

"AN ACT AUTHORIZING THE DEPARTMENT OF HUMAN SERVICES, DIVISION OF MENTAL HEALTH SERVICES, TO DEFINE AND LICENSE INTENSIVE RESIDENTIAL TREATMENT PROGRAMS IN ORDER TO PROVIDE FOR COMMUNITY-BASED SERVICES IN THE LEAST RESTRICTIVE APPROPRIATE SETTING FOR ADULTS WITH LONG-TERM, SEVERE MENTAL ILLNESS."

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

SECTION 1. The purpose of this Act is to enable the Department of Human Services, Division of Mental Health Services, to provide intensive residential treatment for adults with long-term, severe mental illness within specialized mental health residential settings.

SECTION 2. DEFINITIONS. (a) Intensive Residential Treatment Program. An intensive residential treatment program means a non-hospital establishment with permanent facilities which provides a 24-hour program of care by qualified therapists to include, but not be limited to, duly licensed mental health professional, psychiatrists, psychologists, psychotherapists, and licensed certified social workers, for adults who have severe, long-term mental illness who are not in an acute phase of illness requiring the services of a psychiatric hospital, and who are in need of supervision or restorative treatment services. An establishment furnishing primarily domiciliary care is not within the definition.

(b) Adults with Long-Term, Severe Mental Illness. For the purposes of this Act, a person with long-term, severe mental illness is a person, 18 years of age or over, who meets criteria for service eligibility as defined by the Division of Mental Health Services. Individuals whose sole disability results from alcoholism, drug abuse, or mental retardation are excluded from the definition.

SECTION 3. The Department of Human Services, Division of Mental Health Services, is hereby authorized to establish and maintain a program to provide intensive residential treatment for adults with long-term, severe mental illness in a specialized mental health setting.

SECTION 4. The Department of Human Services, Division of Mental Health Services, shall adopt, promulgate, and enforce such rules, regulations and standards that may be necessary for the accomplishment of this Act; such rules, regulations, and standards shall be modified, amended, or rescinded from time to time by the Department of Human Services, Division of Mental Health Services, as may be in the public interest.

SECTION 5. The Department of Human Services, Division of Mental Health Services, shall follow the procedures prescribed for adjudication in the Arkansas Administrative Procedure Act in exercising any power authorized by this Act.

SECTION 6. All laws and parts of laws in conflict with this Act are hereby repealed.

APPROVED: 4/4/87

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