

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 1231 of the Regular Session

1 State of Arkansas As Engrossed: S3/5/07 S3/19/07 S3/23/07 S3/26/07 S3/27/07 S3/28/07 S3/29/07

2 86th General Assembly

A Bill

3 Regular Session, 2007

SENATE BILL 218

4
5 By: Joint Budget Committee

6
7
8 **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 HEALTH AND HUMAN SERVICES -
12 DIVISION OF BEHAVIORAL HEALTH FOR THE BIENNIAL
13 PERIOD ENDING JUNE 30, 2009; AND FOR OTHER
14 PURPOSES.

15
16
17 **Subtitle**

18 AN ACT FOR THE DEPARTMENT OF HEALTH AND
19 HUMAN SERVICES - DIVISION OF BEHAVIORAL
20 HEALTH APPROPRIATION FOR THE 2007-2009
21 BIENNIUM.

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

25
26 *SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for*
27 *the Department of Health and Human Services - Division of Behavioral Health*
28 *for the 2007-2009 biennium, the following maximum number of regular employees*
29 *whose salaries shall be governed by the provisions of the Uniform*
30 *Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or*
31 *its successor, and all laws amendatory thereto. Provided, however, that any*
32 *position to which a specific maximum annual salary is set out herein in*
33 *dollars, shall be exempt from the provisions of said Uniform Classification*
34 *and Compensation Act. All persons occupying positions authorized herein are*
35 *hereby governed by the provisions of the Regular Salaries Procedures and*



1 Restrictions Act (Arkansas Code §21-5-101), or its successor.

				<i>Maximum Annual</i>		
				<i>Maximum</i>	<i>Salary Rate</i>	
				<i>No. of</i>	<i>Fiscal Years</i>	
<i>Item</i>	<i>Class</i>					
<i>No.</i>	<i>Code</i>	<i>Title</i>	<i>Employees</i>	<i>2007-2008</i>	<i>2008-2009</i>	
7	(1)	6610	PSYCHIATRIC SPECIALIST SUPERVISOR	2	\$157,513	\$160,663
8	(2)	6617	PSYCHIATRIC SPECIALIST	2	\$149,932	\$152,930
9	(3)	6623	REHAB MED DIR ALCOHOL REHAB CNT-BEN	1	\$142,822	\$145,678
10	(4)	6621	PSYCHIATRIST	3	\$142,822	\$145,678
11	(5)	7162	DHS ADMR AR BEHAVIORAL HLTH STATE H	1	\$135,997	\$138,716
12	(6)	6639	BEHAVIORAL HEALTH GENERAL PHYSICIAN	7	\$131,742	\$134,376
13	(7)		DIRECTOR OF PHARMACY	1	\$128,249	\$130,804
14	(8)		REGISTERED PHARMACIST II	5	\$107,234	\$109,378
15	(9)	9408	DHS CHIEF INFORMATION OFFICER	1	\$102,821	\$104,877
16	(10)	9970	DHS DEP DIR BEHAVIORAL HEALTH SERVI	1	\$102,714	\$104,768
17	(11)	9701	HEALTH DIR ALCOL & DRUG ABUSE PREV	1	\$95,371	\$97,278
18	(12)	9476	AHC DIRECTOR OF NURSING	1	\$91,134	\$92,956
19	(13)	8964	DHS BEHAVIORAL HEALTH CENTER DIRECT	1	\$87,612	\$89,364
20	(14)	6607	BEHAVIORAL HLTH SVCS CHIEF PSYCHOL	1	\$87,486	\$89,235
21	(15)	9475	AHC CLINICAL DIRECTOR	1	\$85,042	\$86,742
22	(16)	9474	AHC NURSING HOME ADMINISTRATOR	1	\$85,042	\$86,742
23	(17)	8932	BEHAVIORAL HEALTH ASST. DEP. DIR. A	1	\$84,017	\$85,697
24	(18)	8033	DHS BEHAV. HLT. ASST. DIR. MANAGED	1	\$84,014	\$85,694
25	(19)	8032	DHS/BH ASST. DIR. ADMIN. SVCS.	1	\$84,014	\$85,694
26	(20)	9407	DHS HIPPA PRIVACY OFFICER	1	\$73,470	\$74,939
27	(21)	8933	DHS/DBHS ASST. DEP. DIR. PROGRAM DE	1	\$67,669	\$69,022
28	(22)	8934	DHS/DBHS DEP. DIR. PROG. DEV.	1	\$61,723	\$62,957
29	(23)	L134	PSYCHOLOGIST SUPERVISOR	3	GRADE 26	
30	(24)	017Z	DHS/DYS ADMIN PROG COMPLIANCE	1	GRADE 26	
31	(25)	L124	PSYCHOLOGIST	6	GRADE 25	
32	(26)	118Z	DHS NURSING SERVICES ADMINISTRATOR	1	GRADE 25	
33	(27)	180Z	BEHAVIORAL HEALTH ASSOC. DIR., AHC	1	GRADE 25	
34	(28)	397Z	DHS/DCFS ADMIN COMMUNITY SVCS	1	GRADE 25	
35	(29)	474Z	BEHAVIORAL HEALTH PSYCHOLOGIST ADM.	1	GRADE 25	
36	(30)	188Z	A&D ABUSE PREV ASST DEP DIR/DIR SVC	1	GRADE 24	

1	(31)	871Z	BEHAVIORAL HLT SOCIAL WORK ADM.	1	GRADE 24
2	(32)	L112	PSYCH RESIDENT	2	GRADE 24
3	(33)	361Z	HLTH MEDICAL CARE SVCS ADMR	2	GRADE 24
4	(34)	870Z	BEHAVIORAL HLTH. FACILITY ADMINISTR	3	GRADE 23
5	(35)	923Z	DHS PRGM ADMINISTRATOR	6	GRADE 23
6	(36)	B040	HLTH PUB HLTH LAB SECTION DIRECTOR	1	GRADE 23
7	(37)	R184	NURSING SERVICES UNIT MANAGER	9	GRADE 23
8	(38)	D066	SYSTEMS COORDINATION ANALYST II	1	GRADE 22
9	(39)	A088	DHS FINANCIAL SECTION MANAGER	1	GRADE 22
10	(40)	B006	SR EPIDEMIOLOGIST	1	GRADE 22
11	(41)	909Z	PROGRAM SUPPORT MANAGER	3	GRADE 22
12	(42)	L078	NURSE SUPERVISOR	22	GRADE 22
13	(43)	L074	REGISTERED NURSE PRACTITIONER II	1	GRADE 22
14	(44)	M118	DHS/DBHS DIR. OF COMM. SUPPORT PROG	1	GRADE 22
15	(45)	R055	HLTH PUB HLTH NURSING PROGRAM COORD	1	GRADE 22
16	(46)	699Z	DHS/DCO FIELD MANAGER	1	GRADE 22
17	(47)	R074	BEHAVIORAL HLTH. COMM. SVCS. COORD.	1	GRADE 21
18	(48)	L122	PSYCHOLOGICAL EXAMINER II	5	GRADE 21
19	(49)	M051	BEHAVIORAL HLTH DIR. OF SOCIAL SERV	1	GRADE 21
20	(50)	L082	NURSING SERVICES SPECIALIST	11	GRADE 21
21	(51)	L090	OCCUPATIONAL THERAPY SUPERVISOR	2	GRADE 21
22	(52)	L030	DIETARY SERVICES DIRECTOR	1	GRADE 21
23	(53)	A008	ACCOUNTING SUPERVISOR II	3	GRADE 21
24	(54)	892Z	DHS INSTITUTION BUSINESS MANAGER	1	GRADE 21
25	(55)	480Z	BEHAVIORAL HEALTH PERSONNEL MANAGER	2	GRADE 21
26	(56)	697Z	DHS PRGM MANAGER	2	GRADE 21
27	(57)	R298	AGENCY PROGRAM COORDINATOR	1	GRADE 21
28	(58)	R326	QUALITY ASSURANCE COORDINATOR	2	GRADE 21
29	(59)	T004	AR BEHAVIORAL HLTH PUBLIC SAFETY DI	1	GRADE 20
30	(60)	R145	DHS PROGRAM COORDINATOR	3	GRADE 20
31	(61)	R266	MANAGEMENT PROJECT ANALYST II	6	GRADE 20
32	(62)	W006	BEHAVIORAL HEALTH REGISTRAR	1	GRADE 20
33	(63)	Y116	MAINTENANCE SYSTEMS SUPV	1	GRADE 20
34	(64)	A006	ACCOUNTING SUPERVISOR I	2	GRADE 20
35	(65)	E038	NURSE INSTRUCTOR	1	GRADE 20
36	(66)	G214	DIRECTOR MAINTENANCE	1	GRADE 20

1	(67)	L070	NURSE II	62	GRADE 20
2	(68)	M028	COUNSELOR II	2	GRADE 20
3	(69)	L140	SPEECH PATHOLOGIST II	2	GRADE 20
4	(70)	M088	SOCIAL WORKER II	30	GRADE 20
5	(71)	M127	SR REHABILITATION COUNSELOR	1	GRADE 20
6	(72)	Q046	MEDICARE/MEDICAID SURVEY SPECIALIST	1	GRADE 20
7	(73)	L156	HLTH PUB HLTH NURSE II	1	GRADE 20
8	(74)	M128	DHS/DDS PRGM COORDINATOR	1	GRADE 20
9	(75)	W014	DIRECTOR MEDICAL RECORDS	1	GRADE 20
10	(76)	M086	SOCIAL WORKER I	3	GRADE 19
11	(77)	M097	VOLUNTEER PROGRAM DEVELOPER II	1	GRADE 19
12	(78)	R030	ASST PERSONNEL MANAGER	2	GRADE 19
13	(79)	R084	DHS STAFF SUPERVISOR	1	GRADE 19
14	(80)	M056	REHAB COUNSELOR III	1	GRADE 19
15	(81)	M019	CHAPLAIN	1	GRADE 19
16	(82)	L028	DIETICIAN	1	GRADE 19
17	(83)	L032	HEALTH PROGRAM CONSULTANT	4	GRADE 19
18	(84)	G026	BLDG AND GROUNDS COORDINATOR	2	GRADE 19
19	(85)	E042	PUB HLTH EDUCATOR	1	GRADE 19
20	(86)	E118	HABILITATION/REHAB INSTRUCTOR SUPV	1	GRADE 19
21	(87)	V008	BUYER III	1	GRADE 19
22	(88)	R168	GRANTS COORDINATOR II	3	GRADE 19
23	(89)	T055	UNIFORM COMMANDER	4	GRADE 19
24	(90)	T074	PUBLIC SAFETY DIRECTOR	1	GRADE 19
25	(91)	R150	RESEARCH PROJECT ANALYST	1	GRADE 19
26	(92)	R264	MANAGEMENT PROJECT ANALYST I	2	GRADE 18
27	(93)	V006	BUYER II	1	GRADE 18
28	(94)	V040	PURCHASE AGENT II/PURCHASE AGENT	1	GRADE 18
29	(95)	Y022	STATIONARY ENGINEER SUPERVISOR	1	GRADE 18
30	(96)	Y027	ELECTRICIAN SUPERVISOR	1	GRADE 18
31	(97)	Y081	PLUMBER SUPERVISOR	1	GRADE 18
32	(98)	W030	RECORDS MANAGEMENT ANALYST II	1	GRADE 18
33	(99)	Y005	AUTO/DIESEL MECHANIC SUPERVISOR	1	GRADE 18
34	(100)	Y017	CARPENTER SUPERVISOR	1	GRADE 18
35	(101)	E050	STAFF DEVELOPMENT SPECIALIST II	2	GRADE 18
36	(102)	A111	ACCOUNTANT	1	GRADE 18

1	(103)	E024	INSTITUTIONAL INSTRUCTOR II	7	GRADE 18
2	(104)	G031	CONSTRUCTION/MAINTENANCE PROJ EST	4	GRADE 18
3	(105)	H032	FOOD PRODUCTION MANAGER	2	GRADE 18
4	(106)	L036	CERTIFIED RESPIRATORY THERAPY TECH	1	GRADE 18
5	(107)	R134	PLANNING SPECIALIST II	2	GRADE 18
6	(108)	M050	RECREATIONAL ACTIVITY LEADER SUPV	3	GRADE 18
7	(109)	M075	SOCIAL SERVICE REPRESENTATIVE II	2	GRADE 18
8	(110)	M082	SOCIAL SERVICE WORKER III	8	GRADE 18
9	(111)	E072	TRAINING INSTRUCTOR	1	GRADE 18
10	(112)	R010	ADMINISTRATIVE ASSISTANT II	18	GRADE 17
11	(113)	L117	LPN/LPTN SUPERVISOR	20	GRADE 17
12	(114)	G141	WATER FILTER/WASTE DISPOS PLNT SUPV	1	GRADE 17
13	(115)	G161	GENERAL MAINTENANCE REPAIRMAN	9	GRADE 17
14	(116)	E086	HABILITATION/REHAB INSTRUCTOR II	13	GRADE 17
15	(117)	A034	FIELD AUDITOR	1	GRADE 17
16	(118)	Y021	STATIONARY ENGINEER	4	GRADE 17
17	(119)	Y039	HEATING & A/C MECHANIC	4	GRADE 17
18	(120)	Y053	JOURNEYMAN CARPENTER	4	GRADE 17
19	(121)	Y055	JOURNEYMAN ELECTRICIAN	6	GRADE 17
20	(122)	Y057	JOURNEYMAN PAINTER	3	GRADE 17
21	(123)	Y061	JOURNEYMAN PLUMBER	4	GRADE 17
22	(124)	Y065	JOURNEYMAN LOCKSMITH	1	GRADE 17
23	(125)	W028	RECORDS MANAGEMENT ANALYST I	4	GRADE 17
24	(126)	T049	SECURITY OFFICER SUPERVISOR	2	GRADE 17
25	(127)	R166	GRANTS COORDINATOR I	1	GRADE 17
26	(128)	M080	SOCIAL SERVICE WK II/SOC SVC WK	1	GRADE 17
27	(129)	V030	INVENTORY CONTROL MANAGER	1	GRADE 17
28	(130)	T037	PUB SAFETY OFFICER II	18	GRADE 16
29	(131)	A053	INSURANCE SPECIALIST II	3	GRADE 16
30	(132)	G167	EXECUTIVE HOUSEKEEPER I	2	GRADE 16
31	(133)	G215	MAJOR APPLIANCE REPAIRMAN	1	GRADE 16
32	(134)	L126	PSYCHOLOGICAL INTERN	2	GRADE 16
33	(135)	L153	X-RAY TECH SUPV/X-RAY TECH II	2	GRADE 16
34	(136)	L116	LPN III/LPTN III	95	GRADE 16
35	(137)	L115	LPN II/LPTN II	84	GRADE 15
36	(138)	K011	ADMINISTRATIVE OFFICE SUPERVISOR	2	GRADE 15

1	(139)	M002	ADMISSIONS INTERVIEWER SUPV	1	GRADE 15
2	(140)	M073	SOCIAL SERVICE REPRESENTATIVE I	1	GRADE 15
3	(141)	M048	RECREATIONAL ACTIVITY LEADER II	25	GRADE 15
4	(142)	R009	ADMINISTRATIVE ASSISTANT I	8	GRADE 15
5	(143)	A108	ACCOUNTING TECHNICIAN II	5	GRADE 15
6	(144)	A063	PAYROLL OFFICER	1	GRADE 15
7	(145)	T047	SECURITY OFFICER III	19	GRADE 15
8	(146)	V051	STOREROOM SUPV/STORE SUPV	2	GRADE 15
9	(147)	E084	HABILITATION/REHAB INSTRUCTOR I	1	GRADE 15
10	(148)	L183	OCCUPATIONAL THERAPY ASSISTANT	4	GRADE 15
11	(149)	V011	CENTRAL SUPPLY SUPV	1	GRADE 15
12	(150)	L184	DIETETIC TECHNICIAN	5	GRADE 14
13	(151)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	5	GRADE 14
14	(152)	K117	MEDICAL OR LEGAL SECRETARY	23	GRADE 14
15	(153)	L113	LPN I/LPTN I	12	GRADE 14
16	(154)	L107	PHYSICAL THERAPY WORKER	1	GRADE 13
17	(155)	L091	OCCUPATIONAL THERAPY WORKER	3	GRADE 13
18	(156)	H049	SUPERVISOR OF COOKING	4	GRADE 13
19	(157)	K153	SECRETARY II	10	GRADE 13
20	(158)	E027	INSTITUTIONAL TEACHER ASSISTANT	2	GRADE 13
21	(159)	B049	LABORATORY TECHNICIAN II	2	GRADE 13
22	(160)	G115	NURSERY ASST & GROUNDSKEEPER SUPV	1	GRADE 13
23	(161)	G139	WATER FILTER/WASTE DISPOS PLNT OPER	2	GRADE 13
24	(162)	M047	RECREATIONAL ACTIVITY LEADER I	3	GRADE 13
25	(163)	C013	SWITCHBOARD OPERATOR SUPERVISOR	1	GRADE 12
26	(164)	K115	STATISTICIAN ASST II/STATISTICIAN I	2	GRADE 12
27	(165)	L020	CERTIFIED NURSING ASSISTANT II	90	GRADE 12
28	(166)	K039	DOCUMENT EXAMINER II	2	GRADE 12
29	(167)	K145	CASHIER/CASHIER II	1	GRADE 12
30	(168)	T045	SECURITY OFFICER II	1	GRADE 12
31	(169)	T013	FIRE & SAFETY COORD	1	GRADE 12
32	(170)	K089	PERSONNEL ASSISTANT	1	GRADE 12
33	(171)	V043	SHIPPING & RECEIVING CLERK	3	GRADE 11
34	(172)	L018	CERTIFIED NURSING ASSISTANT I	82	GRADE 11
35	(173)	K155	SECRETARY I	2	GRADE 11
36	(174)	L101	PHARMACY TECH	1	GRADE 11

1	(175)	M001	ADMISSIONS INTERVIEWER	2	GRADE 11
2	(176)	L181	BEHAVIORAL HEALTH AIDE	43	GRADE 11
3	(177)	L097	PHARMACY ASST	3	GRADE 10
4	(178)	G006	MOTOR VEHICLE OPERATOR	9	GRADE 10
5	(179)	H005	BAKER II	2	GRADE 10
6	(180)	H027	COOK II	7	GRADE 10
7	(181)	V029	INVENTORY CONTROL CLERK	3	GRADE 10
8	(182)	V015	CENTRAL SUPPLY TECHNICIAN	1	GRADE 09
9	(183)	C011	SWITCHBOARD OPERATOR II	9	GRADE 09
10	(184)	K065	MAIL OFFICER	2	GRADE 09
11	(185)	H053	FOOD SERVICE WORKER III	14	GRADE 08
12	(186)	G010	LAUNDRY SUPERVISOR	1	GRADE 08
13	(187)	G045	EQUIPMENT OPERATOR	2	GRADE 08
14	(188)	H025	COOK I	6	GRADE 08
15	(189)	L055	MENTAL HEALTH WORKER	9	GRADE 08
16	(190)	G191	CLOTHING SHOP OPERATOR	1	GRADE 07
17	(191)	G169	CUSTODIAL SUPV I	2	GRADE 06
18	(192)	H043	FOOD SERVICE WORKER II	38	GRADE 05
19	(193)	V049	STOCK CLERK II	4	GRADE 05
20	(194)	Y095	SEAMSTRESS II	3	GRADE 05
21	(195)	H017	CANTEEN OPER II/SNACKBAR OPER	1	GRADE 05
22	(196)	G035	CUSTODIAL WRKR II	35	GRADE 04
23	(197)	G008	LAUNDRY WORKER	13	GRADE 04
24	(198)	G171	CUSTODIAL WRKR I	<u>1</u>	GRADE 03
25			MAX. NO. OF EMPLOYEES	1,172	

26

27 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for the
 28 Department of Health and Human Services - Division of Behavioral Health for
 29 the 2007-2009 biennium, the following maximum number of part-time or
 30 temporary employees, to be known as "Extra Help", payable from funds
 31 appropriated herein for such purposes: *one hundred twenty-three (123)*
 32 temporary or part-time employees, when needed, at rates of pay not to exceed
 33 those provided in the Uniform Classification and Compensation Act, or its
 34 successor, or this act for the appropriate classification.

35

36 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated,

1 to the Department of Health and Human Services - Division of Behavioral
 2 Health, to be payable from the Mental Health Services Fund Account, for
 3 personal services and operating expenses of the Department of Health and
 4 Human Services - Division of Behavioral Health - State Operations for the
 5 biennial period ending June 30, 2009, the following:

7	ITEM	FISCAL YEARS	
8	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
9	(01) REGULAR SALARIES	\$ 39,478,870	\$ 39,552,552
10	(02) EXTRA HELP	2,668,889	2,668,889
11	(03) PERSONAL SERVICES MATCHING	14,092,440	14,112,944
12	(04) OVERTIME	1,386,342	1,386,342
13	(05) MAINT. & GEN. OPERATION		
14	(A) OPER. EXPENSE	31,566,875	33,125,479
15	(B) CONF. & TRAVEL	243,040	243,040
16	(C) PROF. FEES	7,379,419	7,379,419
17	(D) CAP. OUTLAY	0	0
18	(E) DATA PROC.	0	0
19	(06) GRANTS/PATIENT SERVICES	16,639,855	17,627,439
20	(07) MENTAL HEALTH CTR TRANSFER	<u>2,653,236</u>	<u>2,653,236</u>
21	TOTAL AMOUNT APPROPRIATED	<u>\$ 116,108,966</u>	<u>\$ 118,749,340</u>

22

23 SECTION 4. APPROPRIATION - COMMUNITY ALCOHOL SAFETY OPERATIONS. There is
 24 hereby appropriated, to the Department of Health and Human Services -
 25 Division of Behavioral Health, to be payable from the Highway Safety Special
 26 Fund, for personal services and operating expenses of the Department of
 27 Health and Human Services - Division of Behavioral Health - Community Alcohol
 28 Safety Operations for the biennial period ending June 30, 2009, the
 29 following:

30

31	ITEM	FISCAL YEARS	
32	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
33	(01) REGULAR SALARIES	\$ 64,521	\$ 65,811
34	(02) PERSONAL SERVICES MATCHING	21,601	21,866
35	(03) MAINT. & GEN. OPERATION		
36	(A) OPER. EXPENSE	45,195	45,195

1	(B) CONF. & TRAVEL	8,298	8,298
2	(C) PROF. FEES	0	0
3	(D) CAP. OUTLAY	0	0
4	(E) DATA PROC.	0	0
5	(04) COMMUNITY ALCOHOL SAFETY GRANTS AND		
6	AID	<u>3,396,469</u>	<u>3,396,469</u>
7	TOTAL AMOUNT APPROPRIATED	<u>\$ 3,536,084</u>	<u>\$ 3,537,639</u>

SECTION 5. APPROPRIATION - CANTEENS - CASH. There is hereby appropriated, to the Department of Health and Human Services - Division of Behavioral Health, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for operating expenses of the Department of Health and Human Services - Division of Behavioral Health - Canteens - Cash for the biennial period ending June 30, 2009, the following:

ITEM	FISCAL YEARS	
<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 174,048	\$ 174,048
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 174,048</u>	<u>\$ 174,048</u>

SECTION 6. APPROPRIATION - PATIENT BENEFITS - CASH. There is hereby appropriated, to the Department of Health and Human Services - Division of Behavioral Health, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for benefits of the patients of the Department of Health and Human Services - Division of Behavioral Health for the biennial period ending June 30, 2009, the following:

ITEM	FISCAL YEARS	
<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>

1 (01) PATIENT BENEFIT FUND \$ 75,000 \$ 75,000

2

3 SECTION 7. APPROPRIATION - COMMUNITY MENTAL HEALTH CENTERS. There is
 4 hereby appropriated, to the Department of Health and Human Services -
 5 Division of Behavioral Health, to be payable from the Mental Health Services
 6 Fund Account, for state assistance to the Community Mental Health Centers by
 7 the Department of Health and Human Services - Division of Behavioral Health
 8 for the biennial period ending June 30, 2009, the following:

9

10 ITEM	FISCAL YEARS	
11 <u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
12 (01) STATE ASSISTANCE	\$ <u>8,780,603</u>	\$ <u>8,780,603</u>

13

14 SECTION 8. APPROPRIATION - BLOCK GRANT - FEDERAL. There is hereby
 15 appropriated, to the Department of Health and Human Services - Division of
 16 Behavioral Health, to be payable from the federal funds as designated by the
 17 Chief Fiscal Officer of the State, for grant payments of the Department of
 18 Health and Human Services - Division of Behavioral Health for the biennial
 19 period ending June 30, 2009, the following:

20

21 ITEM	FISCAL YEARS	
22 <u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
23 (01) MENTAL HEALTH BLOCK GRANT	\$ <u>6,068,799</u>	\$ <u>6,068,799</u>

24

25 SECTION 9. APPROPRIATION - ACUTE MENTAL HEALTH SERVICES - PER CAPITA.
 26 There is hereby appropriated, to the Department of Health and Human Services
 27 - Division of Behavioral Health, to be payable from the Mental Health
 28 Services Fund Account, for acute mental health services within community-
 29 based settings of the catchment areas served by Community Mental Health
 30 Centers licensed and certified by the Division of Behavioral Health of the
 31 Department of Health and Human Services for the biennial period ending June
 32 30, 2009, the following:

33

34 ITEM	FISCAL YEARS	
35 <u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
36 (01) ACUTE MENTAL HEALTH SERVICES-PER		

1 (01) SPECIALIZED PREVENTION AND TREATMENT

2 SERVICES AND OPERATING EXPENSES \$ 17,250,000 \$ 17,250,000

3

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

6 BEHAVIORAL HEALTH SERVICES - ALLOCATION RESTRICTIONS. There is hereby
7 allocated to the Community Mental Health Centers, as set out herein, the
8 following amounts of the funds appropriated for State Assistance in the
9 Behavioral Health Services - Community Mental Health Centers appropriation,
10 to the Department of Health and Human Services – Behavioral Health Services
11 Division, there to be used as provided by law, for the biennial period ending
12 June 30, ~~2007~~ 2009, the following:

		Maximum Allocation			
		Fiscal Years			
Item NO.	Mental Health Center	2005-06	<u>2007-08</u>	2006-07	<u>2008-09</u>
15	(01) OZARK GUIDANCE CENTER, INC.	\$1,151,206	<u>\$1,151,920</u>	\$1,151,206	<u>\$1,151,920</u>
16	(02) OZARK COUNSELING SERVICES, INC.	345,750	<u>345,992</u>	345,750	<u>345,992</u>
17	(03) HEALTH RESOURCES OF				
18	ARKANSAS, INC.	729,750	<u>730,142</u>	729,750	<u>730,142</u>
19	(04) COUNSELING SERVICES OF				
20	EASTERN ARKANSAS	488,940	<u>489,381</u>	488,940	<u>489,381</u>
21	(05) DELTA COUNSELING ASSOCIATES,				
22	INC.	279,089	<u>279,144</u>	279,089	<u>279,144</u>
23	(06) SOUTH ARKANSAS REGIONAL				
24	HEALTH CENTER	409,889	<u>410,327</u>	409,889	<u>410,327</u>
25	(07) SOUTHEAST ARKANSAS BEHAVIORAL				
26	HEALTHCARE SYS. INC.	477,735	<u>474,778</u>	477,735	<u>474,778</u>
27	(08) SOUTHWEST ARKANSAS COUNSELING				
28	& MENTAL HEALTH CENTER, INC.	382,198	<u>381,894</u>	382,198	<u>381,894</u>
29	(09) COMMUNITY COUNSELING				
30	SERVICES, INC.	532,976	<u>533,770</u>	532,976	<u>533,770</u>
31	(10) WESTERN ARK. COUNSELING &				
32	GUIDANCE CENTER	787,788	<u>787,607</u>	787,788	<u>787,607</u>
33	(11) COUNSELING ASSOCIATES, INC.	705,741	<u>705,982</u>	705,741	<u>705,982</u>
34	(12) COUNSELING CLINIC, INCORPORATED	274,799	<u>274,345</u>	274,799	<u>274,345</u>
35	(13) PROFESSIONAL COUNSELING				
36					

1	ASSOCIATES	797,898	<u>798,459</u>	797,898	<u>798,459</u>
2	(14) LITTLE ROCK CMHC	593,855	<u>593,619</u>	593,855	<u>593,619</u>
3	(15) MID-SOUTH HEALTH SYSTEMS	822,989	<u>823,243</u>	822,989	<u>823,243</u>
4	TOTAL AMOUNT ALLOCATED		\$8,780,603		\$8,780,603

5

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

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

16 The provisions of this section shall be in effect only from July 1, ~~2005~~
17 2007 through June 30, ~~2007~~ 2009.

18

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

21 BEHAVIORAL HEALTH SERVICES - ALLOCATION RESTRICTION AND TRANSFER PROVISION.

22 Of the amounts allocated in the BEHAVIORAL HEALTH SERVICES - ALLOCATION
23 RESTRICTIONS section above, it is the intent of the General Assembly that
24 such amounts are to be the maximum expended in the applicable fiscal year
25 from the funds as appropriated for State Assistance in the Behavioral Health
26 Services - Community Mental Health Centers appropriation for the benefit of
27 the appropriate program so enumerated. Provided, however, in the event that
28 unforeseen circumstances occur in either fiscal year which would necessitate
29 a transfer of the maximum allocation provided the BEHAVIORAL HEALTH SERVICES
30 - ALLOCATION RESTRICTIONS section above from one or more programs to another
31 program or programs as enumerated in the BEHAVIORAL HEALTH SERVICES -
32 ALLOCATION RESTRICTIONS section above, the Behavioral Health Services
33 Division with the approval of the Director of the Department of Health and
34 Human Services shall make its request known, and the reasons thereof, to the
35 Office of Budget, Department of Finance and Administration in such form and
36 detail as may be required by the Chief Fiscal Officer of the State. If

1 approved, such transfer approval shall be transmitted to the Bureau of
2 Legislative Research who shall make a report of the transfer and the reasons
3 thereof to the Arkansas Legislative Council at least quarterly.

4 The provisions of this section shall be in effect only from July 1, ~~2005~~
5 2007 through June 30, ~~2007~~ 2009.

6
7 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

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

22 The provisions of this section shall be in effect only from July 1, ~~2005~~
23 2007 through June 30, ~~2007~~ 2009.

24
25 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

27 BEHAVIORAL HEALTH SERVICES - APPORTIONMENT OF FUNDS. All funds appropriated
28 under the provisions of the State Assistance line item in the Behavioral
29 Health Services - Community Mental Health Centers appropriation in this Act
30 shall be apportioned on the basis of three dollars and six cents (\$3.06) per
31 capita for fiscal year ~~2005-2006~~ 2007-2008 and three dollars and six cents
32 (\$3.06) per capita for fiscal year ~~2006-2007~~ 2008-2009 or so much thereof as
33 funds shall become available. Additional funds shall be apportioned on the
34 basis of fifty cents (\$.50) per capita or a one-to-one State/Local funds
35 matching basis for both years of the biennial period ending June 30, ~~2007~~
36 2009. The total \$8,780,603 allocated for FY ~~2005-2006~~ 2007-2008 and

1 \$8,780,603 for FY ~~2006-2007~~ 2008-2009 shall be distributed to the community
2 mental health centers as described in this section.

3 The provisions of this section shall be in effect only from July 1, ~~2005~~
4 2007 through June 30, ~~2007~~ 2009.

5

6 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

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

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

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

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

29 (4) Establish and maintain community support programs designed to provide
30 coordinated care and treatment to ensure ongoing therapeutic involvement and
31 individualized treatment for persons with long-term, severe mental illness.
32 Every community support program shall use a coordinated case management
33 system and shall provide or assure access to services for persons with long-
34 term, severe mental illness who reside within the respective catchment area
35 of the Center. At a minimum, each community support program shall provide
36 assessment, diagnosis, identification of persons in need of services, case

1 management, crisis intervention, psychiatric treatment including medication
2 services and supervision, counseling and psychotherapy, activities of daily
3 living, housing, protection and advocacy, and psychosocial rehabilitation
4 which may include services provided by day treatment programs.

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

13 The provisions of this section shall be in effect only from July 1, ~~2005~~
14 2007 through June 30, ~~2007~~ 2009.

15
16 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
18 BEHAVIORAL HEALTH SERVICES - FEDERAL FUNDS. It is the specific intent of the
19 General Assembly that in the event of the availability of federal funding for
20 the Division of Behavioral Health Services during either year of the biennial
21 period ending June 30, ~~2007~~ 2009, that such funding be utilized to conserve
22 or reduce the expenditure of general revenue except where prohibited by law.

23 The provisions of this section shall be in effect only from July 1, ~~2005~~
24 2007 through June 30, ~~2007~~ 2009.

25
26 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
28 BEHAVIORAL HEALTH SERVICES. Pay rates for physicians and chief psychologists
29 within the Division of Behavioral Health Services may include the special
30 allowances available to UAMS physicians and professional faculty as described
31 in the special language of the UAMS appropriation. Part of the salaries of
32 such staff will come from the receipt of professional income in the care of
33 patients and/or funds received from federal agencies, foundations and other
34 private sponsors in the support of research. Provided that any such
35 allowance shall not exceed, for any employee, an amount equal to two and one
36 half times the salary authorized by the General Assembly. The specific

1 Division of Behavioral Health classifications covered by this language are:

2 Class Code Title

3 6610 Psychiatric Specialist Supervisor

4 6617 Psychiatric Specialist

5 6621 Psychiatrist

6 6639 Behavioral Health General Physician

7 6607 Behavioral Health Services Chief Psychologist

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

12 The provisions of this section shall be in effect only from July 1, ~~2005~~
13 2007 through June 30, ~~2007~~ 2009.

14

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

17 BEHAVIORAL HEALTH SERVICES - VOCATIONAL TRAINEES. The Division of Behavioral
18 Health Services of the Department of Health and Human Services is hereby
19 authorized during the ~~2005-2007~~ 2007-2009 biennium to provide employment
20 opportunities for some of the working residents who are separate from the
21 currently authorized regular vocational trainee positions. The positions
22 authorized herein shall not be incorporated into the present classification
23 system but shall be provided for by each Community Mental Health Center, or
24 State Hospital, on a cash account basis. It is the intent of the General
25 Assembly that the authorization of these positions shall facilitate the
26 Agency's ability to provide for residents who are not part of a regular
27 vocational training program.

28 The provisions of this section shall be in effect only from July 1, ~~2005~~
29 2007 through June 30, ~~2007~~ 2009.

30

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

33 BEHAVIORAL HEALTH SERVICES - JOB SHARE. The Division of Behavioral Health
34 Services can utilize job share for positions within the nursing
35 classification (RN, LPN/LPTN, MHW/CNA) for up to 24 hours per week per
36 individual. This will allow the Division to offer weekend option shifts to

1 nursing personnel without increasing the number of positions.

2 The provisions of this section shall be in effect only from July 1, 2005
3 2007 through June 30, ~~2007~~ 2009.

4
5 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
7 BEHAVIORAL HEALTH SERVICES - STATE HOSPITAL CONTINGENCY POSITIONS. If the
8 Department of Health and Human Services determines, and after prior review by
9 the Legislative Council, it shall be determined that it is in the best
10 interest of the State of Arkansas to discontinue a management contract with a
11 private provider and it is deemed necessary to utilize Department staff to
12 provide the required services, the Director of the Department of Health and
13 Human Services may request the Department of Finance and Administration to
14 approve the establishment of one or more additional positions at salary rates
15 not to exceed the maximum salaries established for comparable positions in
16 the Uniform Classification and Compensation Act, the Department of Health and
17 Human Services' Appropriation Act, and the University of Arkansas for Medical
18 Sciences' Appropriation Act. Upon approval by the Department of Finance and
19 Administration and after review by the Legislative Council, the Department of
20 Health and Human Services, Division of Behavioral Health Services may
21 establish such positions.

22 If the agency requests continuation of a "Growth Pool" position(s) as
23 established herein during the next biennium, the position(s) must be
24 requested as a new position(s) in the agencies biennial budget request.
25 The provisions of this section shall be in effect only from July 1, ~~2005~~ 2007
26 through June 30, ~~2007~~ 2009.

27
28 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS
30 HEALTH CENTER. (A) The Department of Health and Human Services shall not
31 close the Arkansas Health Center that provides skilled nursing through
32 specialized services and programs.

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

36 (C) No funds shall be transferred or reduced from the Arkansas Health

1 Center, except for use as federal matching funds, below the approved funding
2 level on March 1, 2003 without the prior approval of the Arkansas Legislative
3 Council or the Joint Budget Committee.

4 (D) Determining the maximum amount of appropriation and general revenue
5 funding for a state agency each fiscal year is the prerogative of the General
6 Assembly. This is usually accomplished by delineating such maximums in the
7 appropriation act(s) for a state agency and the general revenue allocations
8 authorized for each fund and fund account by amendment to the Revenue
9 Stabilization law. Further, the General Assembly has determined that the
10 Department of Health and Human Services may operate more efficiently if some
11 flexibility is provided to the Department of Health and Human Services
12 authorizing broad powers under this Section. Therefore, it is both necessary
13 and appropriate that the General Assembly maintain oversight by requiring
14 prior approval of the Legislative Council or Joint Budget Committee as
15 provided by this section. The requirement of approval by the Legislative
16 Council or Joint Budget Committee is not a severable part of this section.
17 If the requirement of approval by the Legislative Council or Joint Budget
18 Committee is ruled unconstitutional by a court of competent jurisdiction,
19 this entire section is void.

20 The provisions of this section shall be in effect only from July 1, ~~2005~~ 2007
21 through June 30, ~~2007~~ 2009.

22
23 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA
25 HELP – BEHAVIORAL HEALTH SERVICES. Employees in extra-help positions at the
26 Department of Health and Human Services – Behavioral Health Division may
27 receive an amount not to exceed eighty-five percent (85%) of the maximum
28 annual salary for a comparable position as authorized under § 21-5-201 et
29 seq. during any fiscal year, nor shall such an employee be employed for a
30 period of time to exceed one thousand eight hundred (1800) hours in any
31 single fiscal year.

32 The provisions of this section shall be in effect only from July 1, ~~2005~~ 2007
33 through June 30, ~~2007~~ 2009.

34
35 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL

1 PROVISIONS FOR SHIFT DIFFERENTIAL AND WEEKEND PAY FOR ~~PERSONNEL AT HUMAN~~
2 ~~DEVELOPMENT CENTERS, BEHAVIORAL HEALTH SHIFT DIFFERENTIAL. Personnel employed~~
3 ~~in areas providing critical support and care to Patient Units at the Arkansas~~
4 ~~State Hospital and Arkansas Health Center during evening and night shifts~~
5 ~~shall be eligible to receive up to twenty percent (20%) of the hourly rate~~
6 ~~paid as a shift differential. Personnel required to provide critical and~~
7 ~~support care to client units during weekend hours shall be eligible to~~
8 ~~receive up to twenty percent (20%) of the hourly rate paid as a weekend~~
9 ~~differential. When facilities use shifts other than traditional eight-hour~~
10 ~~shifts, shift differential may be paid for those shifts exceeding the normal~~
11 ~~day shift of the facility. When shift and weekend differentials are provided~~
12 ~~to employees as herein described, the total compensation may exceed the~~
13 ~~maximum annual rate for the assigned pay grade for those positions included~~
14 ~~in this Act.~~

15
16 The Agency shall identify the shift(s) and job classifications applicable for
17 the differential and the shift differential percentage for which each
18 classification is eligible within each shift. The shift schedule, job
19 classification listing ~~the job titles~~ and the percentage of shift
20 differential for which the job titles will be eligible shall be submitted to
21 the Office of Personnel Management for approval by the Chief Fiscal Officer
22 of the State. Subsequent changes to the shift schedule, job classifications
23 and shift differential percentages must receive prior approval by the Chief
24 Fiscal Officer of the State.

25
26 The provisions of this section shall be in effect only from July 1, 2007
27 through June 30, 2009.

28
29 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

31 BEHAVIORAL HEALTH SERVICES - APPORTIONMENT OF FUNDS. Each Community Mental
32 Health Center shall contract with one or more facilities of its choice
33 (excluding Arkansas State Hospital) to provide the inpatient care for
34 indigent patients which the Community Mental Health Center has determined to
35 be necessary after prompt screening by the Community Mental Health Center.
36 Payment for patients screened and approved by the Community Mental Health

1 Center who receive care at these inpatient facilities shall be provided to
2 the inpatient facilities at the contract rate unless the funds available for
3 this purpose have been exhausted. Available funding as determined by the
4 Director of the Department of Health and Human Services shall be apportioned
5 on a per capita basis up to a maximum of three dollars and forty-eight cents
6 (\$3.48) per capita for fiscal year ~~2005-2006~~ 2007-2008 and three dollars and
7 forty-eight cents (\$3.48) per capita for fiscal year ~~2006-2007~~ 2008-2009.
8 The 2000 federal population census shall be used in determining the
9 population of each catchment area of the fifteen Community Mental Health
10 Centers. All amounts appropriated under this section shall be used by
11 Community Mental Health Centers for residents of each center's catchment area
12 and such funds shall only be accessed as the payment of last resort.
13

14 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

16 REPORTING. The Division of Behavioral Health Services shall develop an
17 evaluation and monitoring program that will assure all expenditures are made
18 consistent with the intent of these appropriations. As a condition for
19 receiving funds under this Act, Community Mental Health Centers (CMHCs) shall
20 report quarterly to the Division of Behavioral Health Services the following
21 data:

- 22 (1) the number of involuntary commitments and medically indigent admissions
23 referred by CMHCs to community-based settings;
- 24 (2) the number of involuntary commitments and medically indigent admissions
25 to community-based settings receiving assistance from the acute mental health
26 services funds;
- 27 (3) the total number of acute bed days utilized by these involuntary
28 commitments;
- 29 (4) the total number of bed days utilized by these medically indigent
30 admissions;
- 31 (5) the average length of stay of admissions for these involuntary
32 commitments per catchment area;
- 33 (6) the average length of stay of admissions for these medically indigent
34 admissions per catchment area;
- 35 (7) the number of medically indigent admissions per catchment area unable to
36 receive assistance from the acute mental health services funds due to such

1 funds being depleted by prior admissions;
2 (8) the number of re-admissions per catchment area for involuntary
3 commitments and medically indigent admissions to community-based settings
4 receiving assistance from the acute mental health services; and
5 (9) identify any steps taken by CMHCs to improve access to acute mental
6 health services.

7

8 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ACUTE
10 MENTAL HEALTH SERVICES – PER CAPITA - LEGISLATIVE FINDINGS AND INTENT. The
11 General Assembly recognizes that the state encouraged the treatment of
12 mentally ill residents within community-based settings over two decades ago
13 and has taken various approaches to funding since then. The General Assembly
14 also recognizes that there are inherent problems within the current public
15 mental health system that create disincentives for proper treatment and care.
16 The purpose of the Acute Mental Health Services – Per Capita appropriation is
17 to provide an appropriation for acute mental health services to be utilized
18 within community-based settings for the treatment and care of medically
19 indigent persons 18 years of age and older and involuntary commitments to the
20 public mental health system. The appropriation for acute mental health
21 services provided in this Act shall only be used for Community Mental Health
22 Centers licensed and certified by the Division of Behavioral Health of the
23 Department of Health and Human Services for use within community-based
24 settings and facilities.

25

26 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COMMUNITY
28 ALCOHOL SAFETY CARRY FORWARD. Such Community Alcohol Safety appropriation as
29 is authorized in this Act which remains at the end of the first fiscal year
30 of the biennium may be carried forward into the second fiscal year of the
31 biennium there to be used for the same purposes.

32

33 Any carry forward of unexpended balance of appropriation and/or funding as
34 authorized herein, may be carried forward under the following conditions:

35

36 (1) Prior to June 30, 2008 the Agency shall by written statement set forth

1 its reason(s) for the need to carry forward said appropriation and/or funding
2 to the Department of Finance and Administration Office of Budget;

3
4 (2) The Department of Finance and Administration Office of Budget shall
5 report to the Arkansas Legislative Council all amounts carried forward from
6 the first fiscal year of the biennium to the second fiscal year of the
7 biennium by the September Arkansas Legislative Council or Joint Budget
8 Committee meeting in the second fiscal year of the biennial period which
9 report shall include the name of the Agency, Board, Commission or Institution
10 and the amount of the appropriation and/or funding carried forward from the
11 first fiscal year to the second fiscal year, the program name or line item,
12 the funding source of that appropriation and a copy of the written request
13 set forth in (1) above;

14
15 (3) Each Agency, Board, Commission or Institution shall provide a written
16 report to the Arkansas Legislative Council or Joint Budget Committee
17 containing all information set forth in item (2) above, along with a written
18 statement as to the current status of the project, contract, purpose etc. for
19 which the carry forward was originally requested no later than thirty (30)
20 days prior to the time the Agency, Board, Commission or Institution presents
21 its budget request to the Arkansas Legislative Council/Joint Budget
22 Committee; and

23
24 (4) Thereupon, the Department of Finance and Administration shall include all
25 information obtained in item (3) above in the biennial budget manuals and/or
26 a statement of non-compliance by the Agency, Board, Commission or
27 Institution.

28
29 The provisions of this section shall be in effect only from July 1, 2005
30 2007 through June 30, ~~2007~~ 2009.

31
32 SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
34 BEHAVIORAL HEALTH SERVICES - PROCEEDS FOR SALES OF TIMBER AND HAY - CAPITAL
35 IMPROVEMENTS AND EQUIPMENT. The Division of Behavioral Health Services is
36 authorized to use administrative operating account for capital improvements

1 to the physical plant, and for the purchase of capital equipment, and for the
2 operation of the Arkansas Health Center, operated by the Department of Health
3 and Human Services, Division of Behavioral Health Services. The funds shall
4 be held by the Department of Health and Human Services, Division of
5 Behavioral Health Services, from the proceeds of the sale of timber and hay
6 that may be harvested from land owned by the Division of Behavioral Health
7 Services. All funds deposited and all expenses shall be tracked separately.
8 The harvesting of timber and hay is specifically authorized to provide funds
9 to finance capital improvements to the physical plant, for the purchase of
10 major capital equipment, and for the operation of the Arkansas Health Center.
11 The Division of Behavioral Health Services shall report all income derived
12 from the sale of timber and hay to the Chief Fiscal Officer of the State and
13 the Legislative Council. Any contracts initiated for the harvesting of
14 timber and hay shall be submitted to the Review Subcommittee of the Arkansas
15 Legislative Council for prior review. All expenditures of funds derived from
16 the sale of timber and hay will be expended in accordance with relevant state
17 purchasing laws.

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

21
22 *SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*
23 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ACUTE*
24 *MENTAL HEALTH SERVICES EMERGENCY RESERVE FUND. Of the total amount*
25 *appropriated each fiscal year in Section 9 of this Act for Acute Mental*
26 *Health Services - Per Capita, two hundred fifty thousand dollars (\$250,000)*
27 *each fiscal year shall first be allocated and made available to the Little*
28 *Rock Community Mental Health Center for Acute Mental Health Services. The*
29 *remaining five million five hundred thousand dollars (\$5,500,000)*
30 *appropriated each fiscal year shall be allocated and made available to the*
31 *community mental health centers within community-based settings on a per-*
32 *capita basis. The Division of Behavioral Health shall work with the community*
33 *mental health centers to develop an equitable acute care distribution plan*
34 *which considers utilization of State Hospital beds, clarifying target*
35 *population, and other pertinent demographic factors to ensure maximum*
36 *equitable utilization of public funds. The Division of Behavioral Health*

1 shall report this distribution plan to the Arkansas Legislative Council or
2 Joint Budget Committee by July 1, 2008.

3
4 SECTION 32. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
5 by this act shall be limited to the appropriation for such agency and funds
6 made available by law for the support of such appropriations; and the
7 restrictions of the State Procurement Law, the General Accounting and
8 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
9 Procedures and Restrictions Act, or their successors, and other fiscal
10 control laws of this State, where applicable, and regulations promulgated by
11 the Department of Finance and Administration, as authorized by law, shall be
12 strictly complied with in disbursement of said funds.

13
14 SECTION 33. LEGISLATIVE INTENT. It is the intent of the General Assembly
15 that any funds disbursed under the authority of the appropriations contained
16 in this act shall be in compliance with the stated reasons for which this act
17 was adopted, as evidenced by the Agency Requests, Executive Recommendations
18 and Legislative Recommendations contained in the budget manuals prepared by
19 the Department of Finance and Administration, letters, or summarized oral
20 testimony in the official minutes of the Arkansas Legislative Council or
21 Joint Budget Committee which relate to its passage and adoption.

22
23 SECTION 34. EMERGENCY CLAUSE. It is found and determined by the General
24 Assembly, that the Constitution of the State of Arkansas prohibits the
25 appropriation of funds for more than a two (2) year period; that the
26 effectiveness of this Act on July 1, 2007 is essential to the operation of
27 the agency for which the appropriations in this Act are provided, and that in
28 the event of an extension of the Regular Session, the delay in the effective
29 date of this Act beyond July 1, 2007 could work irreparable harm upon the
30 proper administration and provision of essential governmental programs.
31 Therefore, an emergency is hereby declared to exist and this Act being
32 necessary for the immediate preservation of the public peace, health and
33 safety shall be in full force and effect from and after July 1, 2007.

34
35 /s/ Joint Budget Committee

36 APPROVED: 4/5/2007