

SAMH Programmatic State and Federal Laws, Rules, and Regulations

The Network Service Provider and its subcontractors shall comply with all applicable state and federal laws, rules and regulations, as amended from time to time, that affect the subject areas of the contract. Authorities include but are not limited to the following:

A. FEDERAL AUTHORITY

a. Block Grants Regarding Mental Health and Substance Abuse

i. Block Grants for Community Mental Health Services

1. 42 U.S.C. ss. 300x, et seq.

ii. Block Grants for Prevention and Treatment of Substance Abuse

1. 42 U.S.C. ss. 300x-21 et seq.
2. 45 CFR Part 96, Subpart L

B. Department of Health and Human Services, General Administration, Block Grants

- a. 45 CFR Part. 96

C. Charitable Choice Regulations Applicable to Substance Abuse Block Grant and PATH Grant

- a. 42 CFR Part 54

D. Confidentiality Of Substance Use Disorder Patient Records

- a. 42 CFR Part 2

E. Security and Privacy

- a. 45 CFR Part 164

F. Supplemental Security Income for the Aged, Blind and Disabled

- a. 20 CFR Part 416

G. Temporary Assistance to Needy Families (TANF)

- a. 42 U.S.C. ss. 601 – 619
- b. 45 CFR, Part 260

H. Projects for Assistance in Transition from Homelessness (PATH)

- a. 42 U.S.C. ss. 290cc-21 – 290cc-35

I. Equal Opportunity for Individuals with Disabilities (Americans with Disabilities Act of 1990)

- a. 42 U.S.C. ss. 12101 – 12213

J. Prevention of Trafficking (Trafficking Victims Protection Act of 2000)

- a. 22 U.S.C. s. 7104
- b. 2 CFR Part 175

K. Governmentwide Requirements for Drug-Free Workplace (Financial Assistance)

- a. 2 CFR Part 182
- b. 2 CFR Part 382

L. The 988 Suicide and Crisis Lifeline

- a. The Communications Act of 1934
- b. 47 U.S.C. 609
- c. 47 U.S.C. 251

M. FLORIDA STATUTES

a. Child Welfare and Community Based Care

- i. Ch. 39, F.S. Proceedings Relating to Children
- ii. Ch. 402, F.S. Health and Human Services: Miscellaneous Provisions

b. Substance Abuse and Mental Health Services

- i. Ch. 381, F.S. Public Health: General Provisions
- ii. Ch. 386, F.S. Particular Conditions Affecting Public Health
- iii. Ch. 394, F.S. Mental Health

- iv. Ch. 395, F.S. Hospital Licensing and Regulation
- v. Ch. 397, F.S. Substance Abuse Services
- vi. Ch. 400, F.S. Nursing Home and Related Health Care Facilities
- vii. Ch. 414, F.S. Family Self-Sufficiency
- viii. Ch. 458, F.S. Medical Practice
- ix. Ch. 464, F.S. Nursing
- x. Ch. 465, F.S. Pharmacy
- xi. Ch. 490, F.S. Psychological Services
- xii. Ch. 491, F.S. Clinical, Counseling, and Psychotherapy Services
- xiii. Ch. 499, F.S. Florida Drug and Cosmetic Act
- xiv. Ch. 553, F.S. Building Construction Standards
- xv. Ch. 893, F.S. Drug Abuse Prevention and Control
- xvi. S. 409.906(8), F.S. Optional Medicaid Services – Community Mental Health Services
- c. **Developmental Disabilities**
 - i. Ch. 393, F.S. Developmental Disabilities
- d. **Adult Protective Services**
 - i. Ch. 415, F.S. Adult Protective Services
- e. **Forensics**
 - i. Ch. 916, F.S. Mentally Ill and Intellectually Disabled Defendants
 - ii. Ch. 985, F.S. Juvenile Justice; Interstate Compact on Juveniles
 - iii. S. 985.19, F.S. Incompetency in Juvenile Delinquency Cases
 - iv. S. 985.24, F.S. Use of detention; prohibitions
- f. **State Administrative Procedures and Services**
 - i. Ch. 119, F.S. Public Records
 - ii. Ch. 120, F.S. Administrative Procedures Act
 - iii. Ch. 287, F.S. Procurement of Personal Property and Services
 - iv. Ch. 435, F.S. Employment Screening
 - v. Ch. 815, F.S. Computer-Related Crimes
 - vi. Ch. 817, F.S. Fraudulent Practices
 - vii. S. 112.061, F.S. Per diem and travel expenses of public officers, employees, and authorized persons; statewide travel management system
 - viii. S. 112.3185, F.S. Additional standards for state agency employees
 - ix. S. 215.422, F.S. Payments, warrants, and invoices; processing time limits; dispute resolution; agency or judicial branch compliance
 - x. S. 216.181(16)(b), F.S. Advanced funds for program startup or contracted services

N. FLORIDA ADMINISTRATIVE CODE

- a. **Child Welfare and Community Based Care**
 - i. Ch. 65C-45, F.A.C. Levels of Licensure
 - ii. Ch. 65C-46, F.A.C. Child-Caring Agency Licensing
 - iii. Ch. 65C-15, F.A.C. Child-Placing Agencies
- b. **Substance Abuse and Mental Health Services**
 - i. Ch. 65D-30, F.A.C. Substance Abuse Services Office
 - ii. Ch. 65E-4, F.A.C. Community Mental Health Regulation

- iii. Ch. 65E-5, F.A.C. Mental Health Act Regulation
- iv. Ch. 65E-9, F.A.C. Licensure of Residential Treatment Centers
- v. Ch. 65E-11, F.A.C. Behavioral Health Services
- vi. Ch. 65E-12, F.A.C. Public Mental Health Crisis Stabilization Units and Short Term Residential Treatment Programs
- vii. Ch. 65E-14, F.A.C. Community Substance Abuse and Mental Health Services – Financial Rules
- viii. 65E-16, F.A.C. Indigent Psychiatric Medication Program
- ix. Ch. 65E-20, F.A.C. Forensic Client Services Act Regulation
- x. Ch. 65E-26, F.A.C. Substance Abuse and Mental Health Priority Populations and Services

O. Financial Penalties

- a. Ch. 65-29, F.A.C. Penalties on Service Providers

P. MISCELLANEOUS

a. Department of Children and Families Operating Procedures

- i. CFOP 155-10 / 175-40 Services for Children with Mental Health and Any Other Co-Occurring Substance Abuse or Developmental Disability Treatment Needs in Out-of-Home Care Placements
- ii. CFOP 155-11 Title XXI Behavioral Health Network
- iii. CFOP 155-47 Processing Referrals From The Department Of Corrections
- iv. CFOP 215-6 Incident Reporting and Analysis System (IRAS)

b. Standards applicable to Cost Principles, Audits, Financial Assistance and Administrative Requirements

- i. S. 215.425, F.S. Extra Compensation Claims prohibited; bonuses; severance pay
- ii. S. 215.97, F.S. Florida Single Audit Act
- iii. S. 215.971, F.S. Agreements funded with federal or state assistance
- iv. Ch. 65I-42, F.A.C. Travel Expenses
- v. Ch. 69I-5, F.A.C. State Financial Assistance
- vi. CFO's Memorandum No. 01
Contract and Grant Reviews and Related Payment Processing Requirements
- vii. CFO's Memorandum No. 02
Reference Guide for State Expenditures
- viii. Comptroller's Memorandum No. 04
Guidance on all Contractual Service Agreements Pursuant to Section 215.971, Florida Statutes
- ix. CFO's Memorandum No. 20
Compliance Requirements for Agreements
- x. 2 CFR, Part 180
Office of Management and Budget Guidelines to Agencies on Government Wide Debarment and Suspension (Non-procurement)
- xi. 2 CFR., Part 200
Office of Management and Budget Guidance - Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, available at

- xii. 2 CFR, Part 300 <https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200>
Department of Health and Human Services - Office of Management and Budget Guidance - Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, Adoption of 2 CFR Part 200
- xiii. 45 CFR, Part 75 Uniform Administration Requirements, Cost Principles, and Audit Requirements for HHS Awards

Q. Data Collection and Reporting Requirements

- a. § 394.74(3)(e), F.S. Data Submission
- b. § 394.9082, F.S. Behavioral health managing entities
- c. § 394.77, F.S. Uniform management information, accounting, and reporting systems for providers
- d. § 397.321(3)(c), F.S. Data collection and dissemination system
- e. DCF PAM 155-2 Financial and Services Accountability Management System (FASAMS)

The State and Federal Laws, Rules, and Regulations will be administered according to DCF Exhibit A2, which can be found at following link using the applicable fiscal year:
<https://www.myflfamilies.com/services/samh/samh-providers/managing-entities>