

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE DRH50140-LN-93A (2/25)

Short Title: Consumer & Family Advisory Comm/Reports.

(Public)

Sponsors: Representative Insko.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO CLARIFY THE ROLE AND REPORTING REQUIREMENTS OF THE
3 LOCAL AND STATE CONSUMER AND FAMILY ADVISORY COMMITTEES.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 122C-170 reads as rewritten:

6 "§ 122C-170. Local Consumer and Family Advisory Committees.

7 (a1) ~~Area authorities and county programs shall establish committees made up of~~
8 ~~consumers and family members to be known as Consumer and Family Advisory Committees~~
9 ~~(CFACS). A local CFAC shall be a self-governing and a self-directed organization that advises~~
10 ~~the area authority or county program in its catchment area on the planning and management of~~
11 ~~the local public mental health, developmental disabilities, and substance abuse services system.~~

12 Purpose. – A local Consumer and Family Advisory Committee (CFAC) shall exist in each
13 LME catchment area to provide advice and feedback on a regular basis to the Director of the
14 LME. In addition, the local CFAC shall report at least annually to the LME governing board.
15 The advice and feedback shall include recommendations that advance the services of the local
16 public mental health, developmental disabilities, and substance abuse services systems.

17 (a2) Definitions. – As used in this section, the terms listed are defined as follows:

18 (1) Local Consumer and Family Advisory Committees (CFACs). – Independent
19 advisory committees established to advise each LME.

20 (2) Self-directed. – The agenda and goals of the CFAC shall be set by the CFAC
21 within the scope of its duties.

22 (3) Self-governing. – Each CFAC shall adopt its own bylaws and conduct its
23 meetings as an advisory body to the LME.

24 (a3) Establishment. – LMEs shall establish committees made up of consumers and
25 family members to be known as local CFACs. Once established, a local CFAC shall thereafter
26 be a self-governing and self-directed organization that advises the LME and its governing
27 board in its catchment area on the planning and management of the local public mental health,
28 developmental disabilities, and substance abuse services systems. Each CFAC shall adopt
29 bylaws to govern the selection and appointment of its members, their terms of service, the
30 number of members, and other procedural matters. At the request of either the Each CFAC or
31 and the governing board of the area authority or county program, the CFAC and the governing
32 board of the LME shall execute an agreement that encourages dialogue between the CFAC and
33 the LME and its governing board and identifies the roles and responsibilities of each party,
34 channels of communication between the parties, and a process for resolving disputes between
35 the parties.



1 (b) Membership. – Each of the disability groups shall be equally represented on the
2 CFAC, and the CFAC shall reflect as closely as possible the ~~racial and ethnic~~ racial, ethnic,
3 and geographic composition of the catchment area. The terms of members shall be three years,
4 and no member may serve more than two consecutive terms. The CFAC shall be composed
5 exclusively of:

- 6 (1) Adult consumers of mental health, developmental disabilities, and substance
7 abuse services.
- 8 (2) Family members of consumers of mental health, developmental disabilities,
9 and substance abuse services.
- 10 (3) In order to ensure self-governance by the local CFAC while also allowing
11 for LME input, one member of the LME governing board may serve on the
12 CFAC if that individual is an adult consumer or a family member of a
13 consumer of mental health, developmental disabilities, and substance abuse
14 services.

15 (c) The Duties. – As a self-directed and self-governing body, the CFAC shall undertake
16 all of the following:

- 17 (1) Review, comment on, and monitor the implementation of the local business
18 plan.
- 19 (2) Identify service gaps and underserved populations.
- 20 (3) Make recommendations regarding the service array and monitor the
21 development of additional services.
- 22 (4) Review and comment on the area authority or county program budget.
- 23 (5) Participate in quality improvement ~~measures and performance indicators.~~
24 processes that relate to the overall progress and performance of the LMG,
25 such as the scope and quality of its provider network.
- 26 (6) Submit to the State Consumer and Family Advisory Committee findings and
27 recommendations ~~regarding ways to improve the delivery of mental health,~~
28 ~~developmental disabilities, and substance abuse services.~~ on an annual basis.
29 The report shall include:
 - 30 a. An assessment of the community needs and service gaps in the
31 mental health, developmental disabilities, and substance abuse
32 services (MH/DD/SA) delivery system.
 - 33 b. Priorities within the community related to MH/DD/SA service needs.
 - 34 c. A description of services or programs in the catchment area that may
35 be considered a model for the State.
- 36 (7) Report on a regular basis to the LME governing board on the
37 implementation of subdivisions (1) through (5) of this subsection.

38 (d) Assistance. – The director of the ~~area authority or county program~~ LME shall
39 provide sufficient staff to assist the CFAC in implementing its duties under subsection (c) of
40 this section. The assistance shall include data for the identification of service gaps and
41 underserved populations, training to review and comment on business plans and budgets,
42 procedures to allow participation in quality monitoring, and technical advice on rules of
43 procedure and applicable laws."

44 **SECTION 2.** G.S. 122C-171(c) reads as rewritten:

45 "(c) The State CFAC shall undertake all of the following:

- 46 (1) Review, comment on, and monitor the implementation of the State Plan for
47 Mental Health, Developmental Disabilities, and Substance Abuse Services.
- 48 (2) Identify service gaps and underserved populations.
- 49 (3) Make recommendations regarding the service array and monitor the
50 development of additional services.

- 1 (4) Review and comment on the State budget for mental health, developmental
2 disabilities, and substance abuse services.
3 (5) Participate in all quality improvement measures and performance indicators.
4 (6) Receive the findings and recommendations by local CFACs regarding ways
5 to improve the delivery of mental health, developmental disabilities, and
6 substance abuse ~~services~~services and report these findings and
7 recommendations to the Joint Legislative Oversight Committee on Mental
8 Health, Developmental Disabilities, and Substance Abuse Services.
9 (7) Provide technical assistance to local CFACs in implementing their duties.
10 (8) Report at least annually to the Joint Legislative Oversight Committee on
11 Mental Health, Developmental Disabilities, and Substance Abuse Services
12 on its findings and recommendations with respect to the requirements of this
13 subsection."
14 **SECTION 3.** This act is effective when it becomes law.