

1 **SECTION 1.(d)** Beginning January 1, 2011, and annually thereafter, the
2 Department of Health and Human Services, Division of Mental Health, Developmental
3 Disabilities, and Substance Abuse Services, shall report to the Senate Appropriations
4 Committee on Health and Human Services, the House of Representatives Appropriations
5 Subcommittee on Health and Human Services, the Joint Legislative Oversight Committee on
6 Mental Health, Developmental Disabilities, and Substance Abuse Services, and the Fiscal
7 Research Division on a strategic plan for organizing State and local resources to fund services
8 provided through local management entities. The report shall include criteria for the allocation
9 of funds, guidelines for utilization of funds, restrictions on use of funds, and a list of
10 expenditures.

11 **SECTION 1.(e)** Section 10.19A(c) of S.L. 2009-451 reads as rewritten:

12 **"SECTION 10.19A.(c)** The Department of Health and Human Services, Division of
13 Mental Health, Developmental Disabilities, and Substance Abuse Services, shall require
14 quarterly reporting from LMEs in the format required under subsection (a) of this section. The
15 Department of Health and Human Services shall report the results of the quarterly reports to the
16 Joint Legislative Oversight Committee on Mental Health, Developmental Disabilities, and
17 Substance Abuse Services, the House of Representatives Appropriations Subcommittee on
18 Health and Human Services, the Senate Appropriations Committee on Health and Human
19 Services, and the Fiscal Research Division on or before ~~May 1, 2010~~ May 1, 2011, and
20 annually thereafter."

21 **SECTION 1.(f)** Section 10.65A(a) of S.L. 2009-451 reads as rewritten:

22 **"SECTION 10.65A.(a)** ~~For the purposes of improving efficiency in the expenditure of~~
23 ~~available funds and effectively identifying and meeting the needs of CAP-MR/DD eligible~~
24 ~~individuals, on or before April 1, 2010, the~~ By January 1, 2011, the Department of Health and
25 Human Services, Division of Medical Assistance, in conjunction with the Division of Mental
26 Health, Developmental Disabilities, and Substance Abuse Services, shall submit to the Joint
27 Legislative Oversight Committee on Mental Health, Developmental Disabilities, and Substance
28 Abuse Services a ~~plan for status report on the implementation of Tiers 1 through 4 of~~ plan for
29 the CAP-MR/DD program. Tiered Waiver. The plan shall describe the implementation of each
30 of the Tiers 1 and 4 and the proposed implementation of Tiers 2 and 3, and revisions of Tier 4,
31 and shall include detail on each of the following:

- 32 (1) The array and intensity level of services that will be available under each of
33 the ~~four Tiers;~~ Tiers.
- 34 (2) The range of costs for the array and intensity level of services under each of
35 the ~~four Tiers;~~ Tiers.
- 36 (3) How the relative intensity of need for each current and future CAP-MR/DD
37 eligible individual will be reliably ~~determined; and~~ determined.
- 38 (4) How the determination of intensity of need will be used to assign current and
39 future CAP-MR/DD eligible individuals appropriately into one of the ~~four~~
40 Tiers.
- 41 (5) The criteria for moving individuals from one Tier to another and any costs
42 associated with that movement.

43 ~~The Department may develop an application to the Centers for Medicare and~~
44 ~~Medicaid services for additional Medicaid waivers for Tiers 2 and 3 of the~~
45 ~~CAP-MR/DD program. The Department shall not submit the application until after~~
46 ~~it has submitted the plan required under this subdivision. Nothing in this subdivision~~
47 ~~subsection obligates the General Assembly to appropriate additional funds for the~~
48 ~~CAP-MR/DD waiver."~~

49 **SECTION 1.(g)** G. S. 122C-102(c) reads as rewritten:

50 "(c) State Performance Measures. – The State Plan shall also include a mechanism for
51 measuring the State's progress towards increased performance on the following matters: access

1 to services, consumer-focused outcomes, individualized planning and supports, promotion of
2 best practices, quality management systems, system efficiency and effectiveness, ~~and~~
3 ~~prevention and early intervention. Beginning October 1, 2006,~~ equitable allocation of resources,
4 ~~prevention and early intervention, statewide system of crisis response for adults and children,~~
5 ~~and management of the utilization of State facilities. Beginning January 1, 2011,~~ and every six
6 months thereafter, the Secretary shall report to the General Assembly and the Joint Legislative
7 Oversight Committee on Mental Health, Developmental Disabilities, and Substance Abuse
8 Services, on the State's progress in these performance areas."

9 **SECTION 2.** This act is effective when it becomes law.