

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

A Bill

SENATE BILL 218

5 By: Senators J. Jeffress, Bookout, L. Chesterfield, Crumbly, J. Dismang, J. Hutchinson, G. Jeffress,
6 Luker, R. Thompson, D. Wyatt
7 By: Representatives T. Steele, Allen, J. Brown, Cheatham, Gaskill, Lovell, S. Malone, Ratliff, J.
8 Roebuck, Slinkard, Rice, B. Wilkins, Wilkins, E. Elliott, Wardlaw, Woods, Williams
9

For An Act To Be Entitled

11 AN ACT TO DEFINE THE PARTNERSHIP BETWEEN THE DIVISION
12 OF YOUTH SERVICES OF THE DEPARTMENT OF HUMAN SERVICES
13 AND THE CURRENT DYS CONTRACT COMMUNITY-BASED YOUTH
14 SERVICES PROVIDERS WHO PROVIDE THE ARRAY OF
15 COMMUNITY-BASED SERVICES TO ARKANSAS DELINQUENT, AND
16 FAMILIES IN NEED OF SERVICES, YOUTH AT RISK OF
17 ENTERING THE JUVENILE JUSTICE SYSTEM AND THEIR
18 FAMILIES; AND FOR OTHER PURPOSES.
19

Subtitle

21 TO DEFINE THE PARTNERSHIP BETWEEN THE
22 DIVISION OF YOUTH SERVICES OF THE
23 DEPARTMENT OF HUMAN SERVICES AND THE DYS
24 CONTRACT COMMUNITY-BASED YOUTH SERVICES
25 PROVIDERS.
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29 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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31 SECTION 1. Arkansas Code Title 9, Chapter 28 is amended to add an
32 additional subchapter to read as follows:

33 9-28-1101. Findings.

34 The General Assembly finds that:

35 (1) The State of Arkansas contracts with community-based
36 programs serving delinquent, families in need of services youth, and youth at



1 risk of entering the juvenile court system and their families as quasi-
2 governmental instrumentalities of the state, to provide a service that the
3 state would otherwise provide for this population through state-operated
4 programs and facilities;

5 (2) Under §§ 9-28-201 – 9-28-217, the Division of Youth Services
6 is established within the Department of Human Services and required to
7 provide community-based alternative basic services consisting without
8 limitation of:

- 9 (A) Prevention;
- 10 (B) Intervention;
- 11 (C) Casework;
- 12 (D) Treatment;
- 13 (E) Counseling;
- 14 (F) Observation and assessment;
- 15 (G) Case management;
- 16 (H) Residential services; and
- 17 (I) Sanction services.

18 (3) The primary goals for community-based alternative basic
19 services are:

- 20 (A) Prevention of:
 - 21 (i) Youth from entering the juvenile justice system;
 - 22 (ii) Youth from further movement into the juvenile
23 justice system; and
 - 24 (iii) Youth’s commitment to the custody of the
25 division; and
- 26 (B) Provision of professional, community-based, least-cost
27 services to youth; and

28 (4) The division can provide other specific programs for
29 alcohol, drugs, or sex offenders, special therapeutic treatment programs, or
30 client-specific services where a consistent population has been defined as in
31 need of multidisciplinary care and services and expansion of proven effective
32 early intervention and prevention program activities.

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34 9-28-1102. Definition.

35 As used in this subchapter, "local community providers" means a
36 private, nonprofit corporation program and its affiliates that have:

1 (1) At least five (5) years of experience delivering
2 comprehensive community-based youth services to the Division of Youth
3 Services of the Department of Human Services;

4 (2) Delivered comprehensive community-based youth services to
5 youth between five (5) years of age and twenty-one (21) years of age within a
6 defined geographic area; and

7 (3) Provided as a minimum:

8 (A) Prevention;

9 (B) Intervention;

10 (C) Casework;

11 (D) Treatment;

12 (E) Counseling;

13 (F) Observation and assessment;

14 (G) Case management;

15 (H) Residential services; and

16 (I) Sanction Services.

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18 9-28-1103. Acquisition of services – Purchasing standards.

19 (a) The Division of Youth Services of the Department of Human Services
20 shall acquire services for at-risk, delinquent, and families in need of
21 services youth by agreements with local community providers, other agencies,
22 or individuals deemed by the division to be professionally capable and
23 appropriate to deliver those services.

24 (b) The purchasing standards established by the division shall not
25 require competitive bids for contracts for professional services in the
26 community-based youth services fields.

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28 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
29 General Assembly of the State of Arkansas that community-based youth service
30 programs are struggling to attain the resources necessary to provide youth
31 with community-based services to which they are entitled by federal and state
32 mandates that they rightfully deserve; that the state has had a group of
33 community-based providers deliver youth services to the Division of Youth
34 Services for many years and they should be recognized as the state agents for
35 this service; and that this act is immediately necessary because those
36 agencies should not have to go through the expense or time-consuming work to

1 be part of a competitive bid process. Therefore, an emergency is declared to
2 exist and this act being necessary for the preservation of the public peace,
3 health, and safety shall become effective on:

4 (1) The date of its approval by the Governor;

5 (2) If the bill is neither approved nor vetoed by the Governor,
6 the expiration of the period of time during which the Governor may veto the
7 bill; or

8 (3) If the bill is vetoed by the Governor and the veto is
9 overridden, the date the last house overrides the veto.

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