

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

As Engrossed: H4/1/99
A Bill

Act 1402 of 1999
HOUSE BILL 1731

5 By: Joint Budget Committee
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For An Act To Be Entitled

"AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES FOR DIVISION OF AGING AND ADULT SERVICES VEHICLE NEEDS AND DIVISION OF YOUTH SERVICES FACILITIES NEEDS; AND FOR OTHER PURPOSES."

Subtitle

"AN ACT FOR THE DEPARTMENT OF HUMAN SERVICES - AGING DIVISION VEHICLE NEEDS AND YOUTH SERVICES FACILITIES NEEDS CAPITAL IMPROVEMENT APPROPRIATION.

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

23 SECTION 1. APPROPRIATIONS - AGING AND ADULT SERVICES VEHICLE NEEDS. There
24 is hereby appropriated, to the Department of Human Services - Division of
25 Aging and Adult Services, to be payable from the General Improvement Fund or
26 its successor fund or fund accounts, the following:

27 (A) For addressing the vehicle needs of the Area Agencies on Aging, the sum
28 of \$2,500,000.

30 SECTION 2. APPROPRIATIONS - YOUTH SERVICES FACILITIES NEEDS. There is
31 hereby appropriated, to the Department of Human Services - Division of Youth
32 Services, to be payable from the Department of Human Services - Youth Services
33 Facilities Needs Fund, the following:

34 (A) For purchase of needed equipment, acquisition of facilities, repairs or
35 renovations, contracting with providers for services, construction expenses,
36 or other facility operations costs, the sum of \$5,000,000.

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"SECTION 3. APPROPRIATION - MENTAL HEALTH SERVICES - PILOT MEDICATION PROGRAM. There is hereby appropriated to the Department of Human Services - Division of Mental Health Services, to be payable from the General Improvement Fund or its successor fund or fund accounts, the following:

(A) For implementation of a pilot program to purchase and distribute new, atypical anti-psychotic medications to indigent clients to prevent re-hospitalization and provide continuity in the delivery of community based care, for each year of the 1999-2001 biennium, the sum of \$250,000.

SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COMMUNITY SUPPORT MEDICATION PILOT PROGRAM GUIDELINES. The appropriation provided herein shall be for the implementation of a pilot program to purchase and distribute new, atypical anti-psychotic medications for indigent clients, and shall be targeted to those individuals who do not have insurance or any other funding source to pay for new, atypical anti-psychotic medications. The intent of the program is to prevent re-hospitalization and to provide continuity in the delivery of community based mental health care. The Division of Mental Health Services (DMHS), Arkansas Mental Health Research and Training Institute shall have the responsibility to develop and implement this pilot program. The DMHS shall establish a Community Support Medication Pilot Program Advisory Committee consisting of representatives of the Arkansas Alliance for the Mentally Ill, the Arkansas Council of Community Mental Health Centers, the Arkansas Pharmacists Association, the University of Arkansas for Medical Sciences (UAMS) College of Pharmacy, the UAMS Department of Psychiatry, and other representatives as deemed appropriate by DMHS to assist in the development and implementation of this pilot program. The DMHS, Arkansas Mental Health Research and Training Institute, with the advice and assistance of the Advisory Committee shall develop specific program guidelines including, but not limited to, the eligibility criteria for client participation, the number of clients to be covered, the scope and geographical coverage of the pilot program, the specific new, atypical anti-psychotic medications to be included in the pilot program, and the research protocols and outcome measures by which the pilot program will be evaluated. Prior to the implementation of the Community Support Medication Pilot Program and prior

1 to the expenditure of any funds appropriated in this section, the DMHS shall
2 present a detailed description of the pilot program to the Senate and House
3 Interim Committees on Public Health, Welfare, and Labor for their review.
4 These interim committees shall have the responsibility for oversight of this
5 pilot program and the DMHS shall make at least bi-annual progress reports to
6 these interim committees.

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8 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
9 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING
10 TRANSFER. When funds are authorized to be made available through the
11 provisions of the General Improvement Distribution Act of 1999 for the Youth
12 Services Facilities Needs herein and upon meeting all other conditions as set
13 out by law, the Chief Fiscal Officer of the State and State Treasurer shall
14 transfer the sum of \$5,000,000, or so much thereof as is made available
15 therefrom, from the General Improvement Fund or its fund account to the
16 Department of Human Services - Youth Services Facilities Needs Fund there to
17 be used for such purposes as appropriated herein.

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19 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
20 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DISBURSEMENT OF
21 FUNDS. Expenditure of the funds authorized herein shall be made only upon
22 documentation to the Chief Fiscal Officer of the State, in such form as deemed
23 necessary, that all criteria or pre-conditions established in the
24 appropriation act have been met or in the case of state agencies, that a
25 Method of Finance has been filed with the Office of Accounting in the
26 Department of Finance and Administration. Any matching funds as may be
27 provided in law shall be certified to the Chief Fiscal Officer of the State
28 prior to the commencement of the project. Further, any recipient of the funds
29 appropriated herein may be required to file a compliance audit indicating that
30 the use of the funds was in compliance with the intent of the General
31 Assembly.

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33 SECTION 7. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
34 obligations otherwise incurred in relation to the project or projects
35 described herein in excess of the State Treasury funds actually available
36 therefor as provided by law. Provided, however, that institutions and

1 agencies listed herein shall have the authority to accept and use grants and
2 donations including Federal funds, and to use its unobligated cash income or
3 funds, or both available to it, for the purpose of supplementing the State
4 Treasury funds for financing the entire costs of the project or projects
5 enumerated herein. Provided further, that the appropriations and funds
6 otherwise provided by the General Assembly for Maintenance and General
7 Operations of the agency or institutions receiving appropriation herein shall
8 not be used for any of the purposes as appropriated in this act.

9 (B) The restrictions of any applicable provisions of the State Purchasing
10 Law, the General Accounting and Budgetary Procedures Law, the Revenue
11 Stabilization Law and any other applicable fiscal control laws of this State
12 and regulations promulgated by the Department of Finance and Administration,
13 as authorized by law, shall be strictly complied with in disbursement of any
14 funds provided by this act unless specifically provided otherwise by law.

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16 SECTION 8. LEGISLATIVE INTENT. It is the intent of the General Assembly
17 that any funds disbursed under the authority of the appropriations contained
18 in this act shall be in compliance with the stated reasons for which this act
19 was adopted, as evidenced by the Agency Requests, Executive Recommendations
20 and Legislative Recommendations contained in the budget manuals prepared by
21 the Department of Finance and Administration, letters, or summarized oral
22 testimony in the official minutes of the Arkansas Legislative Council or Joint
23 Budget Committee which relate to its passage and adoption.

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25 SECTION 9. CODE. All provisions of this Act of a general and permanent
26 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
27 Code Revision Commission shall incorporate the same in the Code.

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29 SECTION 10. SEVERABILITY. If any provision of this act or the application
30 thereof to any person or circumstance is held invalid, such invalidity shall
31 not affect other provisions or applications of the act which can be given
32 effect without the invalid provision or application, and to this end the
33 provisions of this act are declared to be severable.

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35 SECTION 11. GENERAL REPEALER. All laws and parts of laws in conflict with
36 this act are hereby repealed.

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SECTION 12. EMERGENCY CLAUSE. It is hereby found and determined by the Eighty-second General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1999 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1999 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1999.

/s/ Joint Budget Committee

APPROVED: 4/13/1999