

62A-15-712 Responsibilities of the Division of Substance Abuse and Mental Health.

- (1) The division shall ensure that the requirements of this part are met and applied uniformly by local mental health authorities across the state.
- (2) Because the division must, under Section 62A-15-103, contract with, review, approve, and oversee local mental health authority plans, and withhold funds from local mental health authorities and public and private providers for contract noncompliance or misuse of public funds, the division shall:
 - (a) require each local mental health authority to submit its plan to the division by May 1 of each year; and
 - (b) conduct an annual program audit and review of each local mental health authority in the state, and its contract provider.
- (3) The annual audit and review described in Subsection (2)(b) shall, in addition to items determined by the division to be necessary and appropriate, include a review and determination regarding whether or not:
 - (a) public funds allocated to local mental health authorities are consistent with services rendered and outcomes reported by it or its contract provider; and
 - (b) each local mental health authority is exercising sufficient oversight and control over public funds allocated for mental health programs and services.
- (4) The Legislature may refuse to appropriate funds to the division if the division fails to comply with the procedures and requirements of this section.

Amended by Chapter 167, 2013 General Session