

HOUSE \_\_\_\_\_ AMENDMENT NO. \_\_\_\_

Offered By

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AMEND House Substitute for House Committee Substitute for House Bill No. 679 and 396, page 10, section 208.152, line 16 of said page, by deleting all of said line and inserting in lieu thereof the following: "as an eligible system of care provider, or as an organization licensed as defined in subdivision (6) of section 210.481, RSMo." ; and

Further amend said bill, page 97, section 630.097, line 9 of said page, by inserting after the word "justice" the following: "and organizations licensed as defined in subdivision (6) of section 210.481, RSMo" ; and

Further amend said bill, page 97, section 630.097, line 18 of said page, by deleting the word "justice" and inserting in lieu thereof the following: "justice; an organization licensed pursuant to subsection (6) of section 210.481, RSMo;" ; and

Further amend said bill, page 97, section 630.097, line 20 of said page by deleting the word "may" and inserting in lieu thereof the the word "shall"; and

Further amend said bill, page 99, section 630.097, line 16 of

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said page, by inserting after all of said line the following:

"630.210            1. The director shall determine the maximum amount for services which shall be charged in each of the residential facilities, day programs or specialized services operated or funded by the department for full-time or part-time inpatient, resident or outpatient evaluation, care, treatment, habilitation, rehabilitation or other service rendered to persons affected by mental disorder, mental illness, mental retardation, developmental disability or drug or alcohol abuse. The maximum charge shall be related to the per capita inpatient cost or actual outpatient evaluation or other service costs of each facility, program or service, which may vary from one locality to another. The director shall promulgate rules setting forth a reasonable standard means test which shall be applied by all facilities, programs and services operated or funded by the department in determining the amount to be charged to persons receiving services. The department shall pay, out of funds appropriated to it for such purpose, all or part of the costs for the evaluation, care, treatment, habilitation, rehabilitation or room and board provided or arranged by the department for any patient, resident or client who is domiciled in Missouri and who is unable to pay fully for services.

2. The director shall apply the standard means test annually and may make application of the test upon his own initiative or upon request of an interested party whenever evidence is offered tending to show that the current support status of any patient, resident or client is no longer proper. Any change of support status shall be retroactive to the date of application or request for review. If the persons responsible to pay under section 630.205 or 552.080, RSMo, refuse to cooperate in providing information necessary to properly apply the test or

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if retroactive benefits are paid on behalf of the patient, resident or client, the charges may be retroactive to a date prior to the date of application or request for review. The decision of the director in determining the amount to be charged for services to a patient, resident or client shall be final. Appeals from the determination may be taken to the circuit court of Cole County or the county where the person responsible for payment resides in the manner provided by chapter 536, RSMo.

3. The department shall not pay for services provided to a patient, resident or client who is not domiciled in Missouri unless the state is fully reimbursed for the services; except that the department may pay for services provided to a transient person for up to thirty days pending verification of his domiciliary state, and for services provided for up to thirty days in an emergency situation. The director shall promulgate rules for determination of the domiciliary state of any patient, resident or client receiving services from a facility, program or service operated or funded by the department.

4. Whenever a patient, resident or client is receiving services from a residential facility, day program or specialized service operated or funded by the department, and the state, county, municipality, parent, guardian or other person responsible for support of the patient, resident or client fails to pay any installment required to be paid for support, the department or the residential facility, day program or specialized service may discharge the patient, resident or client as provided by chapter 31, RSMo. The patient, resident or client shall not be discharged under this subsection until the final disposition of any appeal filed under subsection 2 of this section.

5. The standard means test shall be waived for a child in need of mental health services to avoid inappropriate custody

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transfers to the division of family services." ; and

Further amend said bill, page 99, section 1, lines 17 and 18 of said page by deleting the words "division of family services, or its successor division," and inserting in lieu thereof the following: "department of social services"; and

Further amend said title, enacting clause, and intersectional references accordingly.

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