

Hall of the House of Representatives

86th General Assembly - Regular Session, 2007

Amendment Form

Subtitle of House Bill No. 2358

"AN ACT TO ENSURE BETTER UTILIZATION AND COORDINATION OF THE STATE S
BEHAVIORAL HEALTH CARE RESOURCES DEVOTED TO SERVING CHILDREN AND
THEIR FAMILIES."

Amendment No. 1 to House Bill No. 2358.

Amend House Bill No. 2358 as originally introduced:

Page 1, delete lines 9 through 14 and substitute the following:

"AN ACT TO ESTABLISH THE PRINCIPLES OF A SYSTEM OF CARE FOR BEHAVIORAL HEALTH
CARE SERVICES FOR CHILDREN AND YOUTH AS THE PUBLIC POLICY OF THE STATE; FOR
IMPROVING THE EFFECTIVENESS OF BEHAVIORAL HEALTH AND RELATED SERVICES TO
CHILDREN, YOUTH AND THEIR FAMILIES; AND FOR OTHER PURPOSES."

AND

Page 1, delete lines 17 through 20 and substitute the following:

"AN ACT TO ENSURE BETTER UTILIZATION AND COORDINATION OF THE STATE'S
BEHAVIORAL HEALTH CARE RESOURCES DEVOTED TO SERVING CHILDREN, YOUTH AND THEIR
FAMILIES."

AND

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code Title 20, Chapter 47 is amended to add an
additional subchapter to read as follows:

20-47-601. Title.

This subchapter shall be known and may be cited as the "Arkansas System
of Care for Behavioral Health Care Services for Children and Youth Act.

20-47-602. Purpose.

The purpose of this Act is to help facilitate the establishment of an
improved system of behavioral health care for children and youth, especially
those with serious emotional disturbances.

20-47-603. Findings.

The General Assembly finds:

(a) The system for providing behavioral health care services to
children, youth and their families should ensure that those services are



appropriate, cost-effective, and provided in the least restrictive settings.

(b) Behavioral health and other services identified in Arkansas Code § 20-47-502 (10) are provided to children and youth by various departments, agencies, and providers at both the state and local level, often without appropriate or effective collaboration.

(c) Providing effective services for children with the most severe needs requires many areas of expertise and shared responsibility among the aforementioned departments, agencies and providers.

(d) The system of behavioral health care should be built upon the foundation established by the Child and Adolescent Service System Program principles identified in Arkansas Code § 20-47-503. The guiding principles for establishing the system of care should be:

(1) The system should be family-driven, child-centered and youth-guided, and should include family participation at all levels of the services system;

(2) The system should be community-based with decision-making responsibility and management at the regional and local levels; and

(3) The System should be culturally competent, with agencies, programs and services responsive to the cultural and individual differences of the populations they serve.

20-47-604. Children's Behavioral Health Care Commission.

The Governor shall establish a Children's Behavioral Health Care Commission. The Commission shall:

(a) Consist of at least ten (10) but no more than twenty (20) members, who shall:

(1) Include families and advocates for children receiving behavioral health care services and representatives from a variety of behavioral health care agencies, disciplines, and providers;

(2) Serve three (3) year terms, except that the initial term for two-thirds (2/3) of the membership shall be equally divided by lot with one-half of such persons serving an initial term of one (1) year and the other half serving an initial term of two (2) years.

(b) Provide advice and guidance to the Department of Health and Human Services and other state agencies providing behavioral health care services to children, youth and their families on the most effective methods for establishing a system of care approach.

20-47-605. Behavioral Health Care Initiatives.

The Department, with advice from the Children's Behavioral Health Care Commission, shall:

(a) Identify and implement actions for ensuring that children, youth and their families are full partners in design and implementation of all aspects of the system of care as well as full partners' in decisions about their care or their child's care.

(b) Identify up to \$2 million per year to apply to the following purposes:

(1) Meeting extraordinary, non-Medicaid reimbursable needs of children, youth and their families, as identified in multi-agency plans of services;

(2) Supporting creation or strengthening of entities designed to guide the development and operation of local, regional and state components

of the system of care;

(3) Strengthening family and advocate skills and capacity to provide meaningful input on the system of care; and

(4) Supporting the development and enhancement of needed behavioral health care services in underserved areas.

(c) Revise Medicaid rules and regulations to increase quality, accountability and appropriateness of Medicaid reimbursed behavioral health care services, including, but not limited to:

(1) Clarifying behavioral health care services definitions to assure that the definitions are appropriate to the needs of children, youth and their families;

(2) Revising the process for Medicaid to receive, review, and act upon requests for behavioral health care for children and youth classified as ‘seriously emotionally disturbed’;

(3) Clarifying Medicaid certification rules for providers serving children, youth and their families to assure that the certification rules correlate with the requirements for enrollment as a Medicaid provider of behavioral health care services;

(4) Defining a standardized screening and assessment process designed to provide early identification of conditions that require behavioral health care services. The standardized process shall ensure:

(A) Assessments guide service decisions and outcomes and, if appropriate, development of a multi-agency plan of services; and

(B) Services delivered are appropriate to meet the needs of the child as identified by the assessment.

(d) Research, identify and implement innovative and promising local, regional or statewide approaches for better managing the State’s resources devoted to children’s behavioral health.

(e) Create additional capacity within the Department’s Division of Behavioral Health Services to develop, support and oversee the new system of care for behavioral health services for children, including:

(1) Developing an outcomes-based data system to support an improved system of tracking, accountability and decision-making; and

(2) Creating additional staff support to provide technical assistance, utilize information, identify and encourage best practices, monitor performance, and recommend system improvements.

20-47-606. Assessment Tool.

The standardized screening and assessment tool established by Medicaid rules shall:

(a) Guide service decisions and outcomes;

(b) Establish guidelines to identify children who need a multi-agency plan of services.

20-47-607. Multi-agency plan of services.

Each multi-agency plan of services shall:

(a) Be consistent with the results of the standardized screening and assessment established by Medicaid rules;

(b) Provide for collaboration among the child, the persons or entities responsible for the child’s care and custody; and the providers of behavioral health care services for the child; and

(c) Be appropriate to meet the behavioral health care needs of the

child as defined by the assessment.

20-47-608. Annual Report.

The department of Health and Human Services shall report annually on progress to the:

(a) Governor;

(b) House Interim Committee on Aging, Children and Youth, Legislative and Military Affairs and the Senate Interim Committee on Children and Youth; and

(c) The House Interim Committee on Public Health, Welfare and Labor; the Senate Interim Committee on Public Health, Welfare and Labor.

20-47-609. Rules.

The Department of Health and Human Services shall promulgate rules in accordance with the Administrative Procedure Act as necessary to carry out this subchapter."

The Amendment was read
By: Representative E. Brown
MXR/RCK - 03-20-2007 08:50
MXR094

Chief Clerk