

1 HB513
2 129981-3
3 By Representatives Galliher and Nordgren
4 RFD: Health
5 First Read: 14-APR-11

1 ENGROSSED

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4 A BILL
5 TO BE ENTITLED
6 AN ACT
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8 To amend Sections 22-50-1 and 22-50-17, Code of
9 Alabama 1975, relating to the care or treatment of mental or
10 emotional illness or intellectual disability; to define the
11 term Mental Illness or Substance Abuse Treatment; to exempt a
12 licensed professional counselor operating within the scope of
13 his or her license; and to exempt a church or ministry which
14 provides only religious services.

15 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

16 Section 1. Sections 22-50-1 and 22-50-17, Code of
17 Alabama 1975, are amended to read as follows:

18 "§22-50-1.

19 "For the purposes of this chapter, the following
20 terms shall have the meanings respectively ascribed to them by
21 this section:

22 "(1) MENTAL HEALTH SERVICES. Diagnosis of, treatment
23 of, rehabilitation for, follow-up care of, prevention of and
24 research into the causes of all forms of mental or emotional
25 illness, including, but not limited to, alcoholism, drug
26 addiction, or epilepsy in combination with mental illness or
27 ~~mental retardation~~ an intellectual disability.

1 "(2) ~~MENTAL RETARDATION~~ INTELLECTUAL DISABILITY
2 SERVICES. Evaluation for, amelioration of, habilitation for,
3 prevention of, and research into the causes of ~~mental~~
4 ~~retardation~~ intellectual disability.

5 "(3) PATIENTS. Those persons ~~afflicted~~ with mental
6 or emotional illness.

7 "(4) CLIENTS. Those persons identified as receiving
8 or needing services for ~~mental retardation~~ an intellectual
9 disability.

10 "(5) DEPARTMENT. The Department of Mental Health ~~and~~
11 ~~Mental Retardation~~.

12 "(6) MENTAL ILLNESS OR SUBSTANCE ABUSE TREATMENT.
13 The application of professionally planned, managed,
14 administered, or monitored clinical procedures or
15 evidenced-based interventions to identify, stabilize,
16 minimize, or alleviate the harmful consequences of substance
17 related or mental or emotional disorders, and to restore
18 impaired health and functionality relative to such.

19 "§22-50-17.

20 "No person, partnership, corporation, or association
21 of persons shall operate a facility or institution for the
22 care or treatment of any kind of mental or emotional illness,
23 substance abuse or services to ~~the mentally retarded~~ persons
24 with an intellectual disability as defined in this chapter,
25 without being certified by the department or licensed by the
26 State Board of Health; provided that nothing in this section
27 shall be construed so as to require a duly authorized

1 physician, psychiatrist, psychologist, social worker, licensed
2 professional counselor operating under the scope of his or her
3 license, or Christian Science practitioner to obtain a license
4 for treatment of patients in his private office, unless he
5 keeps two or more patients in his office for continuous
6 periods of 24 hours or more in one week, or that a church or
7 ministry be certified which provides only religious services."

8 Section 2. No part of this act shall be construed as
9 a mandate for an insurance policy, plan, or contract to offer
10 or provide new or additional coverage benefits, or require any
11 payment or prepayment to any person by any insurer or health
12 care service plan.

13 Section 3. This act shall become effective on the
14 first day of the third month following its passage and
15 approval by the Governor, or its otherwise becoming law.

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House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on Health 14-APR-11

Read for the second time and placed
on the calendar with 1 substitute
and..... 27-APR-11

Read for the third time and passed
as amended..... 05-MAY-11

Yeas 90, Nays 0, Abstains 0

Greg Pappas
Clerk