

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

**Act 1959 of the Regular Session**

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005  
4

*As Engrossed: H3/22/05 H3/28/05*

**A Bill**

HOUSE BILL 2452

5 By: Representative Roebuck  
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7

**For An Act To Be Entitled**

8  
9 *AN ACT TO ENSURE THE CONTINUITY OF MENTAL HEALTH*  
10 *SERVICES FOR JUVENILES IN THEIR COMMUNITIES; TO*  
11 *ADDRESS THE OUT-OF-STATE PLACEMENT OF CHILDREN*  
12 *FOR MENTAL HEALTH SERVICES AND TREATMENT; TO*  
13 *CLARIFY THE REQUIREMENTS FOR AN ASSESSMENT OR*  
14 *SCREENING; AND FOR OTHER PURPOSES.*

**Subtitle**

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17 *TO ENSURE THE CONTINUITY OF MENTAL*  
18 *HEALTH SERVICES FOR JUVENILES IN THEIR*  
19 *COMMUNITIES.*

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22  
23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
24

25 *SECTION 1. It is the intent of the General Assembly of the State of*  
26 *Arkansas that:*

27 *(1) Juveniles receive mental health services in their*  
28 *communities whenever possible and in the least restrictive placement*  
29 *consistent with the juvenile's treatment needs;*

30 *(2) Juveniles are placed out-of-state for mental health services*  
31 *only when it is in the juvenile's best interest and there is no appropriate*  
32 *or available treatment in-state to meet the needs of the juvenile;*

33 *(3) Circuit courts are provided with qualified mental health*  
34 *screenings to assist courts in ordering appropriate mental health services*  
35 *for juveniles; and*



1           (4) Juvenile officers, mental health providers, residential  
2 providers, the Department of Human Services, Child and Adolescent Service  
3 System Program providers, attorneys, courts, and advocates shall work  
4 together to ensure the continuity of mental health services for juveniles in  
5 their communities.

6  
7           SECTION 2. (a) Prior to the court ordering a juvenile to an out-of-  
8 state residential placement, excluding border state placements as defined by  
9 Medicaid, the court shall refer a juvenile for an assessment by the  
10 Department of Human Services or the department's designee to include, but not  
11 be limited to:

12           (1) An assessment of the mental health services for the juvenile  
13 and the juvenile's family;

14           (2) The services that could be provided to enable the juvenile  
15 to remain safely in his or her home and the availability of such services;

16           (3) If the assessment recommends that the juvenile cannot remain  
17 at home, all appropriate in-state placements currently available that are  
18 appropriate to meet the juvenile's mental health needs shall be presented to  
19 the court:

20           (A) With a preference for the juvenile to remain as close  
21 to his or her home and community as possible so that his or her family can  
22 participate in the family treatment plan;

23           (B) That provides for the least restrictive placement  
24 ensuring the health and safety of the juvenile;

25           (C) That provides an anticipated length of time needed for  
26 residential or in-patient treatment; and

27           (D) That provides a plan for reintegration of the juvenile  
28 into his or her community, including coordination with local providers when  
29 the juvenile is released from treatment; and

30           (4) If the assessment recommends that the juvenile cannot be  
31 served in State of Arkansas, the assessment shall specify the reasons why the  
32 child cannot be served in the state and recommend what type of placement the  
33 child needs out-of-state and the reasons for such a recommendation.

34           (b) The Department of Human Services or its designee shall complete  
35 the out-of-state mental health assessment within five (5) business days of  
36 referral from the court.



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*APPROVED: 04/11/2005*