

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 H3/24/05

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:
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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 who
4 has been diagnosed with a mental, behavioral, or emotional disorder of a
5 long-term nature under the age of eighteen (18), or under the age of twenty-
6 one (21) if program services began ~~prior to~~ before the age of eighteen (18);

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

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

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

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

18 (E) Who has multi-agency needs exhibited by one (1) or
19 more of the following characteristics:

20 (i) The behavior occurs with a sufficient frequency
21 to be considered a pattern of response or to be so intense that the
22 consequences lead to a severe measure of control, including, but not limited
23 to:

24 (a) Seclusion;

25 (b) Restraint;

26 (c) Hospitalization; or

27 (d) Chemical intervention;

28 (ii) The behaviors, although provoked, are judged to
29 be extreme or inappropriate for the age, including, but not limited to:

30 (a) Very aggressive; or

31 (b) Self-withdrawn;

32 (iii) The behaviors are sufficiently disruptive as
33 to lead to exclusion from school, home, therapeutic, or recreational
34 settings; or

35 (iv) The behaviors are sufficiently intense or
36 severe to be considered seriously detrimental to the child's growth,

1 development, or welfare or seriously detrimental to the safety or welfare of
 2 others.

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

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

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

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

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

20 (7) "Multi-agency plan of services" means the integrated,
 21 individualized plan of care that is developed through the collaboration of
 22 all agencies providing services for that child and based on evaluations
 23 shared by each involved agency with the Child and Adolescent Service System
 24 Program local service team;

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

28 (B) The regional plan shall:

29 (i) ~~address~~ Address all components of the system of
 30 care;

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

34 (iii) ~~shall include~~ Include procedures for
 35 evaluating services provided to children with emotional disturbance and their
 36 families and;

1 (iv) ~~shall be~~ Be reviewed annually by the council;
2 and

3 (v) ~~upon~~ Upon approval ~~shall~~ be incorporated into
4 the statewide plan;

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

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

- 11 (A) ~~mental~~ Behavioral health services;
- 12 (B) ~~substance~~ Substance abuse services;
- 13 (C) ~~social~~ Social services;
- 14 (D) ~~education~~ Education services;
- 15 (E) ~~health~~ Health services;
- 16 (F) ~~vocational~~ Vocational services;
- 17 (G) ~~recreational~~ Recreational services; ~~operational~~
- 18 ~~services,~~
- 19 (H) ~~case~~ Case management;
- 20 (I) ~~advocacy,~~ Advocacy; and
- 21 (J) ~~other~~ Other necessary services;

22 (11) "Single point of entry" means a unit, agency, or group
23 *designated as the gatekeeper for the CASSP service system for children with*
24 emotional disturbance and their families;

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

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

32
33 SECTION 2. Arkansas Code § 20-47-505 is amended to read as follows:
34 20-47-505. Child and Adolescent Service System Program Coordinating
35 Council.

36 (a)(1) There is ~~hereby~~ created a Child and Adolescent Service System

1 Program Comprehensive Child and Adolescent System of Care Plan Coordinating
2 Council ~~which~~ that shall meet on a quarterly basis and at other times deemed
3 necessary to perform its functions.

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

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

9 (B) A member of an ethnic minority;

10 (C) A child advocate;

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

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

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

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

22 (F)(i) At least ~~two (2)~~ seven (7) representatives from
23 private or public agencies or organizations that are stakeholders in ~~mental~~
24 behavioral health services for children and adolescents with emotional
25 disturbances.

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

28 (b) The coordinating council shall:

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

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

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

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

1 (5) ~~Assure~~ Ensure that mechanisms for accountability are
2 developed and implemented;

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

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

7 (8) Provide a written report on a quarterly basis to the ~~Senate~~
8 ~~Interim Committee on Children and Youth~~ House Interim Committee on Aging,
9 Children, and Youth, Legislative and Military Affairs Committee and the
10 Senate Interim Committee on Children and Youth that summarizes progress
11 implementing this subchapter;

12 (9) Establish guidelines and procedures for the voting
13 membership, officers, and annual planning of both the coordinating council
14 and the regional program planning teams which the coordinating council will
15 review and update on an annual basis; and

16 (10) Make recommendations for corrective action plans to the
17 directors in the event that a regional program planning team does not produce
18 a timely regional plan that meets a plan of care or fails to implement the
19 *approved regional plan*.

20
21 *SECTION 3. Arkansas Code § 20-47-506(c), concerning Regional Child and*
22 *Adolescent Service System Program Coordinating Council planning teams, is*
23 *amended to read as follows:*

24 *(c) The regional program planning teams shall include agency*
25 *representatives from the community mental health centers, the Division of*
26 *Developmental Disabilities Services, the Division of Children and Family*
27 *Services, the Department of Health, ~~and~~ the local school districts or*
28 *educational cooperatives and any willing provider.*

29
30 *SECTION 4. Arkansas Code § 20-47-506(f), concerning Regional Child and*
31 *Adolescent Service System Program Coordinating Council planning teams, is*
32 *amended to read as follows:*

33 (f) The regional program planning team shall:

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

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

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

6 (4) Develop and implement special projects for community-based
7 services; and

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

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

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

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

21
22 SECTION 5. Arkansas Code § 20-47-507 is amended to read as follows:

23 20-47-507. Child and Adolescent Service System Program Coordinating
24 Council staff.

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

29 (b) The division ~~will~~ shall serve as the coordinating agency and shall
30 develop and support the regional program team network and the coordinating
31 council and shall provide training and technical assistance relevant to the
32 system of care.

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

36 (d) The division's program staff shall provide an annual report

1 summarizing program regional and coordinating council activities, strategic
2 plans, and outcomes to the directors of the Department of Human Services, the
3 Department of Education, and the Department of Health each year on or before
4 October 15.

5
6 SECTION 6. Arkansas Code Title 20, Chapter 47, Subchapter 5 is amended
7 to add an additional section to read as follows:

8 20-47-510. Coordination and oversight -- Annual reports.

9 (a) The Division of Behavioral Health of the Department of Human
10 Services is designated the state agency responsible for the coordination and
11 oversight of the Comprehensive Children's Behavioral Health System of Care
12 Plan.

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

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

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

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

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

26 (d)(1) On or before April 15, 2006, for the fiscal year beginning July
27 1, 2006, and annually thereafter, the division shall submit the state plan
28 for the comprehensive child and adolescent system of care to:

29 (A) The directors of the Department of Education, the
30 Department of Health, and the Department of Human Services; and

31 (B) The House Interim Committee on Aging, Children and
32 Youth, Legislative and Military Affairs and the Senate Interim Committee on
33 Children and Youth.

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

36 (A) The projected budget for each state agency that will

1 be used to support behavioral health services;

2 (B) Prevention and early intervention;

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

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

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

11 (A) The directors of the Department of Education, the
12 Department of Health, and the Department of Human Services; and

13 (B) The House Interim Committee on Aging, Children and
14 Youth, Legislative and Military Affairs and the Senate Interim Committee on
15 Children and Youth.

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

17 (A) Actual funds expended for child and adolescent
18 behavioral health services;

19 (B) Prevention and early intervention services;

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

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

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23 /s/ Roebuck
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