

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.

INTERIM STUDY PROPOSAL 2007-174

State of Arkansas

86th General Assembly

First Extraordinary Session, 2007

# A Bill

HOUSE BILL

By: Representative Everett

Filed with: Legislative Council  
pursuant to A.C.A. §10-3-217.

## For An Act To Be Entitled

AN ACT TO ESTABLISH THE ARKANSAS CHILD HEALTH  
RESOURCES PROGRAM TO PROVIDE HEALTH IMPROVEMENT  
OPPORTUNITIES FOR CHILDREN; AND FOR OTHER  
PURPOSES.

### Subtitle

AN ACT TO ESTABLISH THE ARKANSAS CHILD  
HEALTH RESOURCES PROGRAM TO PROVIDE  
HEALTH IMPROVEMENT OPPORTUNITIES FOR  
CHILDREN.

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

SECTION 1. Arkansas Code Title 20, Chapter 78, is amended to add an additional subchapter to read as follows:

20-78-801. Findings and intent.

(a) It is found and determined by the General Assembly that:

(1) Treatment for children in need of health and educational opportunities is needed to assure that every child is prepared for school programs by kindergarten age; and

(2) Establishment of programs designed to give young children the ability to learn at their peers' rate will provide optimal health and educational opportunities for all Arkansas children.

(b) It is the intent of this subchapter to provide for the

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1 availability of preventive assistance for children in need of concentrated  
2 preparation for kindergarten and later learning environments.

3  
4 20-78-802. Arkansas Child Health Resources Program established.

5 (a) There is established the Arkansas Child Health Resources Program  
6 to make grants for the delivery of direct assistance to eligible children to  
7 enable the children to develop better cognitive, social, communication, and  
8 adaptive skills.

9 (b) The program shall be administered exclusively by the Division of  
10 Child Care and Early Childhood Education of the Department of Health and  
11 Human Services. The division will provide all program monitoring and  
12 technical assistance necessary to administer the grants under the program.

13  
14 20-78-803. Eligibility for services.

15 A child is eligible for services under the Arkansas Child Health  
16 Resources Program if the child is:

17 (1) Five (5) years of age or younger;

18 (2) Enrolled in an early childhood education program or a family  
19 home that is licensed by the Division of Child Care and Early Childhood  
20 Education of the Department of Health and Human Services; and

21 (3)(A) Screened and evaluated by an education specialist and  
22 after which the grantee determines the child's age equivalency in the areas  
23 of competency.

24 (B) Services will be provided to prevent a delay in  
25 development of physical, cognitive, communication, social, emotional, or  
26 adaptive responses, and to accelerate strengths in all children.

27  
28 20-78-804. Services.

29 (a)(1) The determination of the need for services for each child and  
30 the delivery of the services shall be by an education specialist with two (2)  
31 years' or more experience with children.

32 (2) The need for services for each child shall be based on the  
33 assessment and screening results of tests administered by an education  
34 specialist after which the education specialist will determine the number of  
35 units of service the child will receive.

36 (b)(1)(A) Education specialists must undergo training developed by and

1 administered by the grantee.

2 (B) Education specialists shall be under the supervision  
3 of a person who holds at least a bachelor's degree or has two (2) or more  
4 years' experience with children.

5 (2) All staffing shall be ethnically diverse-appropriate to  
6 child enrollment while adhering to qualifications established solely by the  
7 grantee.

8 (c) Services shall be delivered at the location where the child is  
9 enrolled in an early childhood program or in the licensed family home.

10 (d)(1) Qualified personnel shall evaluate each child to determine the  
11 number of units of appropriate service needed by each child. The service  
12 includes assessment, evaluation, and developmental assistance to determine  
13 age equivalency. The service also includes consultation with facility  
14 personnel concerning appropriate assistance for eligible children.

15 (2)(A) Each child shall receive no more than four (4) units of  
16 service each week, unless additional units are approved by the supervisor of  
17 the education specialist.

18 (B) A unit of service equals fifteen (15) minutes of  
19 service.

20 (3) The provider of services shall determine age-appropriate  
21 groups and provide services in small group situations.

22 (4) The provider of the service shall maintain a written record  
23 of:

24 (A) The date and time the service was delivered;

25 (B) The number of units of service delivered;

26 (C) Activities conducted; and

27 (D) Any recommendations concerning services for the  
28 children involved.

29 (e) Toys, books, learning materials, and equipment necessary for  
30 delivery of services shall be made available to the education specialist by  
31 the early childhood center or licensed family home.

32  
33 20-78-805. Grants.

34 (a)(1) The Division of Child Care and Early Childhood Education of the  
35 Department of Health and Human Services shall pay grants from an  
36 appropriation made for that purpose.

1           (2) The amount of funds that may be retained by the division as  
2 administrative costs shall not exceed two percent (2%) of the amount of total  
3 grants awarded.

4           (b) A proposal for a grant shall contain:

5           (1) The number of personnel to deliver services for each  
6 classroom and the number of support personnel;

7           (2) Proposed service locations;

8           (3) A statement concerning the ability of the applicant to  
9 provide the Division of Child Care and Early Childhood Education of the  
10 Department of Health and Human Services with monthly reports containing  
11 treatment notes, training material, training dates for persons providing  
12 services to the children, and training dates for supervisors; and

13           (4) Sample forms for reporting weekly progress of each child,  
14 screening and assessment instruments to be used, and proposed testing  
15 instruments.

16           (c) To avoid conflicts of interest, a state or local governmental  
17 entity shall not be eligible for a grant under the Arkansas Child Health  
18 Resources Program.

19           (d) Priority shall be given to grant proposals:

20           (1) Submitted by an applicant able to serve children in a broad  
21 geographic area; and

22           (2) Designed to serve children in areas with a demonstrated need  
23 for programs that enable the children to develop better cognitive, social,  
24 communication, and adaptive skills.

25           (e)(1) Grants shall be awarded at the rate of fifteen thousand dollars  
26 (\$15,000) per classroom.

27           (2) If sufficient funds are available, it is the goal of the  
28 Arkansas Child Health Resources Program to provide grants for five hundred  
29 (500) classrooms.

30           (f) Each grantee shall agree to deliver seven hundred (700) units or  
31 more of services for each classroom during the one-year term of the grant.

32  
33           20-78-806. Grant schedule.

34           (a) The following schedule shall apply to the award of grants each  
35 year under the Arkansas Child Health Resources Program:

36           (1) Grant proposals are due on May 1;

1           (2) Notification of acceptance of grant proposals shall be given  
2 to grantees by May 15;

3           (3) The beginning date of the grants shall be July 1; and

4           (4) During the term of the grant, the grant recipient shall be  
5 paid monthly following the delivery of services.

6           (b) The initial grant proposals under the Arkansas Child Health  
7 Resources Program are due May 1, 2007, and the initial grants shall begin  
8 July 1, 2007.

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10          20-78-807. Construction.

11          This subchapter shall be liberally construed in conformance with its  
12 intent.

13  
14          20-78-808. Rules.

15          The Division of Child Care and Early Childhood Education of the  
16 Department of Health and Human Resources may promulgate reasonable rules  
17 necessary to carry out the division's responsibilities and not inconsistent  
18 with this subchapter.

19  
20          SECTION 2. EMERGENCY CLAUSE. It is found and determined by the  
21 General Assembly of the State of Arkansas that there is a need for an  
22 additional program for children in need of concentrated preparation for  
23 kindergarten and later learning environments; that this act establishes the  
24 Arkansas Child Health Resources Program; and that this act is immediately  
25 necessary to allow grants to be awarded and to allow services to begin to be  
26 delivered a reasonable time before the next school year. Therefore, an  
27 emergency is declared to exist and this act being necessary for the  
28 preservation of the public peace, health, and safety shall become effective  
29 on:

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

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

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

36 Filed: 4-12-2007 By: JDF/sk