

Health – General Article, Title 10, Subtitle 12

Core Service Agencies, Local Addictions Authorities, and Local Behavioral Health Authorities

§10–1201.

- (a) In this subtitle the following words have the meanings indicated.
- (b) “Core service agency” has the meaning stated in § 7.5–101 of this article.
- (c) “Local addictions authority” has the meaning stated in § 7.5–101 of this article.
- (d) “Local behavioral health authority” has the meaning stated in § 7.5–101 of this article.
- (e) “Services to persons with mental illnesses” means the health care and community support rendered to a recipient primarily in connection with the diagnosis, evaluation, treatment, case management, rehabilitation, or supervised housing for individuals with serious mental disorders.

§10–1202.

- (a) A core service agency, local addictions authority, or local behavioral health authority shall:
 - (1) Be an agent of a county or Baltimore City government which may include a local health department;
 - (2) Unless an exception is requested by an individual county and is granted by the Secretary, serve a county or counties with an estimated population of over 80,000 people;
 - (3) Either purchase services or provide the services directly;
 - (4) Annually submit a program plan to the secretaries of the affected State departments for review and to the Director for approval; and
 - (5) Meet the standards required under this subtitle and, as needed, the rules and regulations set by the Secretary.
- (b) A core service agency, local addictions authority, or local behavioral health authority may not be a for-profit entity.
- (c) Each core service agency, local addictions authority, or local behavioral health authority shall function under the Secretary’s authority.
- (d) Once established in a jurisdiction, the core service agency, local addictions authority, or local behavioral health authority shall:

(1) Submit, on an annual basis, a program plan to the Director for approval;

(2) Incorporate in its method of governance a mechanism for the local county mental health advisory committee, local drug and alcohol abuse council, or joint mental health and substance–related committee to serve as the advisory committee to the core service agency, local addictions authority, or local behavioral health authority and, if serving more than 1 unit of government, a method of representation serving those jurisdictions;

(3) Implement guidelines developed by the Director which establish or designate the authority of the local mental health advisory committee, local drug and alcohol abuse council, or joint mental health and substance–related committee to advise and assist in the planning and evaluation of the publicly funded mental health and substance–related disorder services;

(4) In accordance with guidelines developed by the Director, develop planning, management, and accountability mechanisms for the delivery of services including:

(i) Case management;

(ii) Data collection which satisfies the Department’s requirements for client tracking and incorporates clear outcome measures to enable the local entity to govern itself and monitor and evaluate the system; and

(iii) A yearly summary which includes at a minimum:

1. Relevant financial statements; and

2. Program evaluation reports which articulate the core service agency’s, local addictions authority’s, or local behavioral health authority’s ability to identify the outcomes of services provided for the target populations and the effects of those services on program planning for the target population;

(5) As an agent of county government, function in any of the following organizational structures:

(i) A unit of county or Baltimore City government;

(ii) A local health department;

(iii) A quasi–public authority; or

(iv) A private, nonprofit corporation;

(6) Be authorized to screen individuals for whom voluntary or involuntary admission is being initiated to determine whether a less restrictive alternative can be provided; and

(7) Provide clear guidelines to avoid either the appearance or occurrence of conflicts of interest in the direction and operation of the core service agency, local addictions authority, or local behavioral health authority or organizations which provide mental health or substance–related services.

§10-1202.1.

(a) This section applies only to Howard County.

(b) (1) The purpose of this section is to authorize the establishment of a quasi-public authority which may be activated by Howard County, if the county decides to designate a quasi-public authority as the core service agency or local behavioral health authority to perform the duties imposed under this subtitle.

(2) This section has no effect on any other form of core service agency or local behavioral health authority, whether it is a unit of Howard County government, a local health department, or a private, nonprofit corporation.

(c) (1) If activated as a quasi-public authority by an ordinance or resolution of the governing body of Howard County, there is established a quasi-public authority in Howard County.

(2) The quasi-public authority shall:

(i) Serve as the core service agency or local behavioral health authority for the jurisdiction; and

(ii) Be a public body, corporate and politic.

(d) The local ordinance activating the quasi-public authority shall include the following:

(1) The name of the quasi-public authority;

(2) The method of appointing individuals to the authority, including whether or not appointments require approval of the chief elected official of the jurisdiction and the legislative body of the jurisdiction;

(3) The number of members of the authority;

(4) The terms of members;

(5) The duties and powers of the authority in accordance with the provisions of this subtitle; and

(6) Specific terms governing the operation of the authority, including, but not limited to financial reporting, budgetary, and personnel requirements, provided that these specific terms may not add powers to the authority which are not included under this subtitle.

(e) The quasi-public authority is exempt from taxation by the State and the county.

(f) Howard County shall send to the Secretary a copy of any ordinance or resolution activating a quasi-public authority which will serve as a core service agency or local behavioral health authority.

§10–1203.

(a) To the extent resources are available, the Director, after consultation with the Behavioral Health Advisory Council as established in Title 7.5, Subtitle 3 of this article and federal requirements mandated under P.L. 99–660, may initiate the development of core service agencies, local addictions authorities, or local behavioral health authorities as a mechanism for community planning, management, and financing of mental health and substance–related disorder services.

(b) When core service agencies, local addictions authorities, or local behavioral health authorities are initiated, the Director shall:

(1) Define the priority populations to be served by the core service agencies, local addictions authorities, or local behavioral health authorities;

(2) Define the essential mental health, substance–related disorder, and associated support services to be provided under the auspices of the core service agencies, local addictions authorities, or local behavioral health authorities;

(3) Define the essential administrative functions to be carried out by core service agencies, local addictions authorities, or local behavioral health authorities; and

(4) Outline the requirements for the core service agencies', local addictions authorities', or local behavioral health authorities' governance structure.

(c) To assure the continuing provision of appropriate services, the Director shall:

(1) Annually review and may approve the core service agencies', local addictions authorities', or local behavioral health authorities' program plan;

(2) In conjunction with the appropriate authorities, establish and maintain a funding mechanism for the core service agencies, local addictions authorities, or local behavioral health authorities which may include the allocation of funds for inpatient services;

(3) Develop a mechanism whereby any unexpended funds remaining at the end of the year shall remain with the core service agencies, local addictions authorities, or local behavioral health authorities or the community providers;

(4) Establish procedures to facilitate intraagency and interagency linkages at State and local levels with the core service agencies, local addictions authorities, or local behavioral health authorities; and

(5) Establish procedures within the Behavioral Health Administration for a process regarding program, policy, or contract disputes that gives all community mental health and substance–related disorder programs regulated by the Administration the right to:

(i) Access the mediation process established by the Administration; and

(ii) If dissatisfied with the outcome of the mediation by the Administration, request a hearing with the Office of Administrative Hearings in accordance with Title 10, Subtitle 2 of the State Government Article.

(d) If a core service agency, local addictions authority, or local behavioral health authority violates any provision of this subtitle, the Director may deny approval of the core service agency, local addictions authority, or local behavioral health authority and, after written notification of denial of approval, cease funding or request the return of unspent funds by the core service agency, local addictions authority, or local behavioral health authority.

(e) If a county elects to terminate its core service agency, local addictions authority, or local behavioral health authority, the county may do so upon 90 days' written notice to the Director.

(f) The Director may not require a core service agency, local addictions authority, or local behavioral health authority to provide services the Department does not provide funding for.