

Stricken language will be deleted and underlined language will be added.
Act 1067 of the Regular Session

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

As Engrossed: S3/3/11 S3/14/11 S3/17/11

A Bill

SENATE BILL 184

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, 2012; AND FOR OTHER
12 PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE DEPARTMENT OF HUMAN SERVICES
16 - DIVISION OF BEHAVIORAL HEALTH
17 APPROPRIATION FOR THE 2011-2012 FISCAL
18 YEAR.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established
25 for the Department of Human Services - Division of Behavioral Health for the
26 2011-2012 fiscal year, the following maximum number of regular employees.
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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2011-2012
32	(1) L005N	PSYCHIATRIC SPECIALIST	2	GRADE N919
33	(2) L007N	REHAB MED DIR ALCOHOL REHAB CTR-BEN	2	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	2	GRADE N910
3	(8)	N053N	DHS ASH CHIEF EXECUTIVE OFFICER	1	GRADE N908
4	(9)	N088N	DHS AHC DIRECTOR OF NURSING	1	GRADE N906
5	(10)	N087N	DHS BEHAV HLTH DIR HOSPITAL OPS	1	GRADE N906
6	(11)	N103N	DHS MENTAL HEALTH CENTER DIRECTOR	1	GRADE N906
7	(12)	N123N	DHS/DBHS ASST DIR FOR FINANCE	1	GRADE N904
8	(13)	N127N	DHS/DBHS DIR ALCOHOL & DRUG ABUSE PREV	1	GRADE N904
9	(14)	N135N	DHS AHC NURSING HOME ADMINISTRATOR	1	GRADE N903
10	(15)	N156N	BEHAV HLTH ASST DIR CHILDRENS SVS	1	GRADE N901
11	(16)	N152N	DHS/DBHS ASSISTANT DIR ADMIN SVCS	1	GRADE N901
12	(17)	N153N	DHS/DBHS CLINICAL DIRECTOR	1	GRADE N901
13	(18)	L022N	OCCUPATIONAL THERAPIST	3	GRADE N901
14	(19)	L021N	PHYSICAL THERAPIST	1	GRADE N901
15	(20)	N162N	STATE DRUG PREVENTION DIRECTOR	1	GRADE N901
16	(21)	L001C	PSYCHOLOGIST SUPERVISOR	2	GRADE C129
17	(22)	M002C	DHS BEHAV HLTH ASSOC DIR, AHC	1	GRADE C127
18	(23)	M003C	DHS BEHAV HLTH CHILDRENS SYSTEM CARE	1	GRADE C127
19	(24)	L003C	PSYCHOLOGIST	7	GRADE C127
20	(25)	L006C	ASSOCIATE DIRECTOR OF NURSING	4	GRADE C126
21	(26)	L011C	DHS ALCOHOL/DRUG ABUSE PREV ASST DEP	1	GRADE C125
22	(27)	A024C	DHS DIVISION CHIEF FISCAL OFFICER	1	GRADE C125
23	(28)	L009C	NURSE MANAGER	8	GRADE C125
24	(29)	M004C	RESIDENTIAL OPERATIONS MANAGER	1	GRADE C125
25	(30)	L015C	CLINICAL SPEECH PATHOLOGIST	2	GRADE C124
26	(31)	L024C	DHS BEHAV HLTH FACILITY ADMIN	2	GRADE C123
27	(32)	L021C	NURSING HOME ASSISTANT ADMINISTRATOR	1	GRADE C123
28	(33)	G099C	DHS PROGRAM ADMINISTRATOR	5	GRADE C122
29	(34)	A041C	PROGRAM FISCAL MANAGER	1	GRADE C122
30	(35)	L027C	REGISTERED NURSE SUPERVISOR	19	GRADE C122
31	(36)	A052C	ACCOUNTING COORDINATOR	1	GRADE C121
32	(37)	M009C	LICENSED CERTIFIED SOCIAL WORKER	30	GRADE C121
33	(38)	S004C	MAINTENANCE MANAGER	2	GRADE C121
34	(39)	L036C	NURSE INSTRUCTOR	1	GRADE C121
35	(40)	R014C	PERSONNEL MANAGER	3	GRADE C121
36	(41)	L033C	PSYCHOLOGICAL EXAMINER	1	GRADE C121

1	(42)	L032C	REGISTERED NURSE - HOSPITAL	61	GRADE C121
2	(43)	G131C	DHS BEHAV HLTH MED BUS PRACTICES ADM	1	GRADE C120
3	(44)	T031C	DHS BEHAV HLTH PUBLIC SAFETY DIR	2	GRADE C120
4	(45)	L040C	DIETARY SERVICES DIRECTOR	2	GRADE C120
5	(46)	D057C	INFORMATION TECHNOLOGY MANAGER	1	GRADE C120
6	(47)	G124C	OMBUDSMAN	1	GRADE C120
7	(48)	L038C	REGISTERED NURSE	8	GRADE C120
8	(49)	E023C	TRAINING PROJECT MANAGER	1	GRADE C120
9	(50)	V008C	BUYER SUPERVISOR	1	GRADE C119
10	(51)	D062C	DATABASE ANALYST	2	GRADE C119
11	(52)	L044C	DHS BEHAV HLTH CASE REVIEW ANALYST	1	GRADE C119
12	(53)	G152C	DHS PROGRAM MANAGER	6	GRADE C119
13	(54)	G147C	GRANTS COORDINATOR	1	GRADE C119
14	(55)	M020C	LICENSED PROFESSIONAL COUNSELOR	1	GRADE C119
15	(56)	X062C	QUALITY ASSURANCE COORDINATOR	1	GRADE C119
16	(57)	A063C	RESEARCH & STATISTICS SUPERVISOR	1	GRADE C119
17	(58)	A060C	SENIOR AUDITOR	1	GRADE C119
18	(59)	R024C	ASSISTANT PERSONNEL MANAGER	1	GRADE C118
19	(60)	L050C	CERTIFIED RESPIRATORY THERAPY TECHN	4	GRADE C118
20	(61)	A074C	FISCAL SUPPORT SUPERVISOR	3	GRADE C118
21	(62)	M026C	LICENSED SOCIAL WORKER	5	GRADE C118
22	(63)	M045C	ADULT PROTECTIVE SERVICES WORKER	1	GRADE C117
23	(64)	E044C	CERTIFIED BACHELORS TEACHER	6	GRADE C117
24	(65)	L056C	DHS BEHAV HLTH REGISTRAR	1	GRADE C117
25	(66)	G184C	DHS PROGRAM CONSULTANT	4	GRADE C117
26	(67)	G183C	DHS PROGRAM COORDINATOR	21	GRADE C117
27	(68)	T052C	DHS/DBHS PUBLIC SAFETY SUPERVISOR	7	GRADE C117
28	(69)	L055C	DIETICIAN	1	GRADE C117
29	(70)	G180C	GRANTS ANALYST	5	GRADE C117
30	(71)	R025C	HUMAN RESOURCES ANALYST	1	GRADE C117
31	(72)	S017C	MAINTENANCE COORDINATOR	1	GRADE C117
32	(73)	L051C	REHABILITATION COUNSELOR	3	GRADE C117
33	(74)	B076C	RESEARCH PROJECT ANALYST	4	GRADE C117
34	(75)	C022C	BUSINESS OPERATIONS SPECIALIST	1	GRADE C116
35	(76)	V014C	BUYER	1	GRADE C116
36	(77)	E048C	EDUCATION & INSTRUCTION SPECIALIST	1	GRADE C116

1	(78)	A084C	PROGRAM/FIELD AUDIT SPECIALIST	1	GRADE C116
2	(79)	T055C	PUBLIC SAFETY OFFICER	27	GRADE C116
3	(80)	S022C	SKILLED TRADES SUPERVISOR	7	GRADE C116
4	(81)	S021C	WATER FILTER/WASTE DISPOSAL PLNT SUPV	1	GRADE C116
5	(82)	C037C	ADMINISTRATIVE ANALYST	10	GRADE C115
6	(83)	D079C	COMPUTER SUPPORT TECHNICIAN	2	GRADE C115
7	(84)	A091C	FISCAL SUPPORT ANALYST	1	GRADE C115
8	(85)	D077C	HELP DESK SPECIALIST	1	GRADE C115
9	(86)	L062C	LICENSED PRACTICAL NURSE SUPERVISOR	15	GRADE C115
10	(87)	S033C	MAINTENANCE SUPERVISOR	2	GRADE C115
11	(88)	C028C	MEDICAL RECORDS SUPERVISOR	1	GRADE C115
12	(89)	A090C	PAYROLL SERVICES SPECIALIST	2	GRADE C115
13	(90)	G204C	PLANNING SPECIALIST	2	GRADE C115
14	(91)	V015C	PURCHASING SPECIALIST	1	GRADE C115
15	(92)	X136C	QUALITY ASSURANCE REVIEWER	1	GRADE C115
16	(93)	S031C	SKILLED TRADESMAN	24	GRADE C115
17	(94)	S030C	WATER FILTER/WASTE DISPOSAL PLNT OPER	2	GRADE C115
18	(95)	S041C	BOILER OPERATOR	4	GRADE C114
19	(96)	S044C	FOOD PREPARATION MANAGER	2	GRADE C114
20	(97)	M066C	PROGRAM ELIGIBILITY SPECIALIST	4	GRADE C114
21	(98)	L064C	RADIOLOGY TECHNICIAN	1	GRADE C114
22	(99)	M065C	RECREATIONAL ACTIVITY SUPERVISOR	3	GRADE C114
23	(100)	E051C	STAFF DEVELOPMENT SPECIALIST	1	GRADE C114
24	(101)	V018C	WAREHOUSE MANAGER	1	GRADE C114
25	(102)	C050C	ADMINISTRATIVE SUPPORT SUPERVISOR	1	GRADE C113
26	(103)	R036C	HUMAN RESOURCES SPECIALIST	5	GRADE C113
27	(104)	V020C	INVENTORY CONTROL MANAGER	4	GRADE C113
28	(105)	L069C	LICENSED PRACTICAL NURSE	128	GRADE C113
29	(106)	S046C	MAINTENANCE TECHNICIAN	4	GRADE C113
30	(107)	L067C	PSYCHOLOGICAL INTERN	3	GRADE C113
31	(108)	C043C	RECORDS MANAGEMENT ANALYST	6	GRADE C113
32	(109)	L066C	REHABILITATION INSTRUCTOR	32	GRADE C113
33	(110)	T072C	SECURITY OFFICER SUPERVISOR	1	GRADE C113
34	(111)	C056C	ADMINISTRATIVE SPECIALIST III	51	GRADE C112
35	(112)	R037C	BENEFITS TECHNICIAN	3	GRADE C112
36	(113)	A098C	FISCAL SUPPORT SPECIALIST	5	GRADE C112

1	(114)	A097C	PAYROLL TECHNICIAN	2	GRADE C112
2	(115)	V022C	PURCHASING TECHNICIAN	1	GRADE C112
3	(116)	S056C	FOOD PREPARATION SUPERVISOR	11	GRADE C111
4	(117)	M076C	RECREATIONAL ACTIVITY LEADER II	30	GRADE C111
5	(118)	V023C	STOREROOM SUPERVISOR	2	GRADE C111
6	(119)	B111C	LABORATORY TECHNICIAN	2	GRADE C110
7	(120)	T084C	PUBLIC SAFETY SECURITY OFFICER	36	GRADE C110
8	(121)	L074C	THERAPY ASSISTANT	3	GRADE C110
9	(122)	V025C	WAREHOUSE SPECIALIST	1	GRADE C110
10	(123)	C073C	ADMINISTRATIVE SPECIALIST II	20	GRADE C109
11	(124)	L082C	CERTIFIED NURSING ASSISTANT	159	GRADE C109
12	(125)	L080C	DIETETIC TECHNICIAN	2	GRADE C109
13	(126)	M082C	RECREATIONAL ACTIVITY LEADER I	4	GRADE C109
14	(127)	E056C	TEACHER ASSISTANT	3	GRADE C109
15	(128)	M084C	BEHAV HLTH AIDE	85	GRADE C108
16	(129)	C078C	CASHIER	2	GRADE C108
17	(130)	A102C	FISCAL SUPPORT TECHNICIAN	1	GRADE C108
18	(131)	V027C	INVENTORY CONTROL TECHNICIAN	7	GRADE C108
19	(132)	M083C	RESIDENTIAL CARE TECHNICIAN	5	GRADE C108
20	(133)	S070C	EQUIPMENT TECHNICIAN	8	GRADE C107
21	(134)	C087C	ADMINISTRATIVE SPECIALIST I	7	GRADE C106
22	(135)	L086C	PHARMACY ASSISTANT	2	GRADE C106
23	(136)	V028C	WAREHOUSE WORKER	2	GRADE C106
24	(137)	C088C	MAIL SERVICES ASSISTANT	1	GRADE C105
25	(138)	V030C	SHIPPING & RECEIVING CLERK	3	GRADE C105
26	(139)	S086C	COOK	1	GRADE C104
27	(140)	S085C	FOOD PREPARATION SPECIALIST	8	GRADE C104
28	(141)	S084C	INSTITUTIONAL SERVICES SUPERVISOR	4	GRADE C104
29	(142)	S087C	INSTITUTIONAL SERVICES ASSISTANT	53	GRADE C103
30	(143)	S089C	FOOD PREPARATION TECHNICIAN	44	GRADE C102
31	(144)	V031C	STOCK CLERK	<u>2</u>	GRADE C102
32			MAX. NO. OF EMPLOYEES	<u>1,158</u>	

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34 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for
 35 the Department of Human Services - Division of Behavioral Health for the
 36 2011-2012 fiscal year, the following maximum number of part-time or temporary

1 employees, to be known as "Extra Help", payable from funds appropriated
 2 herein for such purposes: three hundred thirty-six (336) temporary or part-
 3 time employees, when needed, at rates of pay not to exceed those provided in
 4 the Uniform Classification and Compensation Act, or its successor, or this
 5 act for the appropriate classification.

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7 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby
 8 appropriated, to the Department of Human Services - Division of Behavioral
 9 Health, to be payable from the Mental Health Services Fund Account, for
 10 personal services and operating expenses of the Department of Human Services
 11 - Division of Behavioral Health - State Operations for the fiscal year ending
 12 June 30, 2012, the following:

13

14	ITEM	FISCAL YEAR
15	<u>NO.</u>	<u>2011-2012</u>
16	(01) REGULAR SALARIES	\$43,198,864
17	(02) EXTRA HELP	5,468,889
18	(03) PERSONAL SERVICES MATCHING	15,699,117
19	(04) OVERTIME	3,386,342
20	(05) MAINT. & GEN. OPERATION	
21	(A) OPER. EXPENSE	24,917,115
22	(B) CONF. & TRAVEL	105,515
23	(C) PROF. FEES	9,425,261
24	(D) CAP. OUTLAY	0
25	(E) DATA PROC.	0
26	(06) GRANTS/PATIENT SERVICES	24,396,104
27	(07) MENTAL HEALTH CTR TRANSFER	<u>2,599,383</u>
28	TOTAL AMOUNT APPROPRIATED	<u>\$129,196,590</u>

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30 SECTION 4. APPROPRIATION - COMMUNITY ALCOHOL SAFETY OPERATIONS. There
 31 is hereby appropriated, to the Department of Human Services - Division of
 32 Behavioral Health, to be payable from the Highway Safety Special Fund, for
 33 personal services and operating expenses of the Department of Human Services
 34 - Division of Behavioral Health - Community Alcohol Safety Operations for the
 35 fiscal year ending June 30, 2012, the following:

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1	ITEM	FISCAL YEAR
2	<u>NO.</u>	<u>2011-2012</u>
3	(01) REGULAR SALARIES	\$101,259
4	(02) PERSONAL SERVICES MATCHING	35,328
5	(03) MAINT. & GEN. OPERATION	
6	(A) OPER. EXPENSE	95,195
7	(B) CONF. & TRAVEL	8,298
8	(C) PROF. FEES	0
9	(D) CAP. OUTLAY	0
10	(E) DATA PROC.	0
11	(04) COMMUNITY ALCOHOL SAFETY GRANTS AND AID	<u>3,395,445</u>
12	TOTAL AMOUNT APPROPRIATED	<u><u>\$3,635,525</u></u>

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14 SECTION 5. APPROPRIATION - CANTEENS - CASH. There is hereby
 15 appropriated, to the Department of Human Services - Division of Behavioral
 16 Health, to be payable from the cash fund deposited in the State Treasury as
 17 determined by the Chief Fiscal Officer of the State, for operating expenses
 18 of the Department of Human Services - Division of Behavioral Health -
 19 Canteens - Cash for the fiscal year ending June 30, 2012, the following:

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21	ITEM	FISCAL YEAR
22	<u>NO.</u>	<u>2011-2012</u>
23	(01) MAINT. & GEN. OPERATION	
24	(A) OPER. EXPENSE	\$174,048
25	(B) CONF. & TRAVEL	0
26	(C) PROF. FEES	0
27	(D) CAP. OUTLAY	0
28	(E) DATA PROC.	<u>0</u>
29	TOTAL AMOUNT APPROPRIATED	<u><u>\$174,048</u></u>

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31 SECTION 6. APPROPRIATION - PATIENT BENEFITS - CASH. There is hereby
 32 appropriated, to the Department of Human Services - Division of Behavioral
 33 Health, to be payable from the cash fund deposited in the State Treasury as
 34 determined by the Chief Fiscal Officer of the State, for benefits of the
 35 patients of the Department of Human Services - Division of Behavioral Health
 36 for the fiscal year ending June 30, 2012, the following:

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ITEM	FISCAL YEAR
<u>NO.</u>	<u>2011-2012</u>
(01) PATIENT BENEFIT FUND	<u>\$75,000</u>

SECTION 7. APPROPRIATION - COMMUNITY MENTAL HEALTH CENTERS. 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 state assistance to the Community Mental Health Centers by the Department of Human Services - Division of Behavioral Health for the fiscal year ending June 30, 2012, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2011-2012</u>
(01) STATE ASSISTANCE	<u>\$8,780,603</u>

SECTION 8. APPROPRIATION - BLOCK GRANT - FEDERAL. There is hereby appropriated, to the Department of Human Services - Division of Behavioral Health, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for grant payments of the Department of Human Services - Division of Behavioral Health for the fiscal year ending June 30, 2012, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2011-2012</u>
(01) MENTAL HEALTH BLOCK GRANT	<u>\$6,068,799</u>

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, 2012, the following:

ITEM	FISCAL YEAR
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1	<u>NO.</u>	<u>2011-2012</u>
2	(01) ACUTE MENTAL HEALTH SERVICES-PER CAPITA	<u>\$5,633,293</u>

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 4 SECTION 10. APPROPRIATION - ALCOHOL AND DRUG ABUSE PREVENTION. There
 5 is hereby appropriated, to the Department of Human Services - Division of
 6 Behavioral Health, to be payable from the Drug Abuse Prevention and Treatment
 7 Fund, for education, drug abuse prevention and treatment services of the
 8 Department of Human Services - Division of Behavioral Health - Alcohol and
 9 Drug Abuse Prevention for the fiscal year ending June 30, 2012, the
 10 following:

11	ITEM	FISCAL YEAR
12	<u>NO.</u>	<u>2011-2012</u>
13	(01) EDUCATION/PREVENTION/TREATMENT	<u>\$21,114,814</u>

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 16 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE
 17 ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 18 BEHAVIORAL HEALTH SERVICES - ALLOCATION RESTRICTIONS. There is hereby
 19 allocated to the Community Mental Health Centers, as set out herein, the
 20 following amounts of the funds appropriated for State Assistance in the
 21 Behavioral Health Services - Community Mental Health Centers appropriation,
 22 to the Department of Human Services - Behavioral Health Services Division,
 23 there to be used as provided by law, for the fiscal year ending June 30, ~~2011~~
 24 2012, the following:

25		<i>Maximum Allocation</i>
26	<i>Item</i>	<i>Fiscal Year</i>
27	<i>No. Mental Health Center</i>	<u>2010-11</u>
28		<u>2011-12</u>
29	(01) OZARK GUIDANCE CENTER, INC.	\$1,151,920
30	(02) OZARK COUNSELING SERVICES, INC.	345,992
31	<u>(02) HEALTH RESOURCES OF ARKANSAS, INC OCS</u>	<u>1,076,134</u>
32	(03) HEALTH RESOURCES OF ARKANSAS, INC.	730,142
33	(04) COUNSELING SERVICES OF EASTERN ARKANSAS	489,381
34	(03) DELTA COUNSELING ASSOCIATES, INC.	279,144
35	(04) SOUTH ARKANSAS REGIONAL HEALTH CENTER	410,327
36	(05) SOUTHEAST ARKANSAS BEHAVIORAL HEALTHCARE	

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

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

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

22 *The provisions of this section shall be in effect only from July 1, ~~2010~~*
 23 *2011 through June 30, ~~2011~~ 2012.*

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

27 BEHAVIORAL HEALTH SERVICES - ALLOCATION RESTRICTION AND TRANSFER PROVISION.

28 Of the amounts allocated in the BEHAVIORAL HEALTH SERVICES - ALLOCATION
 29 RESTRICTIONS section above, it is the intent of the General Assembly that
 30 such amounts are to be the maximum expended in the applicable fiscal year
 31 from the funds as appropriated for State Assistance in the Behavioral Health
 32 Services - Community Mental Health Centers appropriation for the benefit of
 33 the appropriate program so enumerated. Provided, however, in the event that
 34 unforeseen circumstances occur in the fiscal year which would necessitate a
 35 transfer of the maximum allocation provided the BEHAVIORAL HEALTH SERVICES -
 36 ALLOCATION RESTRICTIONS section above from one or more programs to another

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

10 The provisions of this section shall be in effect only from July 1, ~~2010~~
11 2011 through June 30, ~~2011~~ 2012.

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

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

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

28 The provisions of this section shall be in effect only from July 1, ~~2010~~
29 2011 through June 30, ~~2011~~ 2012.

30
31 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

33 BEHAVIORAL HEALTH SERVICES - APPORTIONMENT OF FUNDS. All funds appropriated
34 under the provisions of the State Assistance line item in the Behavioral
35 Health Services - Community Mental Health Centers appropriation in this Act
36 shall be apportioned on the basis of three dollars and six cents (\$3.06) per

1 capita for fiscal year ~~2010-2011~~ 2011-2012 or so much thereof as funds shall
2 become available. Additional funds shall be apportioned on the basis of fifty
3 cents (\$.50) per capita or a one-to-one State/Local funds matching basis for
4 the fiscal year ending June 30, ~~2011~~ 2012. The total \$8,780,603 allocated for
5 FY ~~2010-2011~~ 2011-2012 shall be distributed to the community mental health
6 centers as described in this section.

7 The provisions of this section shall be in effect only from July 1, ~~2010~~
8 2011 through June 30, ~~2011~~ 2012.

9

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

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

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

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

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

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

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

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

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

18 The provisions of this section shall be in effect only from July 1, ~~2010~~
19 2011 through June 30, ~~2011~~ 2012.

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, ~~2011~~ 2012, 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, ~~2010~~
29 2011 through June 30, ~~2011~~ 2012.

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, ~~2010~~
17 2011 through June 30, ~~2011~~ 2012.

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, ~~2010~~
32 2011 through June 30, ~~2011~~ 2012.

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, ~~2010~~
6 2011 through June 30, ~~2011~~ 2012.

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, ~~2010~~
29 2011 through June 30, ~~2011~~ 2012.

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, ~~2010~~
24 2011 through June 30, ~~2011~~ 2012.

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, ~~2010~~
35 2011 through June 30, ~~2011~~ 2012.

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 ~~2010-2011~~ 2011-2012. The ~~2000~~ most recently
15 available federal population census shall be used in determining the
16 population of each catchment area of the ~~fifteen~~ thirteen Community Mental
17 Health Centers. All amounts appropriated under this section shall be used by
18 Community Mental Health Centers for residents of each center's catchment area
19 and such funds shall 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
5 indigent admissions per catchment area;

6 (7) The number of medically indigent admissions per catchment area
7 unable to receive assistance from the acute mental health services funds due
8 to such 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
15 Services shall report quarterly the data collected from the CMHCs to the
16 House and 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, ~~2010~~
23 2011 through June 30, ~~2011~~ 2012.

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, ~~2011~~ 2012
30 shall first be allocated and made available to the Little Rock Community
31 Mental Health Center for Acute Mental Health Services. The remaining ~~five~~
32 ~~million five hundred thousand dollars (\$5,500,000)~~ balance appropriated for
33 the fiscal year shall be allocated and made available to the community mental
34 health centers within community-based settings on a per-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, 2011 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, 2011 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, 2011.

30
31 */s/Joint Budget Committee*

32
33
34 **APPROVED: 04/04/2011**