



Rules of
Department of Mental Health
Division 10—Director, Department of Mental Health
Chapter 1—Organization and Description

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**Title 9—DEPARTMENT OF
MENTAL HEALTH**
**Division 10—Director, Department of
Mental Health**
**Chapter 1—Organization and
Description**

9 CSR 10-1.010 General Organization

PURPOSE: This rule describes the organization of the department and where the public may obtain information about the department as required by section 536.023, RSMo.

(1) The Department of Mental Health (DMH) was established by the Omnibus Reorganization Act of 1974. Under Chapter 630, RSMo the department shall administer, maintain, and develop facilities and services for persons affected by mental disorders, developmental disabilities, and alcohol or drug abuse. The department further seeks to reduce the incidence and prevalence of disabling conditions; to systematically plan on a regional and statewide basis for the provision of services; to certify or license, or both, certain residential facilities, day programs, and specialized services; to conduct research and program evaluation to improve services; and to develop staff and analyze mental health manpower needs.

(2) As set out in section 630.015, RSMo, the State Mental Health Commission appoints the department director with the advice and consent of the senate. The director serves at the pleasure of the commission. As set out in section 630.025, RSMo, the commission sets the salary of the department director. The other statutory duties of the commission are mainly advisory as set out in section 630.015, RSMo. Membership and meeting requirements of the commission are set out in section 630.010, RSMo.

(3) The department director heads the department as its chief executive officer as set out in section 630.025, RSMo to perform the duties and exercise the powers as may be imposed or conferred upon him/her by law.

(4) The department service delivery system is divided into the following two (2) divisions as described in other rules of this title: the Division of Behavioral Health and the Division of Developmental Disabilities.

(A) The Division of Behavioral Health provides comprehensive mental health and substance use disorder prevention, treatment, and recovery services. The division oversees state-operated facilities for people with serious mental illnesses and children with severe emo-

tional disturbances. Community-based treatment is provided through contracted, certified agencies that serve children, youth, and adults. Recovery services support individuals in recovery from serious mental illness or substance use disorders. Prevention services are provided through a network of contracted, certified agencies that offer education and early intervention activities for children, youth, and families. Prevention Resource Centers are the primary source of technical assistance for local communities.

(B) The Division of Developmental Disabilities serves a population that has such developmental disabilities as cerebral palsy, head injury, autism, epilepsy, and certain learning disabilities. Such conditions must have been manifested before age twenty-two (22) with the expectation that they will continue. To be eligible for services from the division, persons with these disabilities must have substantial functional limitations in two (2) or more of the following areas of major life activities: self-care, receptive and expressive language development and use, learning, self-direction, capacity for independent living or economic self-sufficiency, and mobility. This division's primary mission is to assist persons with developmental disabilities through programs and services to enable those persons to live independently and productively.

(5) The department provides administrative and technical support for the entire department and its divisions through the following units:

(A) The Division of Administration provides a range of administrative and financial services to help the department achieve effective results. The office's services can be divided into the following areas:

1. Budget and Finance;
2. Accounting;
3. Purchasing and General Services; and
4. Medicaid Reimbursements;

(B) The Office of Human Resources is responsible for supplying administrative support for employment, labor relations, recruitment, compensation management, and affirmative action. The Office of Human Resources' phone number is (573) 751-4991;

(C) The Office of Public and Legislative Affairs disseminates information to the public concerning mental health programs and services. The office works with state and local officials, stakeholders, the public, and other state departments to advocate for the department's objectives by advancing legislative initiatives designed to develop sound public policies relating to mental health services. The Office of Public and Legislative Affairs' phone number is (573) 751-1647;

(D) The Office of Constituent Services advocates for individuals (and their families) who receive services for developmental disabilities, mental illnesses, and substance use disorders, and responds to issues regarding consumer rights. The phone number of the Office of Constituent Services is (573) 751-8088, or toll-free at 1-800-364-9687; and

(E) The Office of Deaf Services provides training, consultation, and technical assistance to DMH facilities and contracted providers delivering mental health services to eligible individuals who are deaf or hard of hearing. The office also oversees policy development, best practices, and program development informed by advisory input from DMH stakeholders. The phone number of the Office of Deaf Services is (573) 526-1857.

(6) In accordance with various authorizing statutes, the department promulgates rules by filing them with the secretary of state. The department also adopts department-wide operating regulations concerning its internal management. Each facility adopts policies that are directly relevant only to its own operations. Rules are available at the department central office for public inspection and review, as well as online at the secretary of state's website at <https://www.sos.mo.gov/adrules/csr/current/9csr/9csr>.

(7) A records custodian, appointed by the department director, is responsible for the maintenance of the department's records. Procedures for the release of information on any meeting, record, or vote is available from the records custodian directly, located at the Department of Mental Health, 1706 East Elm Street, PO Box 687, Jefferson City, MO 65102. The records custodian shall also provide information on charges for record copying, timelines for producing records, and assistance for persons with disabilities, for example, large print or Braille materials.

AUTHORITY: sections 536.023 and 630.050, RSMo 2016. Original rule filed April 8, 1976, effective July 12, 1976. Rescinded and readopted: Filed April 14, 1981, effective Aug. 17, 1981. Amended: Filed May 25, 1995, effective Nov. 30, 1995. Amended: Filed July 1, 1997, effective Dec. 30, 1997. Amended: Filed April 17, 2002, effective Oct. 30, 2002. Amended: Filed March 9, 2018, effective Oct. 30, 2018.*

**Original authority: 536.023, RSMo 1975, amended 1976, 1997, 2004 and 630.050, RSMo 1980, amended 1993, 1995, 2008.*

Op. Atty. Gen. No. 70, Wilson (8-27-79).



Except under the interstate compact on mental health, the Department of Mental Health does not have the authority to place patients out of the state.

Op. Atty. Gen. No. 228, Robb (6-28-73). *The Division of Mental Health has the authority and the duty to charge for the care and treatment of a juvenile committed to the Division of Mental Health by the juvenile court or transferred to the Division of Mental Health from the State Board of Training Schools pursuant to section 211.201, RSMo if such person is determined to be a private patient pursuant to the provisions of section 202.863, RSMo.*

Op. Atty. Gen. No. 60, Robb (1-17-73). *The Division of Mental Health is required to adopt rules for all institutions accepting the mentally retarded including facilities operated by the division itself. Homes and institutions which are licensed under the provisions of chapter 198, RSMo as nursing homes by the Division of Health and which come within the provisions of section 202.905, RSMo, must also be licensed by the Division of Mental Health and must conform to the rules promulgated by the respective divisions.*

Op. Atty. Gen. No. 66, Nanson (6-18-58). *The Division of Mental Diseases may charge pay patients in state hospitals the maximum amount fixed by the division for each institution or any amount below that maximum based upon the ability, or means of the patient, to pay. A husband is liable for the support of his wife unless she has abandoned him/her without good cause or has abandoned him/her with cause, and has contracted an adulterous relationship consequently; that a husband is liable for the support of his minor children; that in the absence of the husband or his inability to support minor children the same obligation devolves upon the wife. Persons who adopt a child and persons who stand in the position of in **loco parentis** have the same duty to support as do natural parents.*

9 CSR 10-1.030 Guidelines for Membership on Regional Developmental Disabilities Advisory Councils
(Moved to 9 CSR 45-6.010)