

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2013
101ST GENERAL ASSEMBLY

4550H.02C

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 210, RSMo, by adding thereto one new section relating to licensed residential care facilities, with an emergency clause.

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

Section A. Chapter 210, RSMo, is amended by adding thereto one new section, to be known as section 210.1450, to read as follows:

210.1450. 1. Before January 1, 2024, all licensed residential care facilities currently contracted with the department of social services shall seek and obtain national accreditation by one of the following:

- (1) The Commission on Accreditation of Rehabilitation Facilities;**
- (2) The Joint Commission on Accreditation of Healthcare Organizations; or**
- (3) The Council on Accreditation.**

2. (1) Each licensed residential care facility with accreditation under subsection 1 of this section at the time this section takes effect shall apply for designation as a qualified residential treatment program by the department of social services before October 1, 2023, unless the facility is licensed by the department for intensive residential treatment to meet above level IV needs and may apply for certification as a psychiatric residential treatment facility by the department of health and senior services.

(2) Any licensed residential care facility that obtains accreditation after the effective date of this section shall apply to the department of social services for designation as a qualified residential treatment program within sixty days after obtaining accreditation.

3. Within forty-five days of receiving an application from a licensed residential care facility for designation as a qualified residential treatment program, the

EXPLANATION — Matter enclosed in bold-faced brackets ~~thus~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

19 department of social services shall issue a qualified residential treatment program
20 designation to a licensed residential care facility meeting the following requirements and
21 shall issue to the facility new or amended contracts for qualified residential treatment
22 program services:

23 (1) National accreditation as described under subsection 1 of this section; and
24 (2) Other standards for a qualified residential treatment program under Part IV,
25 Section 50741(a)(4)(A) to (F) of the Family First Prevention Services Act of 2018, as
26 amended.

27 4. Subject to appropriations, the department shall provide grants to licensed
28 residential care facilities for the purpose of helping the facilities obtain national
29 accreditation and developing the infrastructure, workforce, and programming
30 necessary to meet the standards for a designation as a qualified residential treatment
31 program.

32 5. The department of social services shall assess and determine if each qualified
33 residential treatment program is an institution for mental diseases (IMD) using the
34 criteria provided in The State Medicaid Manual.

35 6. (1) The department of social services shall seek a section 1115 demonstration
36 waiver of the IMD exclusion for qualified residential treatment programs within ninety
37 days after the effective date of this section.

38 (2) No fewer than one hundred eighty days before the expiration of the waiver,
39 the department shall seek an extension or amendment of the waiver or seek a new
40 waiver.

41 (3) All licensed residential care facilities designated by the department as a
42 qualified residential treatment program shall follow rules and procedures to limit the
43 use of seclusion and restraint under 42 CFR, Part 483, Subpart G.

44 (4) The provisions of this subsection shall not apply to licensed residential care
45 facilities not assessed and determined to be an institution for mental diseases.

46 (5) The department has the duty to seek maximum federal funding, and the
47 department shall report to the general assembly the federal financial participation of
48 Title IV-E and Medicaid for licensed residential treatment programs within thirty days
49 after the end of each fiscal quarter in which the waiver is in effect.

50 7. The provisions of this section shall apply to licensed residential care facilities
51 licensed by the department of social services, except licensed residential care facilities:

52 (1) With a capacity for fewer than seven children or youth;

53 (2) With no placement for children or youth beyond fourteen days;

54 (3) With a supervised independent living setting for youth eighteen years of age
55 or older;

56 **(4) That solely provide supportive services for pregnant or parenting youth in**
57 **foster care;**

58 **(5) That solely provide supportive services for children or youth who have been**
59 **found to be or are at risk of becoming sex trafficking victims;**

60 **(6) That serve as an emergency shelter with temporary placement for children**
61 **or youth; or**

62 **(7) That solely provide family-based treatment.**

Section B. Because immediate action is necessary to have access to necessary
2 funding, section A of this act is deemed necessary for the immediate preservation of the
3 public health, welfare, peace, and safety, and is hereby declared to be an emergency act within
4 the meaning of the constitution, and section A of this act shall be in full force and effect upon
5 its passage and approval.

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