

1 HB513
2 129584-1
3 By Representatives Galliher and Nordgren
4 RFD: Health
5 First Read: 14-APR-11

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8 SYNOPSIS: Under existing law, certain persons and
9 entities are required to have a certificate or
10 license to operate a facility or institution for
11 the care or treatment of any kind of mental or
12 emotional illness or services to individuals with
13 an intellectual disability.

14 This bill would define the term Mental
15 Illness or Substance Abuse Treatment.

16 This bill would exempt a physician,
17 psychiatrist, psychologist, social worker or
18 Christian Science practitioner from being certified
19 or licensed under certain circumstances.

20 This bill would also exempt a church or
21 ministry which provides only religious services.

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23 A BILL
24 TO BE ENTITLED
25 AN ACT
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1 To amend Sections 22-50-1 and 22-50-17, Code of
2 Alabama 1975, relating to the care or treatment of mental or
3 emotional illness or intellectual disability; to define the
4 term Mental Illness or Substance Abuse Treatment; to exempt a
5 physician, psychiatrist, psychologist, social worker or
6 Christian Science practitioner from the requirement that he or
7 she be certified or licensed under certain circumstances; and
8 to exempt a church or ministry which provides only religious
9 services.

10 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

13 "§22-50-1.

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

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

23 "(2) MENTAL RETARDATION SERVICES. Evaluation for,
24 amelioration of, habilitation for, prevention of, and research
25 into the causes of mental retardation.

26 "(3) PATIENTS. Those persons afflicted with mental
27 or emotional illness.

1 "(4) CLIENTS. Those persons identified as receiving
2 or needing services for mental retardation.

3 "(5) DEPARTMENT. The Department of Mental Health and
4 Mental Retardation.

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

12 "§22-50-17.

13 "No person, partnership, corporation, or association
14 of persons shall operate a facility or institution for the
15 care or treatment of any kind of mental or emotional illness
16 or services to the mentally retarded as defined in this
17 chapter, without being certified by the department or licensed
18 by the State Board of Health; provided that nothing in this
19 section shall be construed so as to require certification or a
20 license for a duly authorized physician, psychiatrist,
21 psychologist, social worker or Christian Science practitioner
22 ~~to obtain a license~~ for treatment of patients in his private
23 office, unless he keeps two or more patients in his office for
24 continuous periods of 24 hours or more in one week or a church
25 or ministry which provides only religious services."

26 Section 2. No part of this act shall be construed as
27 a mandate for an insurance policy, plan, or contract to offer

1 or provide new or additional coverage benefits, or require any
2 payment or prepayment to any person by any insurer or health
3 care service plan.

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