

DHHS Directive Number III-7

Title: Mental Health Planning Council
Effective Date: January 12, 2009
Revision History: August 30, 1994; November 3, 2008
Authority: G.S. 143B-10; Title XIX, Part B, Subpart 1, Section 1914 of the Public Health Service Act.

Purpose

The purpose of this directive is to establish the North Carolina Mental Health Planning Council as required by federal requirements as specified in Title XIX, Part B, Subpart I, Section 1914 of the Public Health Service Act.

Policy

The North Carolina Mental Health Planning Council shall carry out duties specified in Title XIX, Part B, Subpart I, Section 1914(b) of the Public Health Service Act including:

1. Review plans provided to the Council pursuant to Title XIX, Part B, Subpart I, Section 1915(a) of the Public Health Service Act by the state and to submit to the state any recommendations of the Council for modifications to the plans;
2. Serve as an advocate for adults with a serious mental illness, children with a severe emotional disturbance, and other individuals with mental illnesses or emotional problems; and
3. Monitor, review and evaluate, not less than once each year, the allocation and adequacy of mental health services within the state.

Composition

The composition of the North Carolina Mental Health Planning Council shall be consistent with Title XIX, Part B, Subpart I, Section 1914(c) of the Public Health Service Act which specifies that the Council be composed of residents of the state, including representatives of:

1. The principal state agencies with respect to: mental health, education, vocational rehabilitation, criminal justice, housing, social services and Medicaid;
2. Public and private entities concerned with the need, planning, operation, funding, and use of mental health services and related support services;
3. Adults with serious mental illnesses who are receiving (or have received) mental health services; and
4. The families of such adults or families of children with emotional disturbance.

In addition, the composition shall be such that the ratio of parents of children with a serious emotional disturbance to other members of the Council is sufficient to provide adequate representation of such children in the deliberations of the Council and at least 50 percent of the members of the Council shall be individuals who are not state employees or providers of mental health services.

In order to ensure that the composition of the Council conforms to federal law, the Secretary of North Carolina Department of Health and Human Services (NC DHHS) shall appoint representatives of the following:

A. State Agencies

- Department of Health and Human Services
- Division of Mental Health, Developmental Disabilities & Substance Abuse Services
- Department of Public Instruction
- Division of Vocational Rehabilitation Services
- Department of Corrections, Division of Prisons
- Housing Finance Agency
- Division of Social Services
- Division of Medical Assistance
- Division of Aging and Adult Services

B. Public and Private Entities Concerned with Need, Planning, Operation, Funding and Use of Mental Health and Related Services

- Disability Rights North Carolina
- North Carolina Alliance for the Mentally Ill
- Families United
- Mental Health Association in North Carolina

- Commission for Mental Health, Developmental Disabilities, and Substance Abuse Services
 - North Carolina Mental Health Consumers' Organization
 - Education/Training of Professionals Representative
 - Local Management Entity Provider of Adult Mental Health Services
 - Local Management Entity Provider of Child Mental Health Services
- C. Three (3) representatives of Adults with Mental Illness (19 through 21).
- D. Three (3) representatives of Families of Mentally Ill Adults (22 through 24).
- E. Four representatives of Families of Children with Serious Emotional Disturbances (25 through 28).

Terms of Membership and Vacancies

Members shall be appointed to 3-year terms that begin July 1 and run through June 30, except for initial appointments which shall be staggered from 1 to 3 years in length. Members, other than those representing state agencies specified in Section A, may serve no more than two (2) consecutive terms.

Members serve at the pleasure of the Secretary. If a member misses three (3) consecutive meetings without being excused by the chairman, this shall constitute cause for removal by the Secretary. If a vacancy occurs due to death, resignation or disqualification, the chairman shall notify the Secretary. Vacancies shall be filled for the remainder of the vacant term in the same manner as the original appointment.

The Council shall elect, by majority, a chairman to serve for a period of no more than two (2) years. The Council may elect other such officers as it deems necessary.

Responsibilities

The Council shall meet at least quarterly. The Council may meet more often as necessary at the call of the Secretary of the DHHS, the chairman of the Council, or by a petition of a majority of Council members. Committees may be established to facilitate the work of the Council. A majority of members currently serving on the Council shall constitute a quorum for the transaction of business. The chairman shall file an annual schedule of regular meetings with the Secretary of the DHHS and the Deputy Secretary for Health Policy .

Administrative support and other services shall be provided by the Division of Mental Health, Developmental Disabilities and Substance Abuse Services. Per diem, travel, and subsistence shall be paid to Council members in accordance with applicable North Carolina General Statutes and affiliated state policies and procedures.

APPROVED

Lanier M. Cansler, Secretary
Department of Health and Human Services