

**PROPOSED REGULATION OF THE DIVISION OF MENTAL HEALTH
AND DEVELOPMENTAL SERVICES OF THE DEPARTMENT
OF HEALTH AND HUMAN SERVICES**

LCB File No. R053-11

SB 44 Regulation Language

Section 1: *The following outpatient mental health services are provided by MHDS for eligible consumers who have a serious mental illness:*

- 1. Outpatient medication clinic*
- 2. Evidence based group counseling*
- 3. Limited individual counseling*
- 4. Service coordination*
- 5. Residential Services*
- 6. Co-Occurring disorders treatment (mental illness and substance abuse)*
- 7. Program for assertive community treatment (PACT)*

Section 2: *Individuals will be eligible to be consumers of mental health services as established in section one if they have serious mental illness and they lack either the financial resources or a payer source to access services elsewhere in the community.*

Serious Mental Illness (SMI) defined: an individual is defined as having serious mental illness of at some time during the past year they had a diagnosable mental, behavioral, or emotional disorder that met the criteria in the most current Diagnostic and Statistical Manual of Mental Disorders, (American Psychiatric Association [APA]) and resulted in functional impairment that substantially interfered with or limited one or more major life activities. (Public Law 102-321).

Individuals diagnosed with dementia and/or a related condition and not diagnosed with serious mental illness are not eligible to receive services defined in section one.

The Division will provide assessments to determine the eligibility of those requesting services.

Each agency within the Division will develop procedures to refer individuals determined to be non-eligible to appropriate community resources.

Not all eligible consumers are eligible for all services. Eligibility for specific services is based on consumer need and availability of services.

Urgent or emergent services will not be delayed or denied pursuant to this regulation.