

ENROLLED ACT NO. 62, HOUSE OF REPRESENTATIVES

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING
2020 BUDGET SESSION

AN ACT relating to behavioral health and substance use disorders; requiring the department of health and the department of corrections to collaborate to reduce criminal offender recidivism by improving mental health and substance use programming and funding; creating new programs; creating a unit within the department of corrections; making an appropriation; requiring reports; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 9-2-130 is created to read:

9-2-130. Mental health and substance use disorder programming; department of corrections; criminal justice populations.

(a) Pursuant to this section and W.S. 25-1-105(f) and (g), the department of health shall collaborate with the department of corrections to reduce recidivism rates for persons with behavioral health needs and substance use disorders who are involved in the criminal justice system and improve mental health and substance use disorder programming by:

(i) Creating a behavioral health services enhancement program for community providers to improve outcomes for persons involved in the criminal justice system through a separate contract, or in a separate provision in an existing contract, administered by the department of health;

(ii) Adopting standardized, evidence based treatment practices and guidelines for treating and providing programming to persons involved in the criminal

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justice system with behavioral health and substance use needs;

(iii) Increasing communication between the department of health, the department of corrections and contracted behavioral health providers working with persons involved in the criminal justice system;

(iv) Promoting and requiring to the maximum extent practical and permissible under applicable laws and regulations the portability and universal recognition of mental health and substance use disorder assessment tools and other assessment tools that may be applicable to mental health and substance use disorder treatment; and

(v) Creating a competitive and outcomes based funding stream for behavioral health providers to:

(A) Expand existing services for criminal justice involved populations;

(B) Improve the quality and availability of services and programs;

(C) Train and develop the skills of providers and stakeholders working with persons who have behavior health needs and substance use disorders and who are involved in the criminal justice system.

(b) This section shall not be interpreted to require the creation or maintenance of any duplicate functions, services or programs in the department of health and the department of corrections, but shall be interpreted with W.S. 25-1-105(f) and (g) to require coordination and collaboration between the agencies to assure the creation

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and maintenance of independent or coordinated functions, services and programs to meet the goals of this section and W.S. 25-1-105(f) and (g).

Section 2. W.S. 25-1-105 by creating new subsections (f) and (g) is amended to read:

25-1-105. Powers of department; care of persons committed outside of state.

(f) Pursuant to this section and W.S. 9-2-130, the department of corrections shall collaborate with the department of health to reduce recidivism rates for persons with behavioral health needs and substance use disorders who are involved in the criminal justice system and improve mental health and substance use disorder programming by:

(i) Improving the quality and accuracy of substance use assessments administered to persons with criminal justice involvement by creating a quality improvement unit in the department of corrections that will regularly monitor the administration and use of assessment tools. The department of corrections shall report to the joint labor, health and social services interim committee on the status of the unit, including progress on the creation of the unit, results of unit efforts, unit expenditures and remaining funds from appropriations made for the unit. The department of corrections shall provide this report to the joint labor, health and social services interim committee by September 1 of each year through 2023;

(ii) Creating a behavioral health services enhancement program for community providers to improve outcomes for persons involved in the criminal justice system through a separate contract, or in a separate

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provision in an existing contract, administered by the department of health;

(iii) Adopting standardized, evidence based treatment practices and guidelines for treating and providing programming to persons involved in the criminal justice system with behavioral health and substance use needs;

(iv) Increasing communication between the department of health, the department of corrections and contracted behavioral health providers working with persons involved in the criminal justice system;

(v) Promoting and requiring to the maximum extent practical and permissible under applicable laws and regulations the portability and universal recognition of mental health and substance use disorder assessment tools and other assessment tools that may be applicable to mental health and substance use disorder treatment; and

(vi) Creating a competitive and outcomes based funding stream for behavioral health providers to:

(A) Expand existing services for criminal justice involved populations;

(B) Improve the quality and availability of services and programs;

(C) Train and develop the skills of providers and stakeholders working with persons who have behavior health needs and substance use disorders and who are involved in the criminal justice system.

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(g) This section shall not be interpreted to require the creation or maintenance of any duplicate functions, services or programs in the department of corrections and the department of health, but shall be interpreted with W.S. 9-2-130 to require coordination and collaboration between the agencies to assure the creation and maintenance of independent or coordinated functions, services and programs to meet the goals of this section and W.S. 9-2-130.

Section 3. There is appropriated three hundred twenty-four thousand three hundred eighty dollars (\$324,380.00) from the general fund to the department of corrections for the purpose of creating the quality improvement unit in the department of corrections required by W.S. 25-1-105(f)(i), created by this act, including for the payment of salaries and benefits for quality improvement unit employees. This appropriation shall be for the period beginning with the effective date of this act and ending June 30, 2022. This appropriation shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation shall revert as provided by law on June 30, 2022. It is the intent of the legislature that this appropriation not be included in the department of correction's standard budget for the immediately succeeding fiscal biennium.

ORIGINAL HOUSE
BILL NO. HB0031

ENGROSSED

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Section 4. This act is effective July 1, 2020.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk