

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 85th General Assembly
3 Regular Session, 2005
4

As Engrossed: H3/17/05

A Bill

HOUSE BILL 2535

5 By: Representative Roebuck
6
7

For An Act To Be Entitled

8
9 *AN ACT TO CREATE THE COMPREHENSIVE CHILDREN'S*
10 *BEHAVIORAL HEALTH SYSTEM OF CARE PLAN; AND FOR*
11 *OTHER PURPOSES.*
12

Subtitle

13
14 *AN ACT TO CREATE THE COMPREHENSIVE*
15 *CHILDREN'S BEHAVIORAL HEALTH SYSTEM OF*
16 *CARE PLAN.*
17
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
20

21 SECTION 1. Arkansas Code § 20-47-502 is amended to read as follows:
22 20-47-502. Definitions.

23 As used in this subchapter, unless the context otherwise requires:

24 (1)(A) "Case management" means those efforts that ~~assure~~ ensure
25 that necessary services for the child and family are obtained and monitored.

26 (B) Such efforts shall include coordination across
27 agencies for evaluations, the provision of services based on assessments and
28 evaluations that result in the development of an interagency service plan,
29 the review for adequacy of services through client progress, and maintaining
30 cooperation among agencies;

31 (2)(A) "Case review" means a multiagency effort to design and
32 provide a service delivery plan for difficult-to-serve children who may
33 require unusual services or service configurations.

34 (B) When utilizing a group process for reaching service
35 delivery decisions, the group shall be composed of those who carry sufficient
36 authority to ~~assure~~ ensure timely provision of services;



1 (3) "CASSP" means the Child and Adolescent Service System
2 Program;

3 (4) "Child with emotional disturbance" means an individual under
4 the age of eighteen (18), or under the age of twenty-one (21) if program
5 services began ~~prior to~~ before the age of eighteen (18);

6 (A) ~~who~~ Who is exhibiting inappropriate emotional,
7 interpersonal, or behavioral problems within the home, preschool program,
8 school, or community given his or her age, intellectual level, and cultural
9 background;

10 (B) ~~whose~~ Whose degree of dysfunction is at least
11 disruptive and often disabling;

12 (C) ~~whose~~ Whose problems persist after efforts to deal
13 with the problems have been made by significant others in the child's social
14 environment; and

15 (D) ~~who~~ Who meets specific criteria established by the
16 Child and Adolescent Service System Program Coordinating Council;

17 ~~(5) "Collaborative evaluation" means an intensive appraisal of a~~
18 ~~child that provides more of an in-depth analysis than a screening and~~
19 ~~assessment. The evaluation shall be designed, obtained, and utilized~~
20 ~~collaboratively by those agencies identifying a need for the information;~~

21 (5) "Comprehensive Children's Behavioral Health System of Care
22 Plan" means a plan to assist the division of behavioral health services for
23 providing oversight for the Child and Adolescent Service System Program.

24 (6)(A) "Flexible funds" means a specific fiscal allocation
25 designated for atypical expenditures to meet extraordinary needs of a child
26 and family identified in the ~~service plan~~ multi-agency plan of services.

27 (B) Decisions for expenditure of flexible funds shall be
28 made at the regional or local level and ~~must~~ shall be approved by all
29 involved service providers;

30 ~~(7) "Interagency service plan" means the integrated plan of care~~
31 ~~that is individualized for each child or adolescent receiving program~~
32 ~~services and is developed through the collaboration of all agencies providing~~
33 ~~services for that child;~~

34 (7) "Multi-agency plan of services" means the integrated,
35 individualized plan of care that is developed through the collaboration of
36 all agencies providing services for that child and based on evaluations

1 shared by each involved agency with the Child and Adolescent Service System
 2 Program local service team;

3 (8)(A) "Regional plan" means a written strategy developed by
 4 regional program teams that specifies the kind, mix, and priority of services
 5 to be provided in each community mental health center catchment area.

6 (B) The regional plan shall:

7 (i) ~~address~~ Address all components of the system of
 8 care;_;

9 (ii) ~~shall be~~ Be based on the principles for the
 10 system of care provided in this section and on the service needs of the
 11 children with emotional disturbance in the region;_;

12 (iii) ~~shall include~~ Include procedures for
 13 evaluating services provided to children with emotional disturbance and their
 14 families ~~and~~;

15 (iv) ~~shall be~~ Be reviewed annually by the council;_;
 16 and

17 (v) ~~upon~~ Upon approval ~~shall~~ be incorporated into
 18 the statewide plan;

19 (9) "Screening and assessment" means an initial appraisal of a
 20 child identified or suspected of having emotional disturbance that provides
 21 sufficient information to make decisions about service needs;

22 (10) "Service array" means those services in the system of care
 23 that address the varying areas of needs of children with emotional
 24 disturbance and their families and shall include, but not be limited to:

25 (A) ~~mental~~ Behavioral health services;_;

26 (B) ~~substance~~ Substance abuse services;_;

27 (C) ~~social~~ Social services;_;

28 (D) ~~education~~ Education services;_;

29 (E) ~~health~~ Health services;_;

30 (F) ~~vocational~~ Vocational services;_;

31 (G) ~~recreational~~ Recreational services;_; ~~operational~~
 32 ~~services,~~

33 (H) ~~case~~ Case management;_;

34 (I) ~~advocacy,~~ Advocacy; and

35 (J) ~~other~~ Other necessary services;

36 (11) "Single point of entry" means a unit, agency, or group

1 *designated as the gatekeeper for the service system for children with*
2 *emotional disturbance and their families;*

3 (12) "Statewide plan" means a comprehensive strategy that
4 identifies the procedures for developing and implementing the system of care
5 that is prepared by the council incorporating all regional plans; and

6 (13) "System of care" means a comprehensive spectrum of ~~mental~~
7 behavioral health and other necessary services organized into a coordinated
8 network to meet the multiple and changing needs of children with emotional
9 disturbance, based on principles set forth in this subchapter.

10
11 SECTION 2. Arkansas Code § 20-47-505 is amended to read as follows:

12 20-47-505. Child and Adolescent Service System Program Coordinating
13 Council.

14 (a)(1) There is ~~hereby~~ created a Child and Adolescent Service System
15 Program Comprehensive Child and Adolescent System of Care Plan Coordinating
16 Council ~~which~~ that shall meet on a quarterly basis and at other times deemed
17 necessary to perform its functions.

18 (2) The coordinating council shall include the following persons
19 to be selected and appointed by the directors of the Department of Education,
20 the Department of Health, and the Department of Human Services:

21 (A) At least three (3) parents, parent surrogates, or
22 family members of a child or children with emotional disturbance;

23 (B) A member of an ethnic minority;

24 (C) A child advocate;

25 (D) Child and Adolescent Service System Program
26 coordinators from each of the certified community mental health centers;

27 (E)(i) One (1) or more representatives from specific
28 divisions or agencies in the Department of Human Services, the Department of
29 Health, and the Department of Education.

30 (ii) Each representative shall have official duties
31 related to the delivery of ~~mental~~ behavioral health services for children and
32 adolescents with emotional disturbances.

33 (iii) Specific designations of membership of the
34 coordinating council shall be determined through interdepartmental and
35 intradepartmental agreements that will be renewed on an annual basis; and

36 (F)(i) At least two (2) representatives from private or

1 public agencies or organizations that are stakeholders in ~~mental~~ behavioral
2 health services for children and adolescents with emotional disturbances.

3 (ii) The directors ~~will~~ shall jointly appoint an
4 appropriate number of stakeholders.

5 (b) The coordinating council shall:

6 (1) Advise and report to the directors on matters of policy and
7 programs related to children with emotional disturbance and their families;

8 (2) Identify and recommend fiscal, policy, training, and program
9 initiatives and revisions based on needs identified in the planning process;

10 (3) Provide specific guidelines for the development of regional
11 services and plans based on the guiding principles of the system of care;

12 (4) Review and approve regional plans developed by regional
13 program teams and incorporate the regional plans into the statewide plan;

14 (5) ~~Assure~~ Ensure that mechanisms for accountability are
15 developed and implemented;

16 (6) Submit a statewide plan and budget recommendations to the
17 directors on or before March 15 of each even-numbered year thereafter
18 preceding the legislative session;

19 (7) Develop and recommend special projects to the directors;

20 (8) Provide a written report on a quarterly basis to the ~~Senate~~
21 ~~Interim Committee on Children and Youth~~ House Interim Committee on Aging,
22 Children, and Youth, Legislative and Military Affairs Committee and the
23 Senate Interim Committee on Children and Youth that summarizes progress
24 implementing this subchapter;

25 (9) Establish guidelines and procedures for the voting
26 membership, officers, and annual planning of both the coordinating council
27 and the regional program planning teams which the coordinating council will
28 review and update on an annual basis; and

29 (10) Make recommendations for corrective action plans to the
30 directors in the event that a regional program planning team does not produce
31 a timely regional plan that meets a plan of care or fails to implement the
32 approved regional plan.

33
34 SECTION 3. Arkansas Code § 20-47-506(f), concerning Regional Child and
35 Adolescent Service System Program Coordinating Council planning teams, is
36 amended to read as follows:

1 (f) The regional program planning team shall:

2 (1) Advise and report to the Child and Adolescent Service System
3 Program Coordinating Council on matters of policies, resources, programs, and
4 services relating to children with emotional disturbance and their families;

5 (2) Identify and recommend program initiatives and revisions
6 based on area and community-based needs;

7 (3) Submit a regional plan and guidelines for interagency
8 service delivery teams to the coordinating council on or before February 15
9 of each even-numbered year preceding the legislative session;

10 (4) Develop and implement special projects for community-based
11 services; and

12 (5)(A) Ensure that interagency service teams are established and
13 utilized in coordinating services for children and adolescents referred to
14 the program.

15 (B) Each service delivery team shall have sufficient and
16 appropriate representation from identified service providers and will
17 complete an ~~interagency service plan~~ Multi-agency Plan of Services for each
18 child or adolescent receiving program services.

19 (C) Each member of the service delivery teams shall share
20 information, evaluations and data necessary to produce an effective,
21 individualized Multi-Agency Plan of Services.

22 (C)(D) Every effort shall be made to assist parents,
23 parent surrogates, family members, and consumers to participate as members of
24 the interagency service delivery team.

25
26 SECTION 4. Arkansas Code § 20-47-507 is amended to read as follows:

27 20-47-507. Child and Adolescent Service System Program Coordinating
28 Council staff.

29 (a) The staff for the Child and Adolescent Service System Program
30 Coordinating Council shall be provided by the Child and Adolescent Service
31 System Program project for the first two (2) years and subsequently by the
32 Division of ~~Mental~~ Behavioral Health Services.

33 (b) The division ~~will~~ shall serve as the coordinating agency and shall
34 develop and support the regional program team network and the coordinating
35 council and shall provide training and technical assistance relevant to the
36 system of care.

1 (c) Annual site reviews and program evaluations of regional program
2 teams will be coordinated by the division and ~~will~~ shall involve a
3 multiagency team of professionals, family members, consumers, and advocates.

4 (d) The division's program staff shall provide an annual report
5 summarizing program regional and coordinating council activities, strategic
6 plans, and outcomes to the directors of the Department of Human Services, the
7 Department of Education, and the Department of Health each year on or before
8 October 15.

9
10 SECTION 5. Arkansas Code Title 20, Chapter 47, Subchapter 5 is amended
11 to add an additional section to read as follows:

12 20-47-510. Coordination and oversight -- Annual reports.

13 (a) The Division of Behavioral Health of the Department of Human
14 Services is designated the state agency responsible for the coordination and
15 oversight of the Comprehensive Children's Behavioral Health System of Care
16 Plan.

17 (b) All state agencies that receive funding, either state or federal,
18 to support behavioral health services for children and adolescents shall
19 participate in collaborative planning and budgeting for the system of care.

20 (c) Each state agency that receives funding, either state or federal,
21 to support behavioral health services for children and adolescents shall:

22 (1)(A) Enter into an interagency collaborative agreement with
23 the Division of Behavioral Health on or before July, 2005, with regard to the
24 responsibilities of each agency in the development and implementation of the
25 Comprehensive Children's Behavioral Health System of Care Plan.

26 (B) The agreements shall be updated annually; and

27 (2) Submit all pertinent information, including budget and
28 programming data, to the Division of Behavioral Health in the time and manner
29 established through the collaborative agreements.

30 (d)(1) On or before April 15, 2006, for the fiscal year beginning July
31 1, 2006, and annually thereafter, the division shall submit the state plan
32 for the comprehensive child and adolescent system of care to:

33 (A) The directors of the Department of Education, the
34 Department of Health, and the Department of Human Services; and

35 (B) The House Interim Committee on Aging, Children and
36 Youth, Legislative and Military Affairs and the Senate Interim Committee on

1 Children and Youth.

2 (2) The state plan for the Child and Adolescent Service System
3 Comprehensive System of Care Plan shall include, but not be limited to:

4 (A) The projected budget for each state agency that will
5 be used to support behavioral health services;

6 (B) Prevention and early intervention;

7 (C) The service array and capacity for services supported
8 through public funds that are available statewide and county by county; and

9 (D) An assessment of service deficits with recommendations
10 a plan for addressing service deficits with available funds.

11 (e)(1) On or before October 15, 2006, for the fiscal year beginning
12 July 1, 2005, and annually thereafter, the division shall submit a report
13 concerning the operation of the Comprehensive Children's Behavioral Health
14 System of Care Plan to:

15 (A) The directors of the Department of Education, the
16 Department of Health, and the Department of Human Services; and

17 (B) The House Interim Committee on Aging, Children and
18 Youth, Legislative and Military Affairs and the Senate Interim Committee on
19 Children and Youth.

20 (2) The report shall include, but not be limited to:

21 (A) Actual funds expended for child and adolescent
22 behavioral health services;

23 (B) Prevention and early intervention services;

24 (C) Service utilization data at all levels of care; and

25 (D) Outcome data for the system of care.

26
27
28 /s/ Roebuck
29
30
31
32
33
34
35
36