arrangement

(b) Increase in the percentage of clients who achieve their individualized discharge criteria and are discharged from CBFS in accordance with their discharge plan

(c) Increase in the amount of third party revenues collected (e.g., food stamps, fuel assistance, community nursing services)

(d) Increase community tenure (e.g., reduction in psychiatric hospitalizations, number of hospital days, jail stays)

(e) Increase in the percentage of clients who are non-smokers

(f) Increase in the percentage of clients who participate in wellness and fitness activities

(g) Increase in the percentage of clients who are employed

(h) Increase participation in self help groups for addictions

(i) Increase in the percentage of clients who report satisfaction with their level of participation in their treatment planning.

SECTION 2. In addition the Commission shall have the ability to expand oversight to other measures, such as the ones listed below, that are relevant to evaluating CBFS.

(j) Actual numbers of clients that have success in each of the above outcomes (both at beginning of time period and end) so that we can understand trends over time

(k) System wide data on suicides and serious incidents.

(l) Include complaint/investigation data that are informative.

(m) Worker data such as trainings, worker turnover, vacancy durations, and worker injuries.

(n) Caseload measures, paper work requirements, face to face contacts, Medicaid billings, and third party revenues at different CBFS agencies.

(o) An accurate inventory of services provided, which is essential to fully understanding the CBFS delivery model.

SECTION 3. The Chair of the Commission and the members will be appointed by the Governor. The CBFS Commission shall meet at least quarterly. Reporting of outcomes will also be available quarterly. The Commission may meet and report more frequently as needed, but there will be a maximum of 8 meetings and a minimum of 4 meetings per year. Meetings are face-to-face or by teleconference, at the discretion of the Chair, based on the needs of the committee. A face-to-face meeting will be held at least twice per year.

SECTION 4. The Commission will consist of consumers, families, workers, advocate agencies, providers, state agency leaders, legislative representatives, and members at large. The Commission shall consist of 18 members appointed by the Governor.

- (a) (1 Seat) The Commissioner of DMH or their designee.
- (b) (2 Seats) The House and Senate Chairs of the Joint Committee on Mental Health and Substance Abuse or their designees.
- (c) (1 Seat) The President of SEIU Local 509 or their designee.
- (d) (1 Seat) The Chair of Provider Group or their designee.
- (e) (3) CBFS Consumer Representatives (a person who is receiving or has received CBFS mental health services. At least one will be from M-Power);
- (f) (3) Family Members (A person who has a family member who is receiving or has received CBFS mental health services. At least one will be from NAMI);
- (g) (3) Workers will include one representative from each the private organized, private unorganized, and public sector.
- (h) (1) Disability law Center Protection and Advocacy Representative relevant to CBFS.
- (i) (3) Members-at-Large (a person who has an interest in and knowledge of mental health issues.)