

HOUSE BILL NO. HB0031

Criminal justice-mental health-substance use programming.

Sponsored by: Joint Labor, Health & Social Services Interim
Committee

A BILL

for

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

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

11

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

13

1 **9-2-130. Mental health and substance use disorder**
2 **programming; department of corrections; criminal justice**
3 **populations.**

4
5 (a) Pursuant to this section and W.S. 25-1-105(f) and
6 (g), the department of health shall collaborate with the
7 department of corrections to reduce recidivism rates for
8 persons with behavioral health needs and substance use
9 disorders who are involved in the criminal justice system
10 and improve mental health and substance use disorder
11 programming by:

12
13 (i) Creating a behavioral health services
14 enhancement program for community providers to improve
15 outcomes for persons involved in the criminal justice
16 system through a separate contract, or in a separate
17 provision in an existing contract, administered by the
18 department of health;

19
20 (ii) Adopting standardized, evidence based
21 treatment practices and guidelines for treating and
22 providing programming to persons involved in the criminal

1 justice system with behavioral health and substance use
2 needs;

3

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

8

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

15

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

18

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

21

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

1

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

6

7 (b) This section shall not be interpreted to require
8 the creation or maintenance of any duplicate functions,
9 services or programs in the department of health and the
10 department of corrections, but shall be interpreted with
11 W.S. 25-1-105(f) and (g) to require coordination and
12 collaboration between the agencies to assure the creation
13 and maintenance of independent or coordinated functions,
14 services and programs to meet the goals of this section and
15 W.S. 25-1-105(f) and (g).

16

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

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20 **25-1-105. Powers of department; care of persons**
21 **committed outside of state.**

22

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

7
8 (i) Improving the quality and accuracy of
9 substance use assessments administered to persons with
10 criminal justice involvement by creating a quality
11 improvement unit in the department of corrections that will
12 regularly monitor the administration and use of assessment
13 tools. The department of corrections shall report to the
14 joint appropriations committee on the status of the unit,
15 including progress on the creation of the unit, results of
16 unit efforts, unit expenditures and remaining funds from
17 appropriations made for the unit. The department of
18 corrections shall provide this report to the joint
19 appropriations committee by June 30 and December 31 of each
20 year for as long as appropriations are made for the unit;

21
22 (ii) Creating a behavioral health services
23 enhancement program for community providers to improve

1 outcomes for persons involved in the criminal justice
2 system through a separate contract, or in a separate
3 provision in an existing contract, administered by the
4 department of health;

5
6 (iii) Adopting standardized, evidence based
7 treatment practices and guidelines for treating and
8 providing programming to persons involved in the criminal
9 justice system with behavioral health and substance use
10 needs;

11
12 (iv) Increasing communication between the
13 department of health, the department of corrections and
14 contracted behavioral health providers working with persons
15 involved in the criminal justice system;

16
17 (v) Promoting and requiring to the maximum
18 extent practical and permissible under applicable laws and
19 regulations the portability and universal recognition of
20 mental health and substance use disorder assessment tools
21 and other assessment tools that may be applicable to mental
22 health and substance use disorder treatment; and

23

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

3
4 (A) Expand existing services for criminal
5 justice involved populations;

6
7 (B) Improve the quality and availability of
8 services and programs;

9
10 (C) Train and develop the skills of
11 providers and stakeholders working with persons who have
12 behavior health needs and substance use disorders and who
13 are involved in the criminal justice system.

14
15 (g) This section shall not be interpreted to require
16 the creation or maintenance of any duplicate functions,
17 services or programs in the department of corrections and
18 the department of health, but shall be interpreted with
19 W.S. 9-2-130 to require coordination and collaboration
20 between the agencies to assure the creation and maintenance
21 of independent or coordinated functions, services and
22 programs to meet the goals of this section and W.S.
23 9-2-130.

1

2 **Section 3.** There is appropriated three hundred
3 twenty-four thousand three hundred eighty dollars
4 (\$324,380.00) from the general fund to the department of
5 corrections for the purpose of creating the quality
6 improvement unit in the department of corrections required
7 by W.S. 25-1-105(f)(i), created by this act, including for
8 the payment of salaries and benefits for quality
9 improvement unit employees. This appropriation shall be
10 for the period beginning with the effective date of this
11 act and ending June 30, 2022. This appropriation shall not
12 be transferred or expended for any other purpose and any
13 unexpended, unobligated funds remaining from this
14 appropriation shall revert as provided by law on June 30,
15 2022. It is the intent of the legislature that this
16 appropriation not be included in the department of
17 correction's standard budget for the immediately succeeding
18 fiscal biennium.

19

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

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(END)