

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
2 84th General Assembly
3 Regular Session, 2003

A Bill

HOUSE BILL 1760

4
5 By: Representative Bradford
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For An Act To Be Entitled

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9 AN ACT TO MAKE AN APPROPRIATION FOR COMMUNITY-
10 BASED ACUTE MENTAL HEALTHCARE FOR THE DEPARTMENT
11 OF HUMAN SERVICES - DIVISION OF MENTAL HEALTH
12 SERVICES FOR THE BIENNIAL PERIOD ENDING JUNE 30,
13 2005; AND FOR OTHER PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE DEPARTMENT OF HUMAN
17 SERVICES - DIVISION OF MENTAL HEALTH
18 SERVICES COMMUNITY-BASED ACUTE MENTAL
19 HEALTHCARE APPROPRIATION FOR THE 2003-
20 2005 BIENNIUM.
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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
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
28 LEGISLATIVE FINDINGS AND INTENT. The General Assembly recognizes that the
29 state encouraged the treatment of mentally ill residents within community-
30 based settings over two decades ago and has taken various approaches to
31 funding since then. The General Assembly also recognizes that there are
32 inherent 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



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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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 8 SECTION 2. APPROPRIATION. There is hereby appropriated, to the Department
 9 of Human Services - Division of Mental Health Services, to be payable from
 10 the Mental Health Services Fund Account, for acute mental health services
 11 within community-based settings of the catchment areas served by Community
 12 Mental Health Centers licensed and certified by the Division of Mental Health
 13 Services of the Department of Human Services for the biennial period ending
 14 June 30, 2005, the following:

ITEM	FISCAL YEARS	
<u>NO.</u>	<u>2003-2004</u>	<u>2004-2005</u>
18 (01) ACUTE MENTAL HEALTH SERVICES-BASELINE \$	2,205,000	\$ 2,205,000
19 (02) ACUTE MENTAL HEALTH SERVICES-PER		
20 CAPITA	<u>9,295,000</u>	<u>9,295,000</u>
21 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
 24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MENTAL
 25 HEALTH 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~~ June 30, 2005, the
 30 following:

Item	Maximum Allocation	
No.	Fiscal Years	
	<u>2001-2002</u>	<u>2002-2003</u>
	<u>2003-2004</u>	<u>2004-2005</u>
34 Community Mental Health Centers		
35 (01) Counseling Associates, Inc.	\$ 147,000	\$ 147,000

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

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

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 21 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MENTAL
 23 HEALTH SERVICES - APPORTIONMENT OF FUNDS. Each Community Mental Health Center
 24 shall contract with one or more facilities of its choice (excluding Arkansas
 25 State Hospital) to provide the inpatient care for indigent patients which the
 26 Community Mental Health Center has determined to be necessary after prompt
 27 screening by the Community Mental Health Center. Payment for patients
 28 screened and approved by the Community Mental Health Center who receive care
 29 at these inpatient facilities shall be provided to the inpatient facilities
 30 at the contract rate unless the funds available for this purpose have been
 31 exhausted. Available funding as determined by the Director of the Department
 32 of Human Services shall be apportioned on a per capita basis up to a maximum
 33 of three dollars and forty-eight cents (\$3.48) per capita for fiscal year
 34 ~~2001-2002~~ 2003-2004 and three dollars and forty-eight cents (\$3.48) per
 35 capita for fiscal year ~~2002-2003~~ 2004-2005. The 2000 federal population
 36 census shall be used in determining the population of each catchment area of

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

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7 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

9 REPORTING. The Division of Mental Health Services shall develop an evaluation
10 and monitoring program that will assure all expenditures are made consistent
11 with the intent of these appropriations. As a condition for receiving funds
12 under this Act, Community Mental Health Centers (CMHCs) shall report
13 quarterly to the Division of Mental Health Services the following data:

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

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

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

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

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

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

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

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

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

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

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

SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 2003 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 2003 could work irreparable harm upon the proper administration and provision of essential governmental programs.

1 Therefore, an emergency is hereby declared to exist and this Act being
2 necessary for the immediate preservation of the public peace, health and
3 safety shall be in full force and effect from and after July 1, 2003.

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