

**State Health Coordinating Council
Agency Recommendation
Regarding the Plan to Develop up to 150
New Behavioral Health Inpatient Beds**

Issue:

The agency proposes that the Long-Term and Behavioral Health Committee include in the inventory those inpatient psychiatric or substance use disorder (chemical dependency) beds approved for development pursuant to Session Law 2015-241.

Background:

Session Law 2015-241 was passed by the NC General Assembly in 2015. It authorized \$25 million for the creation of up to 150 new behavioral health inpatient treatment beds. This funding represents a portion of the proceeds of the sale of the Dorothea Dix Hospital property. Development of these beds will not require a Certificate of Need (CON), but will require adherence to all licensure rules and procedures.

The General Assembly charged the Department of Health and Human Services (DHHS) with preparation of a plan, by April 1, 2016, for the creation of these beds. The Division of Mental Health, Developmental Disabilities, and Substance Abuse Services (DMH) prepared this plan in consultation with other DHHS divisions, including the Division of Health Service Regulation (DHSR). This plan is under review.

The beds may be developed in acute care hospitals, mental health hospitals, or any other facility licensed to provide inpatient/residential treatment for mental and/or substance use disorders. Once licensed, these beds will be indistinguishable from any other bed in the designated licensure category. Just as is currently done, the beds will be licensed according to the type of facility in which they are to be located and the type of services they will provide. Some beds will fall under licensure categories covered by the CON law, but some may fall under different categories.

The Law and the DHHS Plan are silent regarding whether, and if so how, the State Health Coordinating Council (SHCC) should incorporate these beds into the State Medical Facilities Plan (SMFP). Therefore, a decision must be made on this issue.

Agency Recommendation:

The Agency recommends that all beds created under S.L. 2015-241 that become licensed under categories currently covered by the CON Law (10A NCAC 27G .6000 and 10A NCAC 27G .3400) be included in the inventory and in the need determination methodology in the same manner as all other beds.