

SECOND REGULAR SESSION

HOUSE BILL NO. 1499

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE LOGRASSO.

Read 1st time January 16, 2002, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

3851L.011

AN ACT

To repeal section 630.003, RSMo, and to enact in lieu thereof one new section relating to state mental health employees.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 630.003, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 630.003, to read as follows:

630.003. 1. There is hereby created a department of mental health to be headed by a mental health commission who shall appoint a director, by and with the advice and consent of the senate. The director shall be the administrative head of the department and shall serve at the pleasure of the commission and be compensated as provided by law for the director, division of mental health. All employees of the department shall be selected in accordance with chapter 36, RSMo; **except that, the pay plan prepared for employees of the department pursuant to section 36.140, RSMo, shall, at a minimum, include any salary adjustments provided in section 105.005, RSMo, for all other state employees.**

2. (1) The "State Mental Health Commission", composed of seven members, is the successor to the former state mental health commission and it has all the powers, duties and responsibilities of the former commission. All members of the commission shall be appointed by the governor, by and with the advice and consent of the senate. None of the members shall otherwise be employed by the state of Missouri.

(2) Three of the commission members first appointed shall be appointed for terms of four years, and two shall be appointed for terms of three years, and two shall be appointed for a term of two years. The governor shall designate, at the time the appointments are made, the length of the term of each member so appointed. Thereafter all terms shall be for four years.

(3) At least two of the members of the commission shall be physicians, one of whom

19 shall be recognized as an expert in the field of the treatment of nervous and mental diseases, and
20 one of whom shall be recognized as an expert in the field of mental retardation or of other
21 developmental disabilities. At least two of the members of the commission shall be
22 representative of persons or groups who are consumers having substantial interest in the services
23 provided by the division, one of whom shall represent the mentally retarded or developmentally
24 disabled and one of whom shall represent those persons being treated for nervous and mental
25 diseases. Of the other three members at least one must be recognized for his expertise in general
26 business management procedures, and two shall be recognized for their interest and expertise in
27 dealing with alcohol/drug abuse problems, or community mental health services.

28 3. The provisions of sections 191.120, 191.125, 191.130, 191.140, 191.150, 191.160,
29 191.170, 191.180, 191.190, 191.200, 191.210, RSMo, and others as they relate to the division
30 of mental health not previously reassigned by executive reorganization plan number 2 of 1973
31 as submitted by the governor under chapter 26, RSMo, are transferred by specific type transfer
32 from the department of public health and welfare to the department of mental health. The
33 division of mental health, department of health and welfare, chapter 202, RSMo, and others are
34 abolished and all powers, duties and functions now assigned by law to the division, the director
35 of the divisions of mental health or any of the institutions or officials of the division are
36 transferred by type I transfer to the department of mental health.

37 4. The Missouri institute of psychiatry, which is under the board of curators of the
38 University of Missouri is hereafter to be known as the "Missouri Institute of Mental Health".
39 The purpose of the institute will be that of conducting research into improving services for
40 persons served by the department of mental health for fostering the training of psychiatric
41 residents in public psychiatry and for fostering excellence in mental health services through
42 employee training and the study of mental health policy and ethics. To assist in this training,
43 hospitals operated by and providers contracting with the department of mental health may be
44 used for the same purposes and under the same arrangements as the board of curators of the
45 University of Missouri utilizes with other hospitals in the state in supervising residency training
46 for medical doctors. Appropriations requests for the Missouri institute of mental health shall be
47 jointly developed by the University of Missouri and the department of mental health. All
48 appropriations for the Missouri institute of mental health shall be made to the curators of the
49 University of Missouri but shall be submitted separately from the appropriations of the curators
50 of the University of Missouri.

51 5. There is hereby established within the department of mental health a division of
52 mental retardation and developmental disabilities. The director of the division shall be appointed
53 by the director of the department. The division shall administer all state facilities under the
54 direction and authority of the department director. The Marshall Habilitation Center, the

55 Higginsville Habilitation Center, the Bellefontaine Habilitation Center, the Nevada Habilitation
56 Center, the St. Louis Developmental Disabilities Treatment Centers, and the regional centers
57 located at Albany, Columbia, Hannibal, Joplin, Kansas City, Kirksville, Poplar Bluff, Rolla, St.
58 Louis, Sikeston and Springfield and other similar facilities as may be established, are transferred
59 by type I transfer to the division of mental retardation and developmental disabilities.

60 6. All the duties, powers and functions of the advisory council on mental retardation and
61 community health centers, sections 202.664 to 202.666, RSMo, are hereby transferred by type
62 I transfer to the division of mental retardation and developmental disabilities of the department
63 of mental health. The advisory council on mental retardation and community health centers shall
64 be appointed by the division director.

65 7. The advisory council on mental retardation and developmental disabilities heretofore
66 established by executive order and all of the duties, powers and functions of the advisory council
67 including the responsibilities of the provision of the council in regard to the Federal
68 Development Disabilities Law (P.L. 91-517) and all amendments thereto are transferred by type
69 I transfer to the division of mental retardation and developmental disabilities. The advisory
70 council on mental retardation and developmental disabilities shall be appointed by the director
71 of the division of mental retardation and developmental disabilities.

72 8. The advisory council on alcoholism and drug abuse, chapter 202, RSMo, is transferred
73 by type II transfer to the department of mental health and the members of the advisory council
74 shall be appointed by the mental health director.