

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

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ENROLLED, An Act,

To amend Sections 22-50-1 and 22-50-17, Code of Alabama 1975, relating to the care or treatment of mental or emotional illness or intellectual disability; to define the term Mental Illness or Substance Abuse Treatment; to exempt a licensed professional counselor operating within the scope of his or her license; and to exempt a church or ministry which provides only religious services.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

"§22-50-1.

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

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

"(2) ~~MENTAL RETARDATION~~ INTELLECTUAL DISABILITY SERVICES. Evaluation for, amelioration of, habilitation for,

1 prevention of, and research into the causes of ~~mental~~
 2 ~~retardation~~ intellectual disability.

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

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

8 "(5) DEPARTMENT. The Department of Mental Health ~~and~~
 9 ~~Mental Retardation~~.

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

17 "§22-50-17.

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

