

SECOND REGULAR SESSION

HOUSE BILL NO. 2167

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES BURTON AND SHIELDS (Co-sponsors).

Read 1st time March 13, 2002, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

4778L.011

AN ACT

To repeal section 660.075, RSMo, and to enact in lieu thereof one new section relating to intermediate care facilities for the mentally retarded.

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

Section A. Section 660.075, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 660.075, to read as follows:

660.075. 1. The division of medical services shall not issue a provider agreement to an intermediate care facility for the mentally retarded provider after May 29, 1991, unless and until the department of mental health transmits a certification of authorization to provide services, provided, however, a profit or not-for-profit provider may operate [a single home of six beds or less] **multiple living units not to exceed a total of twenty-four beds** without issuance of a certificate to the division of medical services. **Such living units may be operated as a distinct part of a licensed, certified, or accredited facility caring for persons with mental retardation or developmental disabilities.** Such certification shall be provider specific and shall contain the number of beds authorized.

2. Notwithstanding any other provision of law to the contrary, any provider intending to operate an intermediate care facility for the mentally retarded in excess of those beds in existence on May 29, 1991, shall give notice to the department of mental health of any intent to do so [between July first and October first of the fiscal year preceding the fiscal year in which they intend to operate such facility].

3. In addition to other good cause as established by administrative rules promulgated by the director of the department of mental health, such intermediate care facility for the mentally

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

17 retarded operations as may be accommodated within the home and community-based waiver for
18 the developmentally disabled shall be refused certificates of authorization by the department of
19 mental health. The division of medical services shall refuse intermediate care facility for the
20 mentally retarded provider agreements to providers to whom the department of mental health has
21 refused certificates of authorization.