

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

A Bill

SENATE BILL 213

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE DEPARTMENT OF HUMAN
10 SERVICES - DIVISION OF BEHAVIORAL HEALTH FOR THE
11 FISCAL YEAR ENDING JUNE 30, 2014; AND FOR OTHER
12 PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE DEPARTMENT OF HUMAN
16 SERVICES - DIVISION OF BEHAVIORAL HEALTH
17 APPROPRIATION FOR THE 2013-2014 FISCAL
18 YEAR.
19
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21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established
25 for the Department of Human Services - Division of Behavioral Health for the
26 2013-2014 fiscal year, the following maximum number of regular employees.
27

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2013-2014
32	(1) L005N	PSYCHIATRIC SPECIALIST	2	GRADE N919
33	(2) N182N	ASH CHIEF OPERATING OFFICER	1	GRADE N918
34	(3) L009N	DHS BEHAV HLTH GENERAL PHYSICIAN	6	GRADE N917
35	(4) L011N	DENTIST	1	GRADE N916
36	(5) L014N	DIRECTOR OF PHARMACY	1	GRADE N914



1	(6)	L016N	REGISTERED PHARMACIST	2	GRADE N911
2	(7)	N019N	DHS DEP DIR BEHAV HLTH SERVICES	1	GRADE N910
3	(8)	N183N	DIR OF PREVENTION, TREATMENT & RECOV	1	GRADE N910
4	(9)	N184N	DHS DIR PROG IMPROV & INVESTIGATION	1	GRADE N908
5	(10)	N088N	DHS AHC DIRECTOR OF NURSING	1	GRADE N906
6	(11)	N087N	DHS BEHAV HLTH DIR HOSPITAL OPS	1	GRADE N906
7	(12)	N103N	DHS MENTAL HEALTH CENTER DIRECTOR	1	GRADE N906
8	(13)	N128N	DHS ASST DIR QUALITY ASSURANCE	1	GRADE N904
9	(14)	N123N	DHS/DBHS ASST DIR FOR FINANCE	1	GRADE N904
10	(15)	N185N	DIR OF OUTCOMES MGMT & PRACTICE IMPR	1	GRADE N904
11	(16)	N135N	DHS AHC NURSING HOME ADMINISTRATOR	1	GRADE N903
12	(17)	N156N	BEHAV HLTH ASST DIR CHILDRENS SVCS	1	GRADE N901
13	(18)	N152N	DHS/DBHS ASSISTANT DIR ADMIN SVCS	1	GRADE N901
14	(19)	N153N	DHS/DBHS CLINICAL DIRECTOR	1	GRADE N901
15	(20)	L022N	OCCUPATIONAL THERAPIST	3	GRADE N901
16	(21)	L021N	PHYSICAL THERAPIST	1	GRADE N901
17	(22)	N162N	STATE DRUG PREVENTION DIRECTOR	1	GRADE N901
18	(23)	L001C	PSYCHOLOGIST SUPERVISOR	2	GRADE C129
19	(24)	G025C	ATTORNEY SUPERVISOR	1	GRADE C127
20	(25)	M002C	DHS BEHAV HLTH ASSOC DIR, AHC	1	GRADE C127
21	(26)	M003C	DHS BEHAV HLTH CHLDRNS SYS CARE DIR	1	GRADE C127
22	(27)	L003C	PSYCHOLOGIST	6	GRADE C127
23	(28)	L006C	ASSOCIATE DIRECTOR OF NURSING	3	GRADE C126
24	(29)	L011C	DHS ALCOHOL/DRUG ABUSE PREV ASST DEP	1	GRADE C125
25	(30)	A024C	DHS DIVISION CHIEF FISCAL OFFICER	2	GRADE C125
26	(31)	L009C	NURSE MANAGER	8	GRADE C125
27	(32)	M004C	RESIDENTIAL OPERATIONS MANAGER	1	GRADE C125
28	(33)	L015C	CLINICAL SPEECH PATHOLOGIST	2	GRADE C124
29	(34)	L024C	DHS BEHAV HLTH FACILITY ADMIN	2	GRADE C123
30	(35)	G099C	DHS PROGRAM ADMINISTRATOR	5	GRADE C122
31	(36)	A041C	PROGRAM FISCAL MANAGER	1	GRADE C122
32	(37)	L027C	REGISTERED NURSE SUPERVISOR	19	GRADE C122
33	(38)	A052C	ACCOUNTING COORDINATOR	1	GRADE C121
34	(39)	M010C	FAMILY SERVICE WORKER CLINICAL SPEC	2	GRADE C121
35	(40)	M009C	LICENSED CERTIFIED SOCIAL WORKER	31	GRADE C121
36	(41)	S004C	MAINTENANCE MANAGER	1	GRADE C121

1	(42)	L036C	NURSE INSTRUCTOR	1	GRADE C121
2	(43)	R014C	PERSONNEL MANAGER	3	GRADE C121
3	(44)	L033C	PSYCHOLOGICAL EXAMINER	4	GRADE C121
4	(45)	L032C	REGISTERED NURSE - HOSPITAL	62	GRADE C121
5	(46)	G131C	DHS BEHAV HLTH MED BUS PRACTICES ADM	1	GRADE C120
6	(47)	T031C	DHS BEHAV HLTH PUBLIC SAFETY DIR	2	GRADE C120
7	(48)	L040C	DIETARY SERVICES DIRECTOR	2	GRADE C120
8	(49)	D057C	INFORMATION TECHNOLOGY MANAGER	1	GRADE C120
9	(50)	G124C	OMBUDSMAN	1	GRADE C120
10	(51)	L038C	REGISTERED NURSE	8	GRADE C120
11	(52)	E023C	TRAINING PROJECT MANAGER	1	GRADE C120
12	(53)	V008C	BUYER SUPERVISOR	1	GRADE C119
13	(54)	E035C	CERTIFIED MASTERS TEACHER	1	GRADE C119
14	(55)	D062C	DATABASE ANALYST	2	GRADE C119
15	(56)	L044C	DHS BEHAV HLTH CASE REVIEW ANALYST	1	GRADE C119
16	(57)	G152C	DHS PROGRAM MANAGER	7	GRADE C119
17	(58)	G147C	GRANTS COORDINATOR	1	GRADE C119
18	(59)	X062C	QUALITY ASSURANCE COORDINATOR	1	GRADE C119
19	(60)	A063C	RESEARCH & STATISTICS SUPERVISOR	1	GRADE C119
20	(61)	A060C	SENIOR AUDITOR	1	GRADE C119
21	(62)	R024C	ASSISTANT PERSONNEL MANAGER	1	GRADE C118
22	(63)	L050C	CERTIFIED RESPIRATORY THERAPY TECH	4	GRADE C118
23	(64)	A074C	FISCAL SUPPORT SUPERVISOR	3	GRADE C118
24	(65)	M026C	LICENSED SOCIAL WORKER	5	GRADE C118
25	(66)	M045C	ADULT PROTECTIVE SERVICES WORKER	1	GRADE C117
26	(67)	E044C	CERTIFIED BACHELORS TEACHER	6	GRADE C117
27	(68)	L056C	DHS BEHAV HLTH REGISTRAR	1	GRADE C117
28	(69)	G184C	DHS PROGRAM CONSULTANT	4	GRADE C117
29	(70)	G183C	DHS PROGRAM COORDINATOR	20	GRADE C117
30	(71)	T052C	DHS/DBHS PUBLIC SAFETY SUPERVISOR	8	GRADE C117
31	(72)	L055C	DIETICIAN	1	GRADE C117
32	(73)	G180C	GRANTS ANALYST	5	GRADE C117
33	(74)	R025C	HUMAN RESOURCES ANALYST	1	GRADE C117
34	(75)	S017C	MAINTENANCE COORDINATOR	2	GRADE C117
35	(76)	P020C	PRODUCTION ARTIST	1	GRADE C117
36	(77)	L051C	REHABILITATION COUNSELOR	2	GRADE C117

1	(78)	B076C	RESEARCH PROJECT ANALYST	5	GRADE C117
2	(79)	C022C	BUSINESS OPERATIONS SPECIALIST	1	GRADE C116
3	(80)	P031C	MEDIA SPECIALIST	1	GRADE C116
4	(81)	T055C	PUBLIC SAFETY OFFICER	27	GRADE C116
5	(82)	S022C	SKILLED TRADES SUPERVISOR	7	GRADE C116
6	(83)	S021C	WATER FILTER/WASTE DISPOSAL PLNT SUP	1	GRADE C116
7	(84)	C037C	ADMINISTRATIVE ANALYST	10	GRADE C115
8	(85)	D079C	COMPUTER SUPPORT TECHNICIAN	2	GRADE C115
9	(86)	A091C	FISCAL SUPPORT ANALYST	2	GRADE C115
10	(87)	D077C	HELP DESK SPECIALIST	1	GRADE C115
11	(88)	L062C	LICENSED PRACTICAL NURSE SUPERVISOR	14	GRADE C115
12	(89)	S033C	MAINTENANCE SUPERVISOR	2	GRADE C115
13	(90)	C028C	MEDICAL RECORDS SUPERVISOR	1	GRADE C115
14	(91)	A090C	PAYROLL SERVICES SPECIALIST	2	GRADE C115
15	(92)	G204C	PLANNING SPECIALIST	2	GRADE C115
16	(93)	V015C	PURCHASING SPECIALIST	1	GRADE C115
17	(94)	X136C	QUALITY ASSURANCE REVIEWER	2	GRADE C115
18	(95)	S031C	SKILLED TRADESMAN	24	GRADE C115
19	(96)	S030C	WATER FILTER/WASTE DISPOSAL PLNT OP	2	GRADE C115
20	(97)	S041C	BOILER OPERATOR	3	GRADE C114
21	(98)	S044C	FOOD PREPARATION MANAGER	2	GRADE C114
22	(99)	M066C	PROGRAM ELIGIBILITY SPECIALIST	4	GRADE C114
23	(100)	L064C	RADIOLOGY TECHNICIAN	1	GRADE C114
24	(101)	M065C	RECREATIONAL ACTIVITY SUPERVISOR	3	GRADE C114
25	(102)	E051C	STAFF DEVELOPMENT SPECIALIST	1	GRADE C114
26	(103)	S099C	STATIONARY ENGINEER	1	GRADE C114
27	(104)	V018C	WAREHOUSE MANAGER	1	GRADE C114
28	(105)	C050C	ADMINISTRATIVE SUPPORT SUPERVISOR	1	GRADE C113
29	(106)	R036C	HUMAN RESOURCES SPECIALIST	6	GRADE C113
30	(107)	V020C	INVENTORY CONTROL MANAGER	4	GRADE C113
31	(108)	L069C	LICENSED PRACTICAL NURSE	135	GRADE C113
32	(109)	S046C	MAINTENANCE TECHNICIAN	3	GRADE C113
33	(110)	L067C	PSYCHOLOGICAL INTERN	3	GRADE C113
34	(111)	C043C	RECORDS MANAGEMENT ANALYST	5	GRADE C113
35	(112)	L066C	REHABILITATION INSTRUCTOR	41	GRADE C113
36	(113)	T072C	SECURITY OFFICER SUPERVISOR	1	GRADE C113

1	(114)	C056C	ADMINISTRATIVE SPECIALIST III	50	GRADE C112
2	(115)	R037C	BENEFITS TECHNICIAN	2	GRADE C112
3	(116)	A098C	FISCAL SUPPORT SPECIALIST	6	GRADE C112
4	(117)	A097C	PAYROLL TECHNICIAN	2	GRADE C112
5	(118)	V022C	PURCHASING TECHNICIAN	1	GRADE C112
6	(119)	S056C	FOOD PREPARATION SUPERVISOR	11	GRADE C111
7	(120)	M076C	RECREATIONAL ACTIVITY LEADER II	30	GRADE C111
8	(121)	V023C	STOREROOM SUPERVISOR	1	GRADE C111
9	(122)	B111C	LABORATORY TECHNICIAN	1	GRADE C110
10	(123)	T084C	PUBLIC SAFETY SECURITY OFFICER	45	GRADE C110
11	(124)	L074C	THERAPY ASSISTANT	3	GRADE C110
12	(125)	V025C	WAREHOUSE SPECIALIST	1	GRADE C110
13	(126)	C073C	ADMINISTRATIVE SPECIALIST II	17	GRADE C109
14	(127)	L082C	CERTIFIED NURSING ASSISTANT	157	GRADE C109
15	(128)	L080C	DIETETIC TECHNICIAN	2	GRADE C109
16	(129)	M082C	RECREATIONAL ACTIVITY LEADER I	4	GRADE C109
17	(130)	E056C	TEACHER ASSISTANT	3	GRADE C109
18	(131)	M084C	BEHAV HLTH AIDE	78	GRADE C108
19	(132)	C078C	CASHIER	1	GRADE C108
20	(133)	A102C	FISCAL SUPPORT TECHNICIAN	1	GRADE C108
21	(134)	S067C	HOUSEKEEPER SUPERVISOR	1	GRADE C108
22	(135)	V027C	INVENTORY CONTROL TECHNICIAN	7	GRADE C108
23	(136)	M083C	RESIDENTIAL CARE TECHNICIAN	4	GRADE C108
24	(137)	S070C	EQUIPMENT TECHNICIAN	8	GRADE C107
25	(138)	C087C	ADMINISTRATIVE SPECIALIST I	7	GRADE C106
26	(139)	L086C	PHARMACY ASSISTANT	2	GRADE C106
27	(140)	V028C	WAREHOUSE WORKER	2	GRADE C106
28	(141)	C088C	MAIL SERVICES ASSISTANT	1	GRADE C105
29	(142)	V030C	SHIPPING & RECEIVING CLERK	3	GRADE C105
30	(143)	S086C	COOK	1	GRADE C104
31	(144)	S085C	FOOD PREPARATION SPECIALIST	8	GRADE C104
32	(145)	S084C	INSTITUTIONAL SERVICES SUPERVISOR	4	GRADE C104
33	(146)	S087C	INSTITUTIONAL SERVICES ASSISTANT	53	GRADE C103
34	(147)	S089C	FOOD PREPARATION TECHNICIAN	43	GRADE C102
35	(148)	V031C	STOCK CLERK	<u>2</u>	GRADE C102
36			MAX. NO. OF EMPLOYEES	1,172	

1
 2 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for
 3 the Department of Human Services - Division of Behavioral Health for the
 4 2013-2014 fiscal year, the following maximum number of part-time or temporary
 5 employees, to be known as "Extra Help", payable from funds appropriated
 6 herein for such purposes: three hundred thirty-six (336) temporary or part-
 7 time employees, when needed, at rates of pay not to exceed those provided in
 8 the Uniform Classification and Compensation Act, or its successor, or this
 9 act for the appropriate classification.

10
 11 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby
 12 appropriated, to the Department of Human Services - Division of Behavioral
 13 Health, to be payable from the Behavioral Health Services Fund Account, for
 14 personal services and operating expenses of the Department of Human Services
 15 - Division of Behavioral Health - State Operations for the fiscal year ending
 16 June 30, 2014, the following:

17

18 ITEM	FISCAL YEAR
19 <u>NO.</u>	<u>2013-2014</u>
20 (01) REGULAR SALARIES	\$41,585,468
21 (02) EXTRA HELP	6,627,619
22 (03) PERSONAL SERVICES MATCHING	16,976,410
23 (04) OVERTIME	4,227,283
24 (05) MAINT. & GEN. OPERATION	
25 (A) OPER. EXPENSE	22,327,916
26 (B) CONF. & TRAVEL	67,515
27 (C) PROF. FEES	10,090,310
28 (D) CAP. OUTLAY	3,000,000
29 (E) DATA PROC.	0
30 (06) GRANTS/PATIENT SERVICES	26,102,959
31 (07) MENTAL HEALTH CTR TRANSFER	<u>2,599,382</u>
32 TOTAL AMOUNT APPROPRIATED	<u>\$133,604,862</u>

33
 34 SECTION 4. APPROPRIATION - COMMUNITY ALCOHOL SAFETY OPERATIONS. There
 35 is hereby appropriated, to the Department of Human Services - Division of
 36 Behavioral Health, to be payable from the Highway Safety Special Fund, for

1 personal services and operating expenses of the Department of Human Services
 2 - Division of Behavioral Health - Community Alcohol Safety Operations for the
 3 fiscal year ending June 30, 2014, the following:

4

5 ITEM	FISCAL YEAR
6 <u>NO.</u>	<u>2013-2014</u>
7 (01) REGULAR SALARIES	\$69,201
8 (02) PERSONAL SERVICES MATCHING	25,908
9 (03) MAINT. & GEN. OPERATION	
10 (A) OPER. EXPENSE	95,195
11 (B) CONF. & TRAVEL	8,298
12 (C) PROF. FEES	0
13 (D) CAP. OUTLAY	0
14 (E) DATA PROC.	0
15 (04) COMMUNITY ALCOHOL SAFETY GRANTS AND	
16 AID	<u>3,895,445</u>
17 TOTAL AMOUNT APPROPRIATED	<u><u>\$4,094,047</u></u>

18

19 SECTION 5. APPROPRIATION - CANTEENS - CASH. There is hereby
 20 appropriated, to the Department of Human Services - Division of Behavioral
 21 Health, to be payable from the cash fund deposited in the State Treasury as
 22 determined by the Chief Fiscal Officer of the State, for operating expenses
 23 of the Department of Human Services - Division of Behavioral Health -
 24 Canteens - Cash for the fiscal year ending June 30, 2014, the following:

25

26 ITEM	FISCAL YEAR
27 <u>NO.</u>	<u>2013-2014</u>
28 (01) MAINT. & GEN. OPERATION	
29 (A) OPER. EXPENSE	\$174,048
30 (B) CONF. & TRAVEL	0
31 (C) PROF. FEES	0
32 (D) CAP. OUTLAY	0
33 (E) DATA PROC.	<u>0</u>
34 TOTAL AMOUNT APPROPRIATED	<u><u>\$174,048</u></u>

35

36 SECTION 6. APPROPRIATION - PATIENT BENEFITS - CASH. There is hereby

1 appropriated, to the Department of Human Services - Division of Behavioral
 2 Health, to be payable from the cash fund deposited in the State Treasury as
 3 determined by the Chief Fiscal Officer of the State, for benefits of the
 4 patients of the Department of Human Services - Division of Behavioral Health
 5 for the fiscal year ending June 30, 2014, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2013-2014</u>
(01) PATIENT BENEFIT FUND	<u>\$75,000</u>

11 SECTION 7. APPROPRIATION - COMMUNITY MENTAL HEALTH CENTERS. There is
 12 hereby appropriated, to the Department of Human Services - Division of
 13 Behavioral Health, to be payable from the Behavioral Health Services Fund
 14 Account, for state assistance to the Community Mental Health Centers by the
 15 Department of Human Services - Division of Behavioral Health for the fiscal
 16 year ending June 30, 2014, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2013-2014</u>
(01) STATE ASSISTANCE	<u>\$8,780,603</u>

22 SECTION 8. APPROPRIATION - BLOCK GRANT - FEDERAL. There is hereby
 23 appropriated, to the Department of Human Services - Division of Behavioral
 24 Health, to be payable from the federal funds as designated by the Chief
 25 Fiscal Officer of the State, for grant payments of the Department of Human
 26 Services - Division of Behavioral Health for the fiscal year ending June 30,
 27 2014, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2013-2014</u>
(01) MENTAL HEALTH BLOCK GRANT	<u>\$6,551,312</u>

33 SECTION 9. APPROPRIATION - ACUTE MENTAL HEALTH SERVICES - PER CAPITA.
 34 There is hereby appropriated, to the Department of Human Services - Division
 35 of Behavioral Health, to be payable from the Behavioral Health Services Fund
 36 Account, for acute mental health services within community-based settings of

1 the catchment areas served by Community Mental Health Centers licensed and
 2 certified by the Division of Behavioral Health of the Department of Human
 3 Services for the fiscal year ending June 30, 2014, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2013-2014</u>
(01) ACUTE MENTAL HEALTH SERVICES-PER CAPITA	<u>\$5,633,293</u>

9
 10 SECTION 10. APPROPRIATION - ALCOHOL AND DRUG ABUSE PREVENTION. There
 11 is hereby appropriated, to the Department of Human Services - Division of
 12 Behavioral Health, to be payable from the Drug Abuse Prevention and Treatment
 13 Fund, for education, drug abuse prevention and treatment services of the
 14 Department of Human Services - Division of Behavioral Health - Alcohol and
 15 Drug Abuse Prevention for the fiscal year ending June 30, 2014, the
 16 following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2013-2014</u>
(01) EDUCATION/PREVENTION/TREATMENT	<u>\$21,775,777</u>

21
 22 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 24 BEHAVIORAL HEALTH SERVICES - ALLOCATION RESTRICTIONS. There is hereby
 25 allocated to the Community Mental Health Centers, as set out herein, the
 26 following amounts of the funds appropriated for State Assistance in the
 27 Behavioral Health Services - Community Mental Health Centers appropriation,
 28 to the Department of Human Services - Behavioral Health Services Division,
 29 there to be used as provided by law, for the fiscal year ending June 30,
 30 ~~2013~~ 2014, the following:

Item	Maximum Allocation	
No. Mental Health Center	2012-13	<u>2013-14</u>
(01) OZARK GUIDANCE CENTER, INC.		\$1,151,920
(02) HEALTH RESOURCES OF ARKANSAS, INC\OCS		1,076,134
(03) DELTA COUNSELING ASSOCIATES, INC.		279,144

1	(04) SOUTH ARKANSAS REGIONAL HEALTH CENTER	410,327
2	(05) SOUTHEAST ARKANSAS BEHAVIORAL HEALTHCARE SYS. INC.	474,778
3	(06) SOUTHWEST ARKANSAS COUNSELING	
4	& MENTAL HEALTH CENTER, INC.	381,894
5	(07) COMMUNITY COUNSELING SERVICES, INC.	533,770
6	(08) WESTERN ARK. COUNSELING & GUIDANCE CENTER	787,607
7	(09) COUNSELING ASSOCIATES, INC.	705,982
8	(10) COUNSELING CLINIC, INCORPORATED	274,345
9	(11) PROFESSIONAL COUNSELING ASSOCIATES	798,459
10	(12) LITTLE ROCK CMHC	593,619
11	(13) MID-SOUTH HEALTH SYSTEMS	<u>1,312,624</u>
12	TOTAL AMOUNT ALLOCATED	\$8,780,603

13 The additional funding provided by this provision shall supplement and not
 14 supplant any monies currently funding state assistance to Community Mental
 15 Health Centers.

16 The requirements in this section shall only be implemented in accordance
 17 with any necessary approval by the Centers for Medicare and Medicaid
 18 Services, and in the event that additional general revenue funding is
 19 provided by the General Assembly for these purposes. Should additional
 20 funding provided for these purposes be insufficient to provide for the
 21 increases in full, the increases shall be provided to the extent that funding
 22 is made available.

23 The provisions of this section shall be in effect only from July 1, ~~2012~~
 24 2013 through June 30, ~~2013~~ 2014.

25
 26 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 28 BEHAVIORAL HEALTH SERVICES - ALLOCATION RESTRICTION AND TRANSFER PROVISION.
 29 Of the amounts allocated in the BEHAVIORAL HEALTH SERVICES - ALLOCATION
 30 RESTRICTIONS section above, it is the intent of the General Assembly that
 31 such amounts are to be the maximum expended in the applicable fiscal year
 32 from the funds as appropriated for State Assistance in the Behavioral Health
 33 Services - Community Mental Health Centers appropriation for the benefit of
 34 the appropriate program so enumerated. Provided, however, in the event that
 35 unforeseen circumstances occur in the fiscal year which would necessitate a
 36 transfer of the maximum allocation provided the BEHAVIORAL HEALTH SERVICES -

1 ALLOCATION RESTRICTIONS section above from one or more programs to another
 2 program or programs as enumerated in the BEHAVIORAL HEALTH SERVICES -
 3 ALLOCATION RESTRICTIONS section above, the Behavioral Health Services
 4 Division with the approval of the Director of the Department of Human
 5 Services shall make its request known, and the reasons thereof, to the Office
 6 of Budget, Department of Finance and Administration in such form and detail
 7 as may be required by the Chief Fiscal Officer of the State. If approved,
 8 such transfer approval shall be transmitted to the Bureau of Legislative
 9 Research who shall make a report of the transfer and the reasons thereof to
 10 the Arkansas Legislative Council at least quarterly.

11 The provisions of this section shall be in effect only from July 1, ~~2012~~
 12 2013 through June 30, ~~2013~~ 2014.

13
 14 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

16 BEHAVIORAL HEALTH SERVICES - LEGISLATIVE AUDIT OF MENTAL HEALTH CENTERS.
 17 Every Mental Health Center eligible to receive any of the funds appropriated
 18 for State Assistance in the Behavioral Health Services - Community Mental
 19 Health Centers appropriation in this Act shall, as a condition of receiving
 20 any such funds, be subject to an annual audit of the overall operation of
 21 such Mental Health Center by the Division of Legislative Audit. The Mental
 22 Health Centers shall submit a budget to the Behavioral Health Services
 23 Division, Department of Human Services, and the Arkansas Legislative Council
 24 and go through the budget procedures process in the same manner as State
 25 departments, agencies, institutions, boards and commissions. Budgets shall be
 26 submitted based on operating revenues and expenses of each Center and each
 27 Center shall provide information related to financial status requested by the
 28 Legislative Council and/or Joint Budget Committee.

29 The provisions of this section shall be in effect only from July 1, ~~2012~~
 30 2013 through June 30, ~~2013~~ 2014.

31
 32 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

34 BEHAVIORAL HEALTH SERVICES - APPORTIONMENT OF FUNDS. All funds appropriated
 35 under the provisions of the State Assistance line item in the Behavioral
 36 Health Services - Community Mental Health Centers appropriation in this Act

1 shall be apportioned on the basis of three dollars and six cents (\$3.06) per
 2 capita for fiscal year ~~2012-2013~~ 2013-2014 or so much thereof as funds shall
 3 become available. Additional funds shall be apportioned on the basis of fifty
 4 cents (\$.50) per capita or a one-to-one State/Local funds matching basis for
 5 the fiscal year ending June 30, ~~2013~~ 2014. The total \$8,780,603 allocated for
 6 FY ~~2012-2013~~ 2013-2014 shall be distributed to the community mental health
 7 centers as described in this section.

8 The provisions of this section shall be in effect only from July 1, ~~2012~~
 9 2013 through June 30, ~~2013~~ 2014.

10
 11 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

13 BEHAVIORAL HEALTH SERVICES - GRANTS-IN-AID CONDITIONS FOR RECEIVING FUNDS.

14 Only locally-operated Centers and Clinics licensed or certified by the
 15 Behavioral Health Services Division are eligible to receive funds
 16 appropriated for State Assistance in the Behavioral Health Services -
 17 Community Mental Health Centers appropriation in this Act, and as a condition
 18 of receiving such funds they shall:

19 (1) Meet minimum standards of performance in the delivery of Mental Health
 20 Services as defined by the Department of Human Services, Behavioral Health
 21 Services Division. Such standards will identify priority and/or target
 22 populations to be served. The standards shall describe procedures for
 23 assuring timely service delivery to clients who are within the custody of the
 24 Department of Human Services when such clients are referred to a duly
 25 certified center or clinic. Provided further, all such priorities, policies
 26 and procedures shall be reviewed by the House Aging, Children & Youth,
 27 Legislative and Military Affairs Committee and the Senate Children and Youth
 28 Committee.

29 (2) Supply statistical data to the Department of Human Services,
 30 Behavioral Health Services Division.

31 (3) Establish and maintain a sound financial management system in
 32 accordance with guidelines as set forth by the Department of Human Services,
 33 Behavioral Health Services Division.

34 (4) Establish and maintain community support programs designed to provide
 35 coordinated care and treatment to ensure ongoing therapeutic involvement and
 36 individualized treatment for persons with long-term, severe mental illness.

1 Every community support program shall use a coordinated case management
 2 system and shall provide or assure access to services for persons with long-
 3 term, severe mental illness who reside within the respective catchment area
 4 of the Center. At a minimum, each community support program shall provide
 5 assessment, diagnosis, identification of persons in need of services, case
 6 management, crisis intervention, psychiatric treatment including medication
 7 services and supervision, counseling and psychotherapy, activities of daily
 8 living, housing, protection and advocacy, and psychosocial rehabilitation
 9 which may include services provided by day treatment programs.

10 (5) The Board of Directors of each Center or Clinic licensed or certified
 11 by the Department of Human Services, Behavioral Health Services Division,
 12 shall adopt and submit to the Director, Behavioral Health Services Division,
 13 in the form and according to the procedures specified by the Director,
 14 Behavioral Health Services Division, an annual plan for the delivery of
 15 community support services for persons with long-term, severe mental illness.
 16 Each Center's plan must be approved by the Director, Behavioral Health
 17 Services Division.

18 The provisions of this section shall be in effect only from July 1, ~~2012~~
 19 2013 through June 30, ~~2013~~ 2014.

20
 21 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 23 BEHAVIORAL HEALTH SERVICES - FEDERAL FUNDS. It is the specific intent of the
 24 General Assembly that in the event of the availability of federal funding for
 25 the Division of Behavioral Health Services during the fiscal year ending June
 26 30, ~~2013~~ 2014, that such funding be utilized to conserve or reduce the
 27 expenditure of general revenue except where prohibited by law.

28 The provisions of this section shall be in effect only from July 1, ~~2012~~
 29 2013 through June 30, ~~2013~~ 2014.

30
 31 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 33 BEHAVIORAL HEALTH SERVICES. Pay rates for physicians and chief psychologists
 34 within the Division of Behavioral Health Services may include the special
 35 allowances available to UAMS physicians and professional faculty as described
 36 in the special language of the UAMS appropriation. Part of the salaries of

1 such staff will come from the receipt of professional income in the care of
 2 patients and/or funds received from federal agencies, foundations and other
 3 private sponsors in the support of research. Provided that any such allowance
 4 shall not exceed, for any employee, an amount equal to two and one half times
 5 the salary authorized by the General Assembly. The specific Division of
 6 Behavioral Health classifications covered by this language are:

- 7 Class
- 8 Code Title
- 9 L005N Psychiatric Specialist
- 10 L009N DHS Behavioral Health General Physician
- 11 L001C Psychologist Supervisor

12 Prior to these allowances being made available for an individual, they
 13 will be approved by the Chief Fiscal Officer of the State and reviewed by the
 14 Personnel Committee of the Arkansas Legislative Council or the Joint Budget
 15 Committee.

16 The provisions of this section shall be in effect only from July 1, ~~2012~~
 17 2013 through June 30, ~~2013~~ 2014.

18
 19 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

21 BEHAVIORAL HEALTH SERVICES - VOCATIONAL TRAINEES. The Division of Behavioral
 22 Health Services of the Department of Human Services is hereby authorized to
 23 provide employment opportunities for some of the working residents who are
 24 separate from the currently authorized regular vocational trainee positions.
 25 The positions authorized herein shall not be incorporated into the present
 26 classification system but shall be provided for by each Community Mental
 27 Health Center, or State Hospital, on a cash account basis. It is the intent
 28 of the General Assembly that the authorization of these positions shall
 29 facilitate the Agency's ability to provide for residents who are not part of
 30 a regular vocational training program.

31 The provisions of this section shall be in effect only from July 1, ~~2012~~
 32 2013 through June 30, ~~2013~~ 2014.

33
 34 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

36 BEHAVIORAL HEALTH SERVICES - JOB SHARE. The Division of Behavioral Health

1 Services can utilize job share for positions within the nursing
 2 classification (RN, LPN/LPTN, BHA/CNA) for up to 24 hours per week per
 3 individual. This will allow the Division to offer weekend option shifts to
 4 nursing personnel without increasing the number of positions.

5 The provisions of this section shall be in effect only from July 1, ~~2012~~
 6 2013 through June 30, ~~2013~~ 2014.

7

8 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

10 BEHAVIORAL HEALTH SERVICES - STATE HOSPITAL CONTINGENCY POSITIONS. If the
 11 Department of Human Services determines, and after prior review by the
 12 Legislative Council, it shall be determined that it is in the best interest
 13 of the State of Arkansas to discontinue a management contract with a private
 14 provider and it is deemed necessary to utilize Department staff to provide
 15 the required services, the Director of the Department of Human Services may
 16 request the Department of Finance and Administration to approve the
 17 establishment of one or more additional positions at salary rates not to
 18 exceed the maximum salaries established for comparable positions in the
 19 Uniform Classification and Compensation Act, the Department of Human
 20 Services' Appropriation Act, and the University of Arkansas for Medical
 21 Sciences' Appropriation Act. Upon approval by the Department of Finance and
 22 Administration and after review by the Legislative Council, the Department of
 23 Human Services, Division of Behavioral Health Services may establish such
 24 positions.

25 If the agency requests continuation of a "Growth Pool" position(s) as
 26 established herein, the position(s) must be requested as a new position(s) in
 27 the agency's budget request.

28 The provisions of this section shall be in effect only from July 1, ~~2012~~
 29 2013 through June 30, ~~2013~~ 2014.

30

31 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS
 33 HEALTH CENTER. (A) The Department of Human Services shall not close the
 34 Arkansas Health Center that provides skilled nursing through specialized
 35 services and programs.

36 (B) The Department of Human Services shall continue to accept clients for

1 whom it has determined that skilled nursing and specialized services are
 2 needed at the Arkansas Health Center.

3 (C) No funds shall be transferred or reduced from the Arkansas Health
 4 Center, except for use as federal matching funds, below the approved funding
 5 level on March 1, 2003 without the prior approval of the Arkansas Legislative
 6 Council or the Joint Budget Committee.

7 (D) Determining the maximum amount of appropriation and general revenue
 8 funding for a state agency each fiscal year is the prerogative of the General
 9 Assembly. This is usually accomplished by delineating such maximums in the
 10 appropriation act(s) for a state agency and the general revenue allocations
 11 authorized for each fund and fund account by amendment to the Revenue
 12 Stabilization law. Further, the General Assembly has determined that the
 13 Department of Human Services may operate more efficiently if some flexibility
 14 is provided to the Department of Human Services authorizing broad powers
 15 under this Section. Therefore, it is both necessary and appropriate that the
 16 General Assembly maintain oversight by requiring prior approval of the
 17 Legislative Council or Joint Budget Committee as provided by this section.
 18 The requirement of approval by the Legislative Council or Joint Budget
 19 Committee is not a severable part of this section. If the requirement of
 20 approval by the Legislative Council or Joint Budget Committee is ruled
 21 unconstitutional by a court of competent jurisdiction, this entire section is
 22 void.

23 The provisions of this section shall be in effect only from July 1, ~~2012~~
 24 2013 through June 30, ~~2013~~ 2014.

25
 26 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA
 28 HELP – BEHAVIORAL HEALTH SERVICES. Employees in extra-help positions at the
 29 Department of Human Services – Behavioral Health Division may receive an
 30 amount not to exceed eighty-five percent (85%) of the maximum annual salary
 31 for a comparable position as authorized under § 21-5-201 et seq. during any
 32 fiscal year, nor shall such an employee be employed for a period of time to
 33 exceed one thousand eight hundred (1,800) hours in any single fiscal year.

34 The provisions of this section shall be in effect only from July 1, ~~2012~~
 35 2013 through June 30, ~~2013~~ 2014.

36

1 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 3 BEHAVIORAL HEALTH SERVICES - APPORTIONMENT OF FUNDS. Each Community Mental
 4 Health Center shall contract with one or more facilities of its choice
 5 (excluding Arkansas State Hospital) to provide the inpatient care for
 6 indigent patients which the Community Mental Health Center has determined to
 7 be necessary after prompt screening by the Community Mental Health Center.
 8 Payment for patients screened and approved by the Community Mental Health
 9 Center who receive care at these inpatient facilities shall be provided to
 10 the inpatient facilities at the contract rate unless the funds available for
 11 this purpose have been exhausted. Available funding as determined by the
 12 Director of the Department of Human Services shall be apportioned on a per
 13 capita basis up to a maximum of three dollars and forty-eight cents (\$3.48)
 14 per capita for fiscal year ~~2012-2013~~ 2013-2014. The most recently available
 15 federal population census shall be used in determining the population of each
 16 catchment area of the thirteen Community Mental Health Centers. All amounts
 17 appropriated under this section shall be used by Community Mental Health
 18 Centers for residents of each center's catchment area and such funds shall
 19 only be accessed as the payment of last resort.

20
 21 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 23 REPORTING. The Division of Behavioral Health Services shall develop an
 24 evaluation and monitoring program that will assure all expenditures are made
 25 consistent with the intent of these appropriations. As a condition for
 26 receiving funds under this Act, Community Mental Health Centers (CMHCs) shall
 27 report quarterly to the Division of Behavioral Health Services the following
 28 data:

- 29 (1) The number of involuntary commitments and medically indigent
 30 admissions referred by CMHCs to community-based settings;
- 31 (2) The number of involuntary commitments and medically indigent
 32 admissions to community-based settings receiving assistance from the acute
 33 mental health services funds;
- 34 (3) The total number of acute bed days utilized by these involuntary
 35 commitments;
- 36 (4) The total number of bed days utilized by these medically indigent

1 admissions;

2 (5) The average length of stay of admissions for these involuntary
3 commitments per catchment area;

4 (6) The average length of stay of admissions for these medically indigent
5 admissions per catchment area;

6 (7) The number of medically indigent admissions per catchment area unable
7 to receive assistance from the acute mental health services funds due to such
8 funds being depleted by prior admissions;

9 (8) The number of re-admissions per catchment area for involuntary
10 commitments and medically indigent admissions to community-based settings
11 receiving assistance from the acute mental health services; and

12 (9) Identify any steps taken by CMHCs to improve access to acute mental
13 health services.

14 The Department of Human Services - Division of Behavioral Health Services
15 shall report quarterly the data collected from the CMHCs to the House and
16 Senate Subcommittees on Public Health.

17

18 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ACUTE
20 MENTAL HEALTH SERVICES – PER CAPITA - LEGISLATIVE FINDINGS AND INTENT. The
21 General Assembly recognizes that the state encouraged the treatment of
22 mentally ill residents within community-based settings over two decades ago
23 and has taken various approaches to funding since then. The General Assembly
24 also recognizes that there are inherent problems within the current public
25 mental health system that create disincentives for proper treatment and care.
26 The purpose of the Acute Mental Health Services – Per Capita appropriation is
27 to provide an appropriation for acute mental health services to be utilized
28 within community-based settings for the treatment and care of medically
29 indigent persons 18 years of age and older and involuntary commitments to the
30 public mental health system. The appropriation for acute mental health
31 services provided in this Act shall only be used for Community Mental Health
32 Centers licensed and certified by the Division of Behavioral Health of the
33 Department of Human Services for use within community-based settings and
34 facilities.

35

36 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 2 BEHAVIORAL HEALTH SERVICES - PROCEEDS FOR SALES OF TIMBER AND HAY - CAPITAL
 3 IMPROVEMENTS AND EQUIPMENT. The Division of Behavioral Health Services is
 4 authorized to use administrative operating account for capital improvements
 5 to the physical plant, and for the purchase of capital equipment, and for the
 6 operation of the Arkansas Health Center, operated by the Department of Human
 7 Services, Division of Behavioral Health Services. The funds shall be held by
 8 the Department of Human Services, Division of Behavioral Health Services,
 9 from the proceeds of the sale of timber and hay that may be harvested from
 10 land owned by the Division of Behavioral Health Services. All funds deposited
 11 and all expenses shall be tracked separately. The harvesting of timber and
 12 hay is specifically authorized to provide funds to finance capital
 13 improvements to the physical plant, for the purchase of major capital
 14 equipment, and for the operation of the Arkansas Health Center. The Division
 15 of Behavioral Health Services shall report all income derived from the sale
 16 of timber and hay to the Chief Fiscal Officer of the State and the
 17 Legislative Council. Any contracts initiated for the harvesting of timber and
 18 hay shall be submitted to the Review Subcommittee of the Arkansas Legislative
 19 Council for prior review. All expenditures of funds derived from the sale of
 20 timber and hay will be expended in accordance with relevant state purchasing
 21 laws.

22 The provisions of this section shall be in effect only from July 1, ~~2012~~
 23 2013 through June 30, ~~2013~~ 2014.

24
 25 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ACUTE
 27 MENTAL HEALTH SERVICES EMERGENCY RESERVE FUND. Of the total amount
 28 appropriated for Acute Mental Health Services - Per Capita, two hundred fifty
 29 thousand dollars (\$250,000) for the fiscal year ending June 30, ~~2013~~ 2014
 30 shall first be allocated and made available to the Little Rock Community
 31 Mental Health Center for Acute Mental Health Services. The remaining balance
 32 appropriated for the fiscal year shall be allocated and made available to the
 33 community mental health centers within community-based settings on a per-
 34 capita basis.

35
 36 SECTION 28. COMPLIANCE WITH OTHER LAWS. Disbursement of funds

1 authorized by this act shall be limited to the appropriation for such agency
 2 and funds made available by law for the support of such appropriations; and
 3 the restrictions of the State Procurement Law, the General Accounting and
 4 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
 5 Procedures and Restrictions Act, or their successors, and other fiscal
 6 control laws of this State, where applicable, and regulations promulgated by
 7 the Department of Finance and Administration, as authorized by law, shall be
 8 strictly complied with in disbursement of said funds.

9
 10 SECTION 29. LEGISLATIVE INTENT. It is the intent of the General
 11 Assembly that any funds disbursed under the authority of the appropriations
 12 contained in this act shall be in compliance with the stated reasons for
 13 which this act was adopted, as evidenced by the Agency Requests, Executive
 14 Recommendations and Legislative Recommendations contained in the budget
 15 manuals prepared by the Department of Finance and Administration, letters, or
 16 summarized oral testimony in the official minutes of the Arkansas Legislative
 17 Council or Joint Budget Committee which relate to its passage and adoption.

18
 19 SECTION 30. EMERGENCY CLAUSE. It is found and determined by the
 20 General Assembly, that the Constitution of the State of Arkansas prohibits
 21 the appropriation of funds for more than a one (1) year period; that the
 22 effectiveness of this Act on July 1, 2013 is essential to the operation of
 23 the agency for which the appropriations in this Act are provided, and that in
 24 the event of an extension of the legislative session, the delay in the
 25 effective date of this Act beyond July 1, 2013 could work irreparable harm
 26 upon the proper administration and provision of essential governmental
 27 programs. Therefore, an emergency is hereby declared to exist and this Act
 28 being necessary for the immediate preservation of the public peace, health
 29 and safety shall be in full force and effect from and after July 1, 2013.