

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.

1 State of Arkansas *As Engrossed: H3/20/01 H3/30/01 H4/6/01 H4/10/01*

2 83rd General Assembly

A Bill

3 Regular Session, 2001

HOUSE BILL 1838

4

5 By: *Joint Budget Committee*

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For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR COMMUNITY-BASED
10 ACUTE MENTAL HEALTHCARE FOR THE DEPARTMENT OF HUMAN
11 SERVICES - DIVISION OF MENTAL HEALTH SERVICES FOR THE
12 BIENNIAL PERIOD ENDING JUNE 30, 2003; AND FOR OTHER
13 PURPOSES.

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Subtitle

17 AN ACT FOR THE DEPARTMENT OF HUMAN
18 SERVICES - DIVISION OF MENTAL HEALTH
19 SERVICES COMMUNITY-BASED ACUTE MENTAL
20 HEALTHCARE APPROPRIATION FOR THE 2001-
21 2003 BIENNIAL PERIOD.

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

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26 SECTION 1. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
27 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LEGISLATIVE
28 FINDINGS AND INTENT. The General Assembly recognizes that the state
29 encouraged the treatment of mentally ill residents within community-based
30 settings over two decades ago and has taken various approaches to funding
31 since then. The General Assembly also recognizes that there are inherent
32 problems within the current public mental health system that create
33 disincentives for proper treatment and care. The purpose of this Act is to
34 provide an appropriation for acute mental health services to be utilized
35 within community-based settings for the treatment and care of medically
36 indigent persons 18 years of age and older and involuntary commitments to the

1 public mental health system. The appropriation for acute mental health
 2 services provided in this Act shall only be used for Community Mental Health
 3 Centers licensed and certified by the Division of Mental Health Services of
 4 the Department of Human Services for use within community-based settings and
 5 facilities.

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 7 SECTION 2. APPROPRIATION. There is hereby appropriated, to the Department
 8 of Human Services - Division of Mental Health Services, to be payable from the
 9 Mental Health Services Fund Account, for acute mental health services within
 10 community-based settings of the catchment areas served by Community Mental
 11 Health Centers licensed and certified by the Division of Mental Health
 12 Services of the Department of Human Services for the biennial period ending
 13 June 30, 2003, the following:

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) ACUTE MENTAL HEALTH SERVICES - BASELINE	\$ 2,205,000	\$ 2,205,000
(02) ACUTE MENTAL HEALTH SERVICES - PER CAPITA	<u>9,295,000</u>	<u>9,295,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 11,500,000</u>	<u>\$ 11,500,000</u>

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 23 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
 24 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MENTAL HEALTH
 25 SERVICES - ALLOCATION RESTRICTIONS. There is hereby allocated to the
 26 Community Mental Health Centers, as set out herein, the following amounts
 27 appropriated in Item (01) of Section 2, Acute Mental Health Services -
 28 Baseline, to the Department of Human Services - Division of Mental Health
 29 Services, for the biennial period ending June 30, 2003, the following:

Item No.	Community Mental Health Centers	Maximum Allocation	
		Fiscal Years 2001-2002	2002-2003
(01)	Counseling Associates, Inc.	\$ 147,000	\$ 147,000
(02)	Counseling Clinic	147,000	147,000
(03)	Community Counseling Services	147,000	147,000

1	<u>(04) Counseling Services of Eastern Arkansas</u>	147,000	147,000
2	<u>(05) Delta Counseling Services</u>	147,000	147,000
3	<u>(06) Little Rock Community Mental Health</u>		
4	<u>Center</u>	147,000	147,000
5	<u>(07) Mid-South Health Systems</u>	147,000	147,000
6	<u>(08) North Arkansas Human Services System</u>	147,000	147,000
7	<u>(09) Ozark Counseling Services</u>	147,000	147,000
8	<u>(10) Ozark Guidance Center</u>	147,000	147,000
9	<u>(11) Professional Counseling Associates</u>	147,000	147,000
10	<u>(12) South Arkansas Regional Health Center</u>	147,000	147,000
11	<u>(13) Southeast Arkansas Behavioral Healthcare</u>		
12	<u>System</u>	147,000	147,000
13	<u>(14) Southwest Arkansas Counseling & Mental</u>		
14	<u>Health Center</u>	147,000	147,000
15	<u>(15) Western Arkansas Counseling & Guidance</u>		
16	<u>Center</u>	147,000	147,000
17	<u>TOTAL AMOUNT ALLOCATED</u>	<u>\$ 2,205,000</u>	<u>\$ 2,205,000</u>

18 The amount of available funds for the appropriation for Acute Mental Health
 19 Services - Baseline shall be determined by the Director of the Department of
 20 Human Services.

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 22 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
 23 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MENTAL HEALTH
 24 SERVICES - APPORTIONMENT OF FUNDS. Each Community Mental Health Center shall
 25 contract with one or more facilities of its choice (excluding Arkansas State
 26 Hospital) to provide the inpatient care for indigent patients which the
 27 Community Mental Health Center has determined to be necessary after prompt
 28 screening by the Community Mental Health Center. Payment for patients screened
 29 and approved by the Community Mental Health Center who receive care at these
 30 inpatient facilities shall be provided to the inpatient facilities at the
 31 contract rate unless the funds available for this purpose have been exhausted.
 32 Available funding as determined by the Director of the Department of Human
 33 Services shall be apportioned on a per capita basis up to a maximum of three
 34 dollars and forty-eight cents (\$3.48) per capita for fiscal year 2001-2002 and
 35 three dollars and forty-eight cents (\$3.48) per capita for fiscal year 2002-
 36 2003. The 2000 federal population census shall be used in determining the

1 population of each catchment area of the fifteen Community Mental Health
2 Centers. All amounts appropriated under this section shall be used by
3 Community Mental Health Centers for residents of each center's catchment area
4 and such funds shall only be accessed as the payment of last resort.

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6 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
7 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REPORTING. The
8 Division of Mental Health Services shall develop an evaluation and monitoring
9 program that will assure all expenditures are made consistent with the intent
10 of these appropriations. As a condition for receiving funds under this Act,
11 Community Mental Health Centers (CMHCs) shall report quarterly to the Division
12 of Mental Health Services the following data:

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14 (1) the number of involuntary commitments and medically indigent admissions
15 referred by CMHCs to community-based settings;

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17 (2) the number of involuntary commitments and medically indigent admissions to
18 community-based settings receiving assistance from the acute mental health
19 services funds;

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21 (3) the total number of acute bed days utilized by these involuntary
22 commitments;

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24 (4) the total number of bed days utilized by these medically indigent
25 admissions;

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27 (5) the average length of stay of admissions for these involuntary commitments
28 per catchment area;

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30 (6) the average length of stay of admissions for these medically indigent
31 admissions per catchment area;

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33 (7) the number of medically indigent admissions per catchment area unable to
34 receive assistance from the acute mental health services funds due to such
35 funds being depleted by prior admissions;

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1 (8) the number of re-admissions per catchment area for involuntary commitments
2 and medically indigent admissions to community-based settings receiving
3 assistance from the acute mental health services; and

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5 (9) identify any steps taken by CMHCs to improve access to acute mental health
6 services.

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

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18 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General Assembly
19 that any funds disbursed under the authority of the appropriations contained
20 in this act shall be in compliance with the stated reasons for which this act
21 was adopted, as evidenced by the Agency Requests, Executive Recommendations
22 and Legislative Recommendations contained in the budget manuals prepared by
23 the Department of Finance and Administration, letters, or summarized oral
24 testimony in the official minutes of the Arkansas Legislative Council or Joint
25 Budget Committee which relate to its passage and adoption.

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27 SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General
28 Assembly, that the Constitution of the State of Arkansas prohibits the
29 appropriation of funds for more than a two (2) year period; that the
30 effectiveness of this Act on July 1, 2001 is essential to the operation of the
31 agency for which the appropriations in this Act are provided, and that in the
32 event of an extension of the Regular Session, the delay in the effective date
33 of this Act beyond July 1, 2001 could work irreparable harm upon the proper
34 administration and provision of essential governmental programs. Therefore, an
35 emergency is hereby declared to exist and this Act being necessary for the
36 immediate preservation of the public peace, health and safety shall be in full

1 force and effect from and after July 1, 2001.

2 */s/ Joint Budget Committee*

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