

Hall of the House of Representatives
85th General Assembly - Regular Session, 2005
Amendment Form

Subtitle of House Bill No. 2452

"TO ADDRESS THE OUT-OF-STATE PLACEMENT OF CHILDREN FOR MENTAL
HEALTH SERVICES AND TREATMENT."

Amendment No. 2 to House Bill No. 2452.

Amend House Bill No. 2452 as engrossed, H3/22/05 (version: 03-22-2005 08:44):

Delete the title entirely and substitute:

"AN ACT TO ENSURE THE CONTINUITY OF MENTAL HEALTH SERVICES FOR JUVENILES IN THEIR COMMUNITIES; TO ADDRESS THE OUT-OF-STATE PLACEMENT OF CHILDREN FOR MENTAL HEALTH SERVICES AND TREATMENT; TO CLARIFY THE REQUIREMENTS FOR AN ASSESSMENT OR SCREENING; AND FOR OTHER PURPOSES.

AND

Delete the subtitle in its entirety and substitute:

"TO ENSURE THE CONTINUITY OF MENTAL
HEALTH SERVICES FOR JUVENILES IN THEIR
COMMUNITIES."

AND

Page 1, delete line 30 and substitute:

"consistent with the juvenile's treatment needs;
(2) Juveniles are placed out-of-state for mental health services
only when it is in the juvenile's best interest and there is no appropriate
or available treatment in-state to meet the needs of the juvenile;"

AND

Page 1, line 31, delete "(2)" and substitute "(3)"

AND

Page 1, line 34, delete "(3)" and substitute "(4)"

AND



Page 1, line 36, delete "attorneys," and substitute "attorneys, courts,"

AND

Page 2, delete line 2 and substitute:
"communities.

SECTION 2. (a) Prior to the court ordering a juvenile to an out-of-state residential placement, excluding border state placements as defined by Medicaid, the court shall refer a juvenile for an assessment by the Department of Human Services or the department's designee to include, but not be limited to:

(1) An assessment of the mental health services for the juvenile and the juvenile's family;

(2) The services that could be provided to enable the juvenile to remain safely in his or her home and the availability of such services;

(3) If the assessment recommends that the juvenile cannot remain at home, all appropriate in-state placements currently available that are appropriate to meet the juvenile's mental health needs shall be presented to the court:

(A) With a preference for the juvenile to remain as close to his or her home and community as possible so that his or her family can participate in the family treatment plan;

(B) That provides for the least restrictive placement ensuring the health and safety of the juvenile;

(C) That provides an anticipated length of time needed for residential or in-patient treatment; and

(D) That provides a plan for reintegration of the juvenile into his or her community, including coordination with local providers when the juvenile is released from treatment; and

(4) If the assessment recommends that the juvenile cannot be served in State of Arkansas, the assessment shall specify the reasons why the child cannot be served in the state and recommend what type of placement the child needs out-of-state and the reasons for such a recommendation.

(b) The Department of Human Services or its designee shall complete the out-of-state mental health assessment within five (5) business days of referral from the court.

(c) The assessment completed by the Department of Human Services or its designee shall be admitted into evidence and the court shall consider the assessment in making its determination as to what services and placement should be ordered based on the best interest of the juvenile.

(d)(1) The court shall make a determination of the ability of the parent, guardian or custodian to pay in whole or in part for mental health services.

(2) If the court determines an ability to pay, the court shall enter such an order for payment pursuant to Arkansas Code § 9-27-333(e)."

AND

Page 2, line 4, delete "SECTION 2." and substitute "SECTION 3."

The Amendment was read _____
By: Representative Roebuck
JSE/JSE - 03-25-2005 07:14
JSE536 _____ Chief Clerk