

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 1422 of the Regular Session

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009

As Engrossed: S4/6/09

A Bill

SENATE BILL 297

4
5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE
11 DEPARTMENT OF HUMAN SERVICES - DIVISION OF
12 BEHAVIORAL HEALTH FOR THE FISCAL YEAR ENDING JUNE
13 30, 2010; AND FOR OTHER PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE DEPARTMENT OF HUMAN
17 SERVICES - DIVISION OF BEHAVIORAL HEALTH
18 APPROPRIATION FOR THE 2009-2010 FISCAL
19 YEAR.
20
21

22
23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for
26 the Department of Human Services - Division of Behavioral Health for the
27 2009-2010 fiscal year, the following maximum number of regular employees
28 whose salaries shall be governed by the provisions of the Uniform
29 Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or
30 its successor, and all laws amendatory thereto. Provided, however, that any
31 position to which a specific maximum annual salary is set out herein in
32 dollars, shall be exempt from the provisions of said Uniform Classification
33 and Compensation Act. All persons occupying positions authorized herein are
34 hereby governed by the provisions of the Regular Salaries Procedures and
35 Restrictions Act (Arkansas Code §21-5-101), or its successor.



				Maximum	Maximum Annual
				No. of	Salary Rate
	Item	Class			Fiscal Year
	No.	Code	Title	Employees	2009-2010
6	(1)	L005N	PSYCHIATRIC SPECIALIST	6	GRADE N919
7	(2)	L007N	REHAB MED DIR ALCOHOL REHAB CTR-BEN	1	GRADE N918
8	(3)	L009N	DHS BEHAV HLTH GENERAL PHYSICIAN	6	GRADE N917
9	(4)	L011N	DENTIST	1	GRADE N916
10	(5)	L014N	DIRECTOR OF PHARMACY	1	GRADE N914
11	(6)	L016N	REGISTERED PHARMACIST	2	GRADE N911
12	(7)	N019N	DHS DEP DIR BEHAV HLTH SERVICES	1	GRADE N910
13	(8)	N053N	DHS ASH CHIEF EXECUTIVE OFFICER	1	GRADE N908
14	(9)	N088N	DHS AHC DIRECTOR OF NURSING	1	GRADE N906
15	(10)	N087N	DHS BEHAV HLTH DIR HOSPITAL OPS	1	GRADE N906
16	(11)	N103N	DHS MENTAL HEALTH CENTER DIRECTOR	1	GRADE N906
17	(12)	N123N	DHS/DBHS ASST DIR FOR FINANCE	1	GRADE N904
18	(13)	N127N	DHS/DBHS DIR ALCOHOL & DRUG ABUSE	1	GRADE N904
19	(14)	N135N	DHS AHC NURSING HOME ADMINISTRATOR	1	GRADE N903
20	(15)	N156N	BEHAV HLTH ASST DIR CHILDRENS SVS	1	GRADE N901
21	(16)	N152N	DHS/DBHS ASSISTANT DIR ADMIN SVCS	1	GRADE N901
22	(17)	N153N	DHS/DBHS CLINICAL DIRECTOR	1	GRADE N901
23	(18)	L022N	OCCUPATIONAL THERAPIST	2	GRADE N901
24	(19)	L021N	PHYSICAL THERAPIST	1	GRADE N901
25	(20)	N162N	STATE DRUG PREVENTION DIRECTOR	1	GRADE N901
26	(21)	L001C	PSYCHOLOGIST SUPERVISOR	2	GRADE C129
27	(22)	M002C	DHS BEHAV HLTH ASSOC DIR, AHC	1	GRADE C127
28	(23)	M003C	DHS BEHAV HLTH CHILDRENS SYS CARE	1	GRADE C127
29	(24)	L003C	PSYCHOLOGIST	7	GRADE C127
30	(25)	L006C	ASSOCIATE DIRECTOR OF NURSING	4	GRADE C126
31	(26)	L011C	DHS ALCOHOL/DRUG ABUSE PREV ADD	1	GRADE C125
32	(27)	A024C	DHS DIVISION CHIEF FISCAL OFFICER	1	GRADE C125
33	(28)	L009C	NURSE MANAGER	8	GRADE C125
34	(29)	L015C	CLINICAL SPEECH PATHOLOGIST	2	GRADE C124
35	(30)	L014C	HIPAA PROGRAM CONSULTANT	1	GRADE C124
36	(31)	L024C	DHS BEHAV HLTH FACILITY ADMIN	2	GRADE C123

1	(32)	L021C	NURSING HOME ASSISTANT ADMIN	1	GRADE C123
2	(33)	L020C	NURSING SERVICES UNIT MANAGER	1	GRADE C123
3	(34)	G099C	DHS PROGRAM ADMINISTRATOR	5	GRADE C122
4	(35)	A041C	PROGRAM FISCAL MANAGER	1	GRADE C122
5	(36)	L027C	REGISTERED NURSE SUPERVISOR	19	GRADE C122
6	(37)	A052C	ACCOUNTING COORDINATOR	1	GRADE C121
7	(38)	M009C	LICENSED CERTIFIED SOCIAL WORKER	32	GRADE C121
8	(39)	S004C	MAINTENANCE MANAGER	2	GRADE C121
9	(40)	L036C	NURSE INSTRUCTOR	1	GRADE C121
10	(41)	R014C	PERSONNEL MANAGER	3	GRADE C121
11	(42)	L033C	PSYCHOLOGICAL EXAMINER	1	GRADE C121
12	(43)	L032C	REGISTERED NURSE - HOSPITAL	62	GRADE C121
13	(44)	G131C	DHS BEHAV HLTH MED BUS PRACTICES AD	1	GRADE C120
14	(45)	T031C	DHS BEHAV HLTH PUBLIC SAFETY DIR	2	GRADE C120
15	(46)	L040C	DIETARY SERVICES DIRECTOR	2	GRADE C120
16	(47)	D057C	INFORMATION TECHNOLOGY MANAGER	1	GRADE C120
17	(48)	G124C	OMBUDSMAN	1	GRADE C120
18	(49)	L038C	REGISTERED NURSE	9	GRADE C120
19	(50)	G121C	REHAB PROGRAM MANAGER	1	GRADE C120
20	(51)	E023C	TRAINING PROJECT MANAGER	1	GRADE C120
21	(52)	V008C	BUYER SUPERVISOR	1	GRADE C119
22	(53)	D062C	DATABASE ANALYST	2	GRADE C119
23	(54)	L044C	DHS BEHAV HLTH CASE REVIEW ANALYST	1	GRADE C119
24	(55)	G152C	DHS PROGRAM MANAGER	4	GRADE C119
25	(56)	G147C	GRANTS COORDINATOR	1	GRADE C119
26	(57)	M020C	LICENSED PROFESSIONAL COUNSELOR	1	GRADE C119
27	(58)	X062C	QUALITY ASSURANCE COORDINATOR	1	GRADE C119
28	(59)	A063C	RESEARCH & STATISTICS SUPERVISOR	1	GRADE C119
29	(60)	A060C	SENIOR AUDITOR	1	GRADE C119
30	(61)	R024C	ASST PERSONNEL MANAGER	1	GRADE C118
31	(62)	L050C	CERTIFIED RESPIRATORY THERAPY TECH	2	GRADE C118
32	(63)	A074C	FISCAL SUPPORT SUPERVISOR	3	GRADE C118
33	(64)	M026C	LICENSED SOCIAL WORKER	4	GRADE C118
34	(65)	E044C	CERTIFIED BACHELORS TEACHER	6	GRADE C117
35	(66)	L056C	DHS BEHAV HLTH REGISTRAR	1	GRADE C117
36	(67)	G184C	DHS PROGRAM CONSULTANT	4	GRADE C117

1	(68)	G183C	DHS PROGRAM COORDINATOR	21	GRADE C117
2	(69)	T052C	DHS/DBHS PUBLIC SAFETY SUPERVISOR	6	GRADE C117
3	(70)	L055C	DIETICIAN	1	GRADE C117
4	(71)	G180C	GRANTS ANALYST	5	GRADE C117
5	(72)	R025C	HUMAN RESOURCES ANALYST	1	GRADE C117
6	(73)	X101C	INTERNAL AFFAIRS INVESTIGATOR	1	GRADE C117
7	(74)	S017C	MAINTENANCE COORDINATOR	1	GRADE C117
8	(75)	L051C	REHABILITATION COUNSELOR	3	GRADE C117
9	(76)	B076C	RESEARCH PROJECT ANALYST	3	GRADE C117
10	(77)	V014C	BUYER	1	GRADE C116
11	(78)	E048C	EDUCATION & INSTRUCTION SPECIALIST	1	GRADE C116
12	(79)	A084C	PROGRAM/FIELD AUDIT SPECIALIST	1	GRADE C116
13	(80)	T055C	PUBLIC SAFETY OFFICER	27	GRADE C116
14	(81)	S022C	SKILLED TRADES SUPERVISOR	8	GRADE C116
15	(82)	S021C	WATER FILTER/WASTE DISP PLANT SUPV	1	GRADE C116
16	(83)	C037C	ADMINISTRATIVE ANALYST	8	GRADE C115
17	(84)	D079C	COMPUTER SUPPORT TECHNICIAN	2	GRADE C115
18	(85)	A091C	FISCAL SUPPORT ANALYST	1	GRADE C115
19	(86)	D077C	HELP DESK SPECIALIST	1	GRADE C115
20	(87)	L062C	LICENSED PRACTICAL NURSE SUPERVISOR	15	GRADE C115
21	(88)	S033C	MAINTENANCE SUPERVISOR	2	GRADE C115
22	(89)	C028C	MEDICAL RECORDS SUPERVISOR	1	GRADE C115
23	(90)	A090C	PAYROLL SERVICES SPECIALIST	2	GRADE C115
24	(91)	G204C	PLANNING SPECIALIST	2	GRADE C115
25	(92)	V015C	PURCHASING SPECIALIST	1	GRADE C115
26	(93)	S031C	SKILLED TRADESMAN	27	GRADE C115
27	(94)	G202C	VOLUNTEER PROGRAM COORDINATOR	1	GRADE C115
28	(95)	S030C	WATER FILTER/WASTE DISP PLANT OPER	2	GRADE C115
29	(96)	S041C	BOILER OPERATOR	4	GRADE C114
30	(97)	M066C	PROGRAM ELIGIBILITY SPECIALIST	4	GRADE C114
31	(98)	L064C	RADIOLOGY TECHNICIAN	1	GRADE C114
32	(99)	M065C	RECREATIONAL ACTIVITY SUPERVISOR	3	GRADE C114
33	(100)	E051C	STAFF DEVELOPMENT SPECIALIST	1	GRADE C114
34	(101)	V018C	WAREHOUSE MANAGER	1	GRADE C114
35	(102)	C050C	ADMINISTRATIVE SUPPORT SUPERVISOR	1	GRADE C113
36	(103)	R036C	HUMAN RESOURCES SPECIALIST	5	GRADE C113

1	(104)	V020C	INVENTORY CONTROL MANAGER	2	GRADE C113
2	(105)	L069C	LICENSED PRACTICAL NURSE	132	GRADE C113
3	(106)	S046C	MAINTENANCE TECHNICIAN	4	GRADE C113
4	(107)	L067C	PSYCHOLOGICAL INTERN	3	GRADE C113
5	(108)	C043C	RECORDS MANAGEMENT ANALYST	6	GRADE C113
6	(109)	L066C	REHABILITATION INSTRUCTOR	35	GRADE C113
7	(110)	T072C	SECURITY OFFICER SUPERVISOR	1	GRADE C113
8	(111)	C056C	ADMINISTRATIVE SPECIALIST III	50	GRADE C112
9	(112)	R037C	BENEFITS TECHNICIAN	3	GRADE C112
10	(113)	A098C	FISCAL SUPPORT SPECIALIST	5	GRADE C112
11	(114)	A097C	PAYROLL TECHNICIAN	2	GRADE C112
12	(115)	V022C	PURCHASING TECHNICIAN	1	GRADE C112
13	(116)	S056C	FOOD PREPARATION SUPERVISOR	13	GRADE C111
14	(117)	M076C	RECREATIONAL ACTIVITY LEADER II	30	GRADE C111
15	(118)	V023C	STOREROOM SUPERVISOR	2	GRADE C111
16	(119)	B111C	LABORATORY TECHNICIAN	2	GRADE C110
17	(120)	T084C	PUBLIC SAFETY SECURITY OFFICER	36	GRADE C110
18	(121)	L074C	THERAPY ASSISTANT	3	GRADE C110
19	(122)	V025C	WAREHOUSE SPECIALIST	1	GRADE C110
20	(123)	C073C	ADMINISTRATIVE SPECIALIST II	21	GRADE C109
21	(124)	L082C	CERTIFIED NURSING ASSISTANT	162	GRADE C109
22	(125)	L080C	DIETETIC TECHNICIAN	2	GRADE C109
23	(126)	M082C	RECREATIONAL ACTIVITY LEADER I	5	GRADE C109
24	(127)	E056C	TEACHER ASSISTANT	1	GRADE C109
25	(128)	M084C	BEHAV HLTH AIDE	85	GRADE C108
26	(129)	C078C	CASHIER	2	GRADE C108
27	(130)	A102C	FISCAL SUPPORT TECHNICIAN	1	GRADE C108
28	(131)	V027C	INVENTORY CONTROL TECHNICIAN	7	GRADE C108
29	(132)	M083C	RESIDENTIAL CARE TECHNICIAN	4	GRADE C108
30	(133)	S070C	EQUIPMENT TECHNICIAN	9	GRADE C107
31	(134)	C087C	ADMINISTRATIVE SPECIALIST I	8	GRADE C106
32	(135)	L086C	PHARMACY ASSISTANT	2	GRADE C106
33	(136)	V028C	WAREHOUSE WORKER	2	GRADE C106
34	(137)	C088C	MAIL SERVICES ASSISTANT	2	GRADE C105
35	(138)	V030C	SHIPPING & RECEIVING CLERK	3	GRADE C105
36	(139)	S085C	FOOD PREPARATION SPECIALIST	7	GRADE C104

1	(140)	S084C	INSTITUTIONAL SERVICES SUPERVISOR	4	GRADE C104
2	(141)	S087C	INSTITUTIONAL SERVICES ASSISTANT	53	GRADE C103
3	(142)	S089C	FOOD PREPARATION TECHNICIAN	45	GRADE C102
4	(143)	V031C	STOCK CLERK	<u>2</u>	GRADE C102
5			MAX. NO. OF EMPLOYEES	1,167	

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7 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for the
 8 Department of Human Services - Division of Behavioral Health for the 2009-
 9 2010 fiscal year, the following maximum number of part-time or temporary
 10 employees, to be known as "Extra Help", payable from funds appropriated
 11 herein for such purposes: three hundred thirty-six (336) temporary or part-
 12 time employees, when needed, at rates of pay not to exceed those provided in
 13 the Uniform Classification and Compensation Act, or its successor, or this
 14 act for the appropriate classification.

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16 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated,
 17 to the Department of Human Services - Division of Behavioral Health, to be
 18 payable from the Mental Health Services Fund Account, for personal services
 19 and operating expenses of the Department of Human Services - Division of
 20 Behavioral Health - State Operations for the fiscal year ending June 30,
 21 2010, the following:

23	ITEM	FISCAL YEAR
24	<u>NO.</u>	<u>2009-2010</u>
25	(01) REGULAR SALARIES	\$ 41,872,487
26	(02) EXTRA HELP	2,668,889
27	(03) PERSONAL SERVICES MATCHING	14,627,517
28	(04) OVERTIME	2,086,342
29	(05) MAINT. & GEN. OPERATION	
30	(A) OPER. EXPENSE	28,483,894
31	(B) CONF. & TRAVEL	209,227
32	(C) PROF. FEES	9,159,461
33	(D) CAP. OUTLAY	500,000
34	(E) DATA PROC.	0
35	(06) GRANTS/PATIENT SERVICES	16,856,179
36	(07) MENTAL HEALTH CTR TRANSFER	<u>2,653,236</u>

1	(D) CAP. OUTLAY	0
2	(E) DATA PROC.	<u>0</u>
3	TOTAL AMOUNT APPROPRIATED	<u>\$ 174,048</u>

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5 SECTION 6. APPROPRIATION - PATIENT BENEFITS - CASH. There is hereby
6 appropriated, to the Department of Human Services - Division of Behavioral
7 Health, to be payable from the cash fund deposited in the State Treasury as
8 determined by the Chief Fiscal Officer of the State, for benefits of the
9 patients of the Department of Human Services - Division of Behavioral Health
10 for the fiscal year ending June 30, 2010, the following:

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12	ITEM	FISCAL YEAR
13	<u>NO.</u>	<u>2009-2010</u>
14	(01) PATIENT BENEFIT FUND	<u>\$ 75,000</u>

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16 SECTION 7. APPROPRIATION - COMMUNITY MENTAL HEALTH CENTERS. There is
17 hereby appropriated, to the Department of Human Services - Division of
18 Behavioral Health, to be payable from the Mental Health Services Fund
19 Account, for state assistance to the Community Mental Health Centers by the
20 Department of Human Services - Division of Behavioral Health for the fiscal
21 year ending June 30, 2010, the following:

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23	ITEM	FISCAL YEAR
24	<u>NO.</u>	<u>2009-2010</u>
25	(01) STATE ASSISTANCE	<u>\$ 8,780,603</u>

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27 SECTION 8. APPROPRIATION - BLOCK GRANT - FEDERAL. There is hereby
28 appropriated, to the Department of Human Services - Division of Behavioral
29 Health, to be payable from the federal funds as designated by the Chief
30 Fiscal Officer of the State, for grant payments of the Department of Human
31 Services - Division of Behavioral Health for the fiscal year ending June 30,
32 2010, the following:

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34	ITEM	FISCAL YEAR
35	<u>NO.</u>	<u>2009-2010</u>
36	(01) MENTAL HEALTH BLOCK GRANT	<u>\$ 6,068,799</u>

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SECTION 9. APPROPRIATION - ACUTE MENTAL HEALTH SERVICES - PER CAPITA.
There is hereby appropriated, to the Department of Human Services - Division of Behavioral Health, to be payable from the Mental Health Services Fund Account, for acute mental health services within community-based settings of the catchment areas served by Community Mental Health Centers licensed and certified by the Division of Behavioral Health of the Department of Human Services for the fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) ACUTE MENTAL HEALTH SERVICES-PER CAPITA	<u>\$ 5,750,000</u>

SECTION 10. APPROPRIATION - ALCOHOL AND DRUG ABUSE PREVENTION. There is hereby appropriated, to the Department of Human Services - Division of Behavioral Health, to be payable from the Drug Abuse Prevention and Treatment Fund, for education, drug abuse prevention and treatment services of the Department of Human Services - Division of Behavioral Health - Alcohol and Drug Abuse Prevention for the fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) EDUCATION/PREVENTION/TREATMENT	<u>\$ 21,824,072</u>

SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
BEHAVIORAL HEALTH SERVICES - ALLOCATION RESTRICTIONS. There is hereby allocated to the Community Mental Health Centers, as set out herein, the following amounts of the funds appropriated for State Assistance in the Behavioral Health Services - Community Mental Health Centers appropriation, to the Department of ~~Health and~~ Human Services - Behavioral Health Services Division, there to be used as provided by law, for the fiscal year ending June 30, ~~2009~~ 2010, the following:

Maximum Allocation

Item	Fiscal Year
No. Mental Health Center	2007-08
	<u>2009-10</u>
(01) OZARK GUIDANCE CENTER, INC.	\$1,151,920
(02) OZARK COUNSELING SERVICES, INC.	345,992
(03) HEALTH RESOURCES OF ARKANSAS, INC.	730,142
(04) COUNSELING SERVICES OF EASTERN ARKANSAS	489,381
(05) DELTA COUNSELING ASSOCIATES, INC.	279,144
(06) SOUTH ARKANSAS REGIONAL HEALTH CENTER	410,327
(07) SOUTHEAST ARKANSAS BEHAVIORAL HEALTHCARE SYS. INC.	474,778
(08) SOUTHWEST ARKANSAS COUNSELING & MENTAL HEALTH CENTER, INC.	381,894
(09) COMMUNITY COUNSELING SERVICES, INC.	533,770
(10) WESTERN ARK. COUNSELING & GUIDANCE CENTER	787,607
(11) COUNSELING ASSOCIATES, INC.	705,982
(12) COUNSELING CLINIC, INCORPORATED	274,345
(13) PROFESSIONAL COUNSELING ASSOCIATES	798,459
(14) LITTLE ROCK CMHC	593,619
(15) MID-SOUTH HEALTH SYSTEMS	823,243
TOTAL AMOUNT ALLOCATED	\$8,780,603

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

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

The provisions of this section shall be in effect only from July 1, ~~2007~~ 2009 through June 30, ~~2009~~ 2010.

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

1 BEHAVIORAL HEALTH SERVICES - ALLOCATION RESTRICTION AND TRANSFER PROVISION.
2 Of the amounts allocated in the BEHAVIORAL HEALTH SERVICES - ALLOCATION
3 RESTRICTIONS section above, it is the intent of the General Assembly that
4 such amounts are to be the maximum expended in the applicable fiscal year
5 from the funds as appropriated for State Assistance in the Behavioral Health
6 Services - Community Mental Health Centers appropriation for the benefit of
7 the appropriate program so enumerated. Provided, however, in the event that
8 unforeseen circumstances occur in the fiscal year which would necessitate a
9 transfer of the maximum allocation provided the BEHAVIORAL HEALTH SERVICES -
10 ALLOCATION RESTRICTIONS section above from one or more programs to another
11 program or programs as enumerated in the BEHAVIORAL HEALTH SERVICES -
12 ALLOCATION RESTRICTIONS section above, the Behavioral Health Services
13 Division with the approval of the Director of the Department of ~~Health and~~
14 Human Services shall make its request known, and the reasons thereof, to the
15 Office of Budget, Department of Finance and Administration in such form and
16 detail as may be required by the Chief Fiscal Officer of the State. If
17 approved, such transfer approval shall be transmitted to the Bureau of
18 Legislative Research who shall make a report of the transfer and the reasons
19 thereof to the Arkansas Legislative Council at least quarterly.

20 The provisions of this section shall be in effect only from July 1, ~~2007~~
21 2009 through June 30, ~~2009~~ 2010.

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

25 BEHAVIORAL HEALTH SERVICES - LEGISLATIVE AUDIT OF MENTAL HEALTH CENTERS.

26 Every Mental Health Center eligible to receive any of the funds appropriated
27 for State Assistance in the Behavioral Health Services - Community Mental
28 Health Centers appropriation in this Act shall, as a condition of receiving
29 any such funds, be subject to an annual audit of the overall operation of
30 such Mental Health Center by the Division of Legislative Audit. The Mental
31 Health Centers shall submit a budget to the Behavioral Health Services
32 Division, Department of ~~Health and~~ Human Services, and the Arkansas
33 Legislative Council and go through the budget procedures process in the same
34 manner as State departments, agencies, institutions, boards and commissions.
35 Budgets shall be submitted based on operating revenues and expenses of each
36 Center and each Center shall provide information related to financial status

1 requested by the Legislative Council and/or Joint Budget Committee.

2 The provisions of this section shall be in effect only from July 1, ~~2007~~
3 2009 through June 30, ~~2009~~ 2010.

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5 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
7 BEHAVIORAL HEALTH SERVICES - APPORTIONMENT OF FUNDS. All funds appropriated
8 under the provisions of the State Assistance line item in the Behavioral
9 Health Services - Community Mental Health Centers appropriation in this Act
10 shall be apportioned on the basis of three dollars and six cents (\$3.06) per
11 capita for fiscal year ~~2007-2008~~ 2009-2010 or so much thereof as funds shall
12 become available. Additional funds shall be apportioned on the basis of fifty
13 cents (\$.50) per capita or a one-to-one State/Local funds matching basis for
14 the fiscal year ending June 30, ~~2009~~ 2010. The total \$8,780,603 allocated for
15 FY ~~2007-2008~~ 2009-2010 shall be distributed to the community mental health
16 centers as described in this section.

17 The provisions of this section shall be in effect only from July 1, ~~2007~~
18 2009 through June 30, ~~2009~~ 2010.

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20 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
22 BEHAVIORAL HEALTH SERVICES - GRANTS-IN-AID CONDITIONS FOR RECEIVING FUNDS.
23 Only locally-operated Centers and Clinics licensed or certified by the
24 Behavioral Health Services Division are eligible to receive funds
25 appropriated for State Assistance in the Behavioral Health Services -
26 Community Mental Health Centers appropriation in this Act, and as a condition
27 of receiving such funds they shall:

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

1 Children and Youth Committee.

2 (2) Supply statistical data to the Department of ~~Health and Human~~
3 Services, Behavioral Health Services Division.

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

7 (4) Establish and maintain community support programs designed to
8 provide coordinated care and treatment to ensure ongoing therapeutic
9 involvement and individualized treatment for persons with long-term, severe
10 mental illness. Every community support program shall use a coordinated case
11 management system and shall provide or assure access to services for persons
12 with long-term, severe mental illness who reside within the respective
13 catchment area of the Center. At a minimum, each community support program
14 shall provide assessment, diagnosis, identification of persons in need of
15 services, case management, crisis intervention, psychiatric treatment
16 including medication services and supervision, counseling and psychotherapy,
17 activities of daily living, housing, protection and advocacy, and
18 psychosocial rehabilitation which may include services provided by day
19 treatment programs.

20 (5) The Board of Directors of each Center or Clinic licensed or
21 certified by the Department of ~~Health and Human~~ Services, Behavioral Health
22 Services Division, shall adopt and submit to the Director, Behavioral Health
23 Services Division, in the form and according to the procedures specified by
24 the Director, Behavioral Health Services Division, an annual plan for the
25 delivery of community support services for persons with long-term, severe
26 mental illness. Each Center's plan must be approved by the Director,
27 Behavioral Health Services Division.

28 The provisions of this section shall be in effect only from July 1, ~~2007~~
29 2009 through June 30, ~~2009~~ 2010.

30

31 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

33 BEHAVIORAL HEALTH SERVICES - FEDERAL FUNDS. It is the specific intent of the
34 General Assembly that in the event of the availability of federal funding for
35 the Division of Behavioral Health Services during the fiscal year ending June
36 30, ~~2009~~ 2010, that such funding be utilized to conserve or reduce the

1 expenditure of general revenue except where prohibited by law.

2 The provisions of this section shall be in effect only from July 1, 2007
3 2009 through June 30, ~~2009~~ 2010.

4
5 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
7 BEHAVIORAL HEALTH SERVICES. Pay rates for physicians and chief psychologists
8 within the Division of Behavioral Health Services may include the special
9 allowances available to UAMS physicians and professional faculty as described
10 in the special language of the UAMS appropriation. Part of the salaries of
11 such staff will come from the receipt of professional income in the care of
12 patients and/or funds received from federal agencies, foundations and other
13 private sponsors in the support of research. Provided that any such allowance
14 shall not exceed, for any employee, an amount equal to two and one half times
15 the salary authorized by the General Assembly. The specific Division of
16 Behavioral Health classifications covered by this language are:

- 17 Class
- 18 Code Title
- 19 ~~6610~~ ~~Psychiatric Specialist Supervisor~~
- 20 ~~6617~~L005N Psychiatric Specialist
- 21 ~~6621~~ ~~Psychiatrist~~
- 22 ~~6639~~L009N DHS Behavioral Health General Physician
- 23 ~~6607~~L001C ~~Behavioral Health Services Chief Psychologist Supervisor~~

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

28 The provisions of this section shall be in effect only from July 1, 2007
29 2009 through June 30, ~~2009~~ 2010.

30
31 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
33 BEHAVIORAL HEALTH SERVICES - VOCATIONAL TRAINEES. The Division of Behavioral
34 Health Services of the Department of ~~Health and~~ Human Services is hereby
35 authorized to provide employment opportunities for some of the working
36 residents who are separate from the currently authorized regular vocational

1 trainee positions. The positions authorized herein shall not be incorporated
2 into the present classification system but shall be provided for by each
3 Community Mental Health Center, or State Hospital, on a cash account basis.
4 It is the intent of the General Assembly that the authorization of these
5 positions shall facilitate the Agency's ability to provide for residents who
6 are not part of a regular vocational training program.

7 The provisions of this section shall be in effect only from July 1, ~~2007~~
8 2009 through June 30, ~~2009~~ 2010.

9

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

12 BEHAVIORAL HEALTH SERVICES - JOB SHARE. The Division of Behavioral Health
13 Services can utilize job share for positions within the nursing
14 classification (RN, LPN/LPTN, ~~MHW/CNA~~ BHA/CNA) for up to 24 hours per week
15 per individual. This will allow the Division to offer weekend option shifts
16 to nursing personnel without increasing the number of positions.

17 The provisions of this section shall be in effect only from July 1, ~~2007~~
18 2009 through June 30, ~~2009~~ 2010.

19

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

22 BEHAVIORAL HEALTH SERVICES - STATE HOSPITAL CONTINGENCY POSITIONS. If the
23 Department of ~~Health and~~ Human Services determines, and after prior review by
24 the Legislative Council, it shall be determined that it is in the best
25 interest of the State of Arkansas to discontinue a management contract with a
26 private provider and it is deemed necessary to utilize Department staff to
27 provide the required services, the Director of the Department of ~~Health and~~
28 Human Services may request the Department of Finance and Administration to
29 approve the establishment of one or more additional positions at salary rates
30 not to exceed the maximum salaries established for comparable positions in
31 the Uniform Classification and Compensation Act, the Department of ~~Health and~~
32 Human Services' Appropriation Act, and the University of Arkansas for Medical
33 Sciences' Appropriation Act. Upon approval by the Department of Finance and
34 Administration and after review by the Legislative Council, the Department of
35 ~~Health and~~ Human Services, Division of Behavioral Health Services may
36 establish such positions.

1 If the agency requests continuation of a "Growth Pool" position(s) as
2 established herein, the position(s) must be requested as a new position(s) in
3 the agencies budget request.

4 The provisions of this section shall be in effect only from July 1, ~~2007~~
5 2009 through June 30, ~~2009~~ 2010.

6
7 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS
9 HEALTH CENTER. (A) The Department of ~~Health and~~ Human Services shall not
10 close the Arkansas Health Center that provides skilled nursing through
11 specialized services and programs.

12 (B) The Department of ~~Health and~~ Human Services shall continue to accept
13 clients for whom it has determined that skilled nursing and specialized
14 services are needed at the Arkansas Health Center.

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

19 (D) Determining the maximum amount of appropriation and general revenue
20 funding for a state agency each fiscal year is the prerogative of the General
21 Assembly. This is usually accomplished by delineating such maximums in the
22 appropriation act(s) for a state agency and the general revenue allocations
23 authorized for each fund and fund account by amendment to the Revenue
24 Stabilization law. Further, the General Assembly has determined that the
25 Department of ~~Health and~~ Human Services may operate more efficiently if some
26 flexibility is provided to the Department of ~~Health and~~ Human Services
27 authorizing broad powers under this Section. Therefore, it is both necessary
28 and appropriate that the General Assembly maintain oversight by requiring
29 prior approval of the Legislative Council or Joint Budget Committee as
30 provided by this section. The requirement of approval by the Legislative
31 Council or Joint Budget Committee is not a severable part of this section. If
32 the requirement of approval by the Legislative Council or Joint Budget
33 Committee is ruled unconstitutional by a court of competent jurisdiction,
34 this entire section is void.

35 The provisions of this section shall be in effect only from July 1, ~~2007~~
36 2009 through June 30, ~~2009~~ 2010.

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

11 The provisions of this section shall be in effect only from July 1, ~~2007~~
12 2009 through June 30, ~~2009~~ 2010.

13
14 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
16 BEHAVIORAL HEALTH SERVICES - APPORTIONMENT OF FUNDS. Each Community Mental
17 Health Center shall contract with one or more facilities of its choice
18 (excluding Arkansas State Hospital) to provide the inpatient care for
19 indigent patients which the Community Mental Health Center has determined to
20 be necessary after prompt screening by the Community Mental Health Center.
21 Payment for patients screened and approved by the Community Mental Health
22 Center who receive care at these inpatient facilities shall be provided to
23 the inpatient facilities at the contract rate unless the funds available for
24 this purpose have been exhausted. Available funding as determined by the
25 Director of the Department of ~~Health and~~ Human Services shall be apportioned
26 on a per capita basis up to a maximum of three dollars and forty-eight cents
27 (\$3.48) per capita for fiscal year ~~2007-2008~~ 2009-2010. The 2000 federal
28 population census shall be used in determining the population of each
29 catchment area of the fifteen Community Mental Health Centers. All amounts
30 appropriated under this section shall be used by Community Mental Health
31 Centers for residents of each center's catchment area and such funds shall
32 only be accessed as the payment of last resort.

33
34 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
36 REPORTING. The Division of Behavioral Health Services shall develop an

1 evaluation and monitoring program that will assure all expenditures are made
2 consistent with the intent of these appropriations. As a condition for
3 receiving funds under this Act, Community Mental Health Centers (CMHCs) shall
4 report quarterly to the Division of Behavioral Health Services the following
5 data:

6 (1) The number of involuntary commitments and medically indigent admissions
7 referred by CMHCs to community-based settings;

8 (2) The number of involuntary commitments and medically indigent admissions
9 to community-based settings receiving assistance from the acute mental health
10 services funds;

11 (3) The total number of acute bed days utilized by these involuntary
12 commitments;

13 (4) The total number of bed days utilized by these medically indigent
14 admissions;

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

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

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

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

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

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

30
31 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ACUTE
33 MENTAL HEALTH SERVICES – PER CAPITA - LEGISLATIVE FINDINGS AND INTENT. The
34 General Assembly recognizes that the state encouraged the treatment of
35 mentally ill residents within community-based settings over two decades ago
36 and has taken various approaches to funding since then. The General Assembly

1 also recognizes that there are inherent problems within the current public
2 mental health system that create disincentives for proper treatment and care.
3 The purpose of the Acute Mental Health Services – Per Capita appropriation is
4 to provide an appropriation for acute mental health services to be utilized
5 within community-based settings for the treatment and care of medically
6 indigent persons 18 years of age and older and involuntary commitments to the
7 public mental health system. The appropriation for acute mental health
8 services provided in this Act shall only be used for Community Mental Health
9 Centers licensed and certified by the Division of Behavioral Health of the
10 Department of ~~Health and~~ Human Services for use within community-based
11 settings and facilities.

12

13 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
15 BEHAVIORAL HEALTH SERVICES - PROCEEDS FOR SALES OF TIMBER AND HAY - CAPITAL
16 IMPROVEMENTS AND EQUIPMENT. The Division of Behavioral Health Services is
17 authorized to use administrative operating account for capital improvements
18 to the physical plant, and for the purchase of capital equipment, and for the
19 operation of the Arkansas Health Center, operated by the Department of ~~Health~~
20 ~~and~~ Human Services, Division of Behavioral Health Services. The funds shall
21 be held by the Department of ~~Health and~~ Human Services, Division of
22 Behavioral Health Services, from the proceeds of the sale of timber and hay
23 that may be harvested from land owned by the Division of Behavioral Health
24 Services. All funds deposited and all expenses shall be tracked separately.
25 The harvesting of timber and hay is specifically authorized to provide funds
26 to finance capital improvements to the physical plant, for the purchase of
27 major capital equipment, and for the operation of the Arkansas Health Center.
28 The Division of Behavioral Health Services shall report all income derived
29 from the sale of timber and hay to the Chief Fiscal Officer of the State and
30 the Legislative Council. Any contracts initiated for the harvesting of timber
31 and hay shall be submitted to the Review Subcommittee of the Arkansas
32 Legislative Council for prior review. All expenditures of funds derived from
33 the sale of timber and hay will be expended in accordance with relevant state
34 purchasing laws.

35 The provisions of this section shall be in effect only from July 1, ~~2007~~
36 2009 through June 30, ~~2009~~ 2010.

1
2 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ACUTE
4 MENTAL HEALTH SERVICES EMERGENCY RESERVE FUND. Of the total amount
5 appropriated for Acute Mental Health Services - Per Capita, two hundred fifty
6 thousand dollars (\$250,000) for the fiscal year ending June 30, 2010 shall
7 first be allocated and made available to the Little Rock Community Mental
8 Health Center for Acute Mental Health Services. The remaining five million
9 five hundred thousand dollars (\$5,500,000) appropriated for the fiscal year
10 shall be allocated and made available to the community mental health centers
11 within community-based settings on a per-capita basis. ~~The Division of~~
12 ~~Behavioral Health shall work with the community mental health centers to~~
13 ~~develop an equitable acute care distribution plan which considers utilization~~
14 ~~of State Hospital beds, clarifying target population, and other pertinent~~
15 ~~demographic factors to ensure maximum equitable utilization of public funds.~~
16 ~~The Division of Behavioral Health shall report this distribution plan to the~~
17 ~~Arkansas Legislative Council or Joint Budget Committee by July 1, 2008.~~

18
19 SECTION 28. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
20 by this act shall be limited to the appropriation for such agency and funds
21 made available by law for the support of such appropriations; and the
22 restrictions of the State Procurement Law, the General Accounting and
23 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
24 Procedures and Restrictions Act, or their successors, and other fiscal
25 control laws of this State, where applicable, and regulations promulgated by
26 the Department of Finance and Administration, as authorized by law, shall be
27 strictly complied with in disbursement of said funds.

28
29 SECTION 29. LEGISLATIVE INTENT. It is the intent of the General Assembly
30 that any funds disbursed under the authority of the appropriations contained
31 in this act shall be in compliance with the stated reasons for which this act
32 was adopted, as evidenced by the Agency Requests, Executive Recommendations
33 and Legislative Recommendations contained in the budget manuals prepared by
34 the Department of Finance and Administration, letters, or summarized oral
35 testimony in the official minutes of the Arkansas Legislative Council or
36 Joint Budget Committee which relate to its passage and adoption.

