



HOUSE BILL 344: Mental Health Lic. Fair Practice Stds.

2023-2024 General Assembly

Committee:	Senate Rules and Operations of the Senate	Date:	June 8, 2023
Introduced by:	Reps. Willis, Clemmons, Lambeth, Jeffers	Prepared by:	Jason Moran-Bates
Analysis of:	Second Edition		Staff Attorney

OVERVIEW: *House Bill 344 would require Division of Health Service Regulation (DHSR), Department of Health and Human Services to establish a quality dashboard making licensure, rule violation, and contested case information available on its website. It would also have to establish a workgroup to identify ongoing issues and provide training to providers based on the workgroup's findings. \$150,000 in nonrecurring funds would be appropriated to assist with the implementation of these measures.*

BILL ANALYSIS: House Bill 344 would direct the Division of Health Service Regulation (DHSR), Department of Health and Human Services to establish a quality dashboard that addresses mental health, intellectual and developmental disabilities, and substance use services (MH/IDD/SUS) agency performance and identifies trends and outcomes of DHSR reviews.

As part of this dashboard, the following information would have to be published on a DHSR website on a monthly basis:

- The number of MH/IDD/SUS facility licenses granted by licensure type or licensure category, whichever shall apply.
- Any identified trends regarding violations of review.
- The ten most frequently violated rules.
- The ten most frequently violated rules for each program type.
- Top core cited rule areas.
- The number of general citations issued requiring a corrective action plan.
- The number of Type B violations cited.
- The number of Type A2 violations cited.
- The number of Type A1 violations cited.
- The number of suspensions of admissions issued.
- The number of revocations issued.
- The number of summary suspensions issued.
- The number and amount of monetary penalties issued.

The following information would have to be published on a quarterly basis:

- A statement on how well it is complying with the reporting requirements of G.S. 122C-24.1.
- The number of informal appeals and number of contested cases filed.
- The number of contested cases dismissed, number of contested cases upholding agency action, number of contested cases that overturning agency action, and number of contested cases where agency action was upheld in part and overturned in part.

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DHSR would also be required to establish a workgroup in collaboration with providers, to address ongoing concerns identified by DHSR and providers, make available annual training to providers, and align its review processes to reflect technology in electronic health records and accept documentation presented through the electronic health record.

The Mental Health Commission must adopt the rules necessary to implement the provisions of this act, and \$150,000 in nonrecurring funds would be appropriated to assist in implementing the changes.

EFFECTIVE DATE: The bill would become effective October 1, 2023.