

1 SB282
2 129979-2
3 By Senators Reed, Blackwell, Waggoner, Pittman, Keahey,
4 Taylor, Whatley, Marsh, Dial, Beason, Williams and Glover
5 RFD: Health
6 First Read: 24-MAR-11

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4 ENGROSSED

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7 A BILL
8 TO BE ENTITLED
9 AN ACT

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

18 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

21 "§22-50-1.

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

25 "(1) MENTAL HEALTH SERVICES. Diagnosis of, treatment
26 of, rehabilitation for, follow-up care of, prevention of and
27 research into the causes of all forms of mental or emotional

1 illness, including, but not limited to, alcoholism, drug
2 addiction, or epilepsy in combination with mental illness or
3 ~~mental retardation~~ an intellectual disability.

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

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

10 "(4) CLIENTS. Those persons identified as receiving
11 or needing services for ~~mental retardation~~ an intellectual
12 disability.

13 "(5) DEPARTMENT. The Department of Mental Health ~~and~~
14 ~~Mental Retardation~~.

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

22 "§22-50-17.

23 "No person, partnership, corporation, or association
24 of persons shall operate a facility or institution for the
25 care or treatment of any kind of mental or emotional illness,
26 substance abuse or services to ~~the mentally retarded~~ persons
27 with an intellectual disability as defined in this chapter,

1 without being certified by the department or licensed by the
2 State Board of Health; provided that nothing in this section
3 shall be construed so as to require a duly authorized
4 physician, psychiatrist, psychologist, social worker, licensed
5 professional counselor operating under the scope of his or her
6 license, or Christian Science practitioner to obtain a license
7 for treatment of patients in his private office, unless he
8 keeps two or more patients in his office for continuous
9 periods of 24 hours or more in one week, or that a church or
10 ministry be certified which provides only religious services."

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

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

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Senate

Read for the first time and referred to the Senate
committee on Health..... 24-MAR-11

Read for the second time and placed on the calen-
dar 1 amendment..... 31-MAR-11

Read for the third time and passed as amended 27-APR-11

Yeas 30
Nays 0

Patrick Harris
Secretary