

**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: S2/14/05 S2/28/05 S3/9/05 S3/14/05 S4/5/05 S4/7/05*

2 85th General Assembly

# A Bill

3 Regular Session, 2005

SENATE BILL 305

4

5 By: Joint Budget Committee

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## **For An Act To Be Entitled**

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL  
10 SERVICES AND OPERATING EXPENSES FOR THE  
11 DEPARTMENT OF HUMAN SERVICES - DIVISION OF  
12 BEHAVIORAL HEALTH FOR THE BIENNIAL PERIOD ENDING  
13 JUNE 30, 2007; AND FOR OTHER PURPOSES.

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## **Subtitle**

17 AN ACT FOR THE DEPARTMENT OF HUMAN  
18 SERVICES - DIVISION OF BEHAVIORAL HEALTH  
19 APPROPRIATION FOR THE 2005-2007  
20 BIENNIUM.

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

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25 SECTION 1. REGULAR SALARIES. There is hereby established for the  
26 Department of Human Services - Division of Behavioral Health for the 2005-  
27 2007 biennium, the following maximum number of regular employees whose  
28 salaries shall be governed by the provisions of the Uniform Classification  
29 and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor,  
30 and all laws amendatory thereto. Provided, however, that any position to  
31 which a specific maximum annual salary is set out herein in dollars, shall be  
32 exempt from the provisions of said Uniform Classification and Compensation  
33 Act. All persons occupying positions authorized herein are hereby governed  
34 by the provisions of the Regular Salaries Procedures and Restrictions Act  
35 (Arkansas Code §21-5-101), or its successor.

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1			Maximum Annual			
2			Maximum	Salary Rate		
3	Item	Class	No. of	Fiscal Years		
4	No.	Code	Title	Employees	2005-2006	2006-2007
5	(1)	6610	PSYCHIATRIC SPECIALIST SUPERVISOR	2	\$151,247	\$154,425
6	(2)	6617	PSYCHIATRIC SPECIALIST	2	\$143,925	\$146,993
7	(3)	6623	REHAB MED DIR ALCOHOL REHAB CNT-BEN	1	\$137,057	\$140,022
8	(4)	6621	PSYCHIATRIST	2	\$137,057	\$140,022
9	(5)	7162	DHS ADMR AR BEHAVIORAL HLTH STATE H	1	\$130,465	\$133,331
10	(6)	6639	BEHAVIORAL HEALTH GENERAL PHYSICIAN	7	\$126,354	\$129,159
11	(7)	9233	DHS DEPUTY DIRECTOR	1	\$106,157	\$108,659
12	(8)	9408	DHS CHIEF INFORMATION OFFICER	1	\$98,419	\$100,805
13	(9)	9970	DHS DEP DIR BEHAVIORAL HEALTH SERVI	1	\$98,316	\$100,700
14	(10)	9701	HEALTH DIR ALCOL & DRUG ABUSE PREV	1	\$91,223	\$93,501
15	(11)	9411	DHS/DMS ASSISTANT DIRECTOR - FISCAL	1	\$90,686	\$93,873
16	(12)	9476	AHC DIRECTOR OF NURSING	1	\$87,142	\$89,348
17	(13)	8964	DHS BEHAVIORAL HEALTH CENTER DIRECT	1	\$83,754	\$85,895
18	(14)	6607	BEHAVIORAL HEALTH SERVICES CHIEF PS	1	\$83,632	\$85,771
19	(15)	9474	AHC NURSING HOME ADMIN	1	\$81,281	\$83,375
20	(16)	9475	AHC CLINICAL DIRECTOR	1	\$81,281	\$83,375
21	(17)	8932	BEHAVIORAL HEALTH ASST. DEP. DIR. A	1	\$80,295	\$82,370
22	(18)	8033	DHS BEHAV. HLT. ASST. DIR. MANAGED	1	\$80,292	\$82,367
23	(19)	8032	DHS/BH ASST. DIR. ADMIN. SVCS.	1	\$80,292	\$82,367
24	(20)	9407	DHS HIPPA PRIVACY OFFICER	1	\$70,148	\$72,030
25	(21)	8933	DHS/DBHS ASST. DEP. DIR. PROGRAM DE	1	\$64,567	\$66,343
26	(22)	8934	DHS/DBHS DEP. DIR. PROG. DEV.	1	\$58,845	\$60,513
27	(23)	L014	DIRECTOR OF PHARMACY SERVICES	2	GRADE 26	
28	(24)	L134	PSYCHOLOGIST SUPERVISOR	3	GRADE 26	
29	(25)	L124	PSYCHOLOGIST	6	GRADE 25	
30	(26)	L011	DIRECTOR PHARMACY	2	GRADE 25	
31	(27)	118Z	DHS NURSING SERVICES ADMINISTRATOR	2	GRADE 25	
32	(28)	180Z	BEHAVIORAL HEALTH ASSOC. DIR., AHC	1	GRADE 25	
33	(29)	397Z	DHS/DCFS ADMIN COMMUNITY SVCS	1	GRADE 25	
34	(30)	474Z	BEHAVIORAL HEALTH PSYCHOLOGIST ADM.	1	GRADE 25	
35	(31)	188Z	A&D ABUSE PREV ASST DEP DIR/DIR SVC	1	GRADE 24	
36	(32)	871Z	BEHAVIORAL HLT SOCIAL WORK ADM.	1	GRADE 24	

1	(33)	L005	PHARMACIST I	1	GRADE 24
2	(34)	L096	SR PHARMACIST	2	GRADE 24
3	(35)	L112	PSYCH RESIDENT	2	GRADE 24
4	(36)	870Z	BEHAVIORAL HLTH. FACILITY ADMINISTR	3	GRADE 23
5	(37)	923Z	DHS PRGM ADMINISTRATOR	6	GRADE 23
6	(38)	B040	HLTH PUB HLTH LAB SECTION DIRECTOR	1	GRADE 23
7	(39)	R184	NURSING SERVICES UNIT MANAGER	9	GRADE 23
8	(40)	D066	SYSTEMS COORDINATION ANALYST II	1	GRADE 22
9	(41)	A088	DHS FINANCIAL SECTION MANAGER	1	GRADE 22
10	(42)	B006	SR EPIDEMIOLOGIST	1	GRADE 22
11	(43)	909Z	PROGRAM SUPPORT MANAGER	3	GRADE 22
12	(44)	L074	REGISTERED NURSE PRACTITIONER II	1	GRADE 22
13	(45)	L078	NURSE SUPERVISOR	22	GRADE 22
14	(46)	M118	DHS/DBHS DIR. OF COMM. SUPPORT PROG	1	GRADE 22
15	(47)	R055	HLTH PUB HLTH NURSING PROGRAM COORD	1	GRADE 22
16	(48)	R074	BEHAVIORAL HLTH. COMM. SVCS. COORD.	1	GRADE 21
17	(49)	M051	BEHAVIORAL HLTH DIR. OF SOCIAL SERV	1	GRADE 21
18	(50)	L122	PSYCHOLOGICAL EXAMINER II	6	GRADE 21
19	(51)	L082	NURSING SERVICES SPECIALIST	11	GRADE 21
20	(52)	L090	OCCUPATIONAL THERAPY SUPERVISOR	2	GRADE 21
21	(53)	L030	DIETARY SERVICES DIRECTOR	1	GRADE 21
22	(54)	A008	ACCOUNTING SUPERVISOR II	3	GRADE 21
23	(55)	892Z	DHS INSTITUTION BUSINESS MANAGER	1	GRADE 21
24	(56)	480Z	BEHAVIORAL HEALTH PERSONNEL MANAGER	2	GRADE 21
25	(57)	697Z	DHS PRGM MANAGER	2	GRADE 21
26	(58)	R298	AGENCY PROGRAM COORDINATOR	1	GRADE 21
27	(59)	R326	QUALITY ASSURANCE COORDINATOR	2	GRADE 21
28	(60)	T004	AR BEHAVIORAL HLTH PUBLIC SAFETY DI	1	GRADE 20
29	(61)	R266	MANAGEMENT PROJECT ANALYST II	6	GRADE 20
30	(62)	R145	DHS PROGRAM COORDINATOR	3	GRADE 20
31	(63)	W006	BEHAVIORAL HEALTH REGISTRAR	1	GRADE 20
32	(64)	W014	DIRECTOR MEDICAL RECORDS	1	GRADE 20
33	(65)	Y116	MAINTENANCE SYSTEMS SUPV	1	GRADE 20
34	(66)	A006	ACCOUNTING SUPERVISOR I	2	GRADE 20
35	(67)	E038	NURSE INSTRUCTOR	1	GRADE 20
36	(68)	G214	DIRECTOR MAINTENANCE	1	GRADE 20

1	(69)	L070	NURSE II	59	GRADE 20
2	(70)	M028	COUNSELOR II	2	GRADE 20
3	(71)	L156	HLTH PUB HLTH NURSE II	1	GRADE 20
4	(72)	L140	SPEECH PATHOLOGIST II	2	GRADE 20
5	(73)	M088	SOCIAL WORKER II	31	GRADE 20
6	(74)	M127	SR REHABILITATION COUNSELOR	1	GRADE 20
7	(75)	M128	DHS/DDS PRGM COORDINATOR	1	GRADE 20
8	(76)	Q046	MEDICARE/MEDICAID SURVEY SPECIALIST	1	GRADE 20
9	(77)	R084	DHS STAFF SUPERVISOR	1	GRADE 19
10	(78)	M097	VOLUNTEER PROGRAM DEVELOPER II	1	GRADE 19
11	(79)	M056	REHAB COUNSELOR III	1	GRADE 19
12	(80)	M019	CHAPLAIN	1	GRADE 19
13	(81)	L032	HEALTH PROGRAM CONSULTANT	4	GRADE 19
14	(82)	L028	DIETICIAN	1	GRADE 19
15	(83)	G026	BLDG AND GROUNDS COORDINATOR	2	GRADE 19
16	(84)	E042	PUB HLTH EDUCATOR	1	GRADE 19
17	(85)	E118	HABILITATION/REHAB INSTRUCTOR SUPV	1	GRADE 19
18	(86)	T055	UNIFORM COMMANDER	4	GRADE 19
19	(87)	T074	PUBLIC SAFETY DIRECTOR	1	GRADE 19
20	(88)	V008	BUYER III	1	GRADE 19
21	(89)	R150	RESEARCH PROJECT ANALYST	1	GRADE 19
22	(90)	M086	SOCIAL WORKER I	3	GRADE 19
23	(91)	R030	ASST PERSONNEL MANAGER	2	GRADE 19
24	(92)	R168	GRANTS COORDINATOR II	3	GRADE 19
25	(93)	R264	MANAGEMENT PROJECT ANALYST I	2	GRADE 18
26	(94)	V006	BUYER II	1	GRADE 18
27	(95)	V040	PURCHASE AGENT II/PURCHASE AGENT	1	GRADE 18
28	(96)	W030	RECORDS MANAGEMENT ANALYST II	1	GRADE 18
29	(97)	Y005	AUTO/DIESEL MECHANIC SUPERVISOR	1	GRADE 18
30	(98)	Y017	CARPENTER SUPERVISOR	1	GRADE 18
31	(99)	Y081	PLUMBER SUPERVISOR	1	GRADE 18
32	(100)	Y022	STATIONARY ENGINEER SUPERVISOR	1	GRADE 18
33	(101)	Y027	ELECTRICIAN SUPERVISOR	1	GRADE 18
34	(102)	E050	STAFF DEVELOPMENT SPECIALIST II	2	GRADE 18
35	(103)	E072	TRAINING INSTRUCTOR	1	GRADE 18
36	(104)	A111	ACCOUNTANT	1	GRADE 18

1	(105)	E024	INSTITUTIONAL INSTRUCTOR II	6	GRADE 18
2	(106)	G031	CONSTRUCTION/MAINTENANCE PROJ EST	4	GRADE 18
3	(107)	L036	CERTIFIED RESPIRATORY THERAPY TECH	1	GRADE 18
4	(108)	H032	FOOD PRODUCTION MANAGER	2	GRADE 18
5	(109)	M050	RECREATIONAL ACTIVITY LEADER SUPV	1	GRADE 18
6	(110)	M075	SOCIAL SERVICE REPRESENTATIVE II	3	GRADE 18
7	(111)	M082	SOCIAL SERVICE WORKER III	8	GRADE 18
8	(112)	R134	PLANNING SPECIALIST II	2	GRADE 18
9	(113)	L117	LPN/LPTN SUPERVISOR	20	GRADE 17
10	(114)	G141	WATER FILTER/WASTE DISPOS PLNT SUPV	1	GRADE 17
11	(115)	G161	GENERAL MAINTENANCE REPAIRMAN	9	GRADE 17
12	(116)	E086	HABILITATION/REHAB INSTRUCTOR II	13	GRADE 17
13	(117)	A034	FIELD AUDITOR	1	GRADE 17
14	(118)	Y039	HEATING & A/C MECHANIC	4	GRADE 17
15	(119)	Y053	JOURNEYMAN CARPENTER	4	GRADE 17
16	(120)	Y055	JOURNEYMAN ELECTRICIAN	6	GRADE 17
17	(121)	Y057	JOURNEYMAN PAINTER	3	GRADE 17
18	(122)	Y061	JOURNEYMAN PLUMBER	4	GRADE 17
19	(123)	Y065	JOURNEYMAN LOCKSMITH	1	GRADE 17
20	(124)	Y021	STATIONARY ENGINEER	4	GRADE 17
21	(125)	W028	RECORDS MANAGEMENT ANALYST I	4	GRADE 17
22	(126)	V030	INVENTORY CONTROL MANAGER	2	GRADE 17
23	(127)	T049	SECURITY OFFICER SUPERVISOR	2	GRADE 17
24	(128)	R010	ADMINISTRATIVE ASSISTANT II	18	GRADE 17
25	(129)	R166	GRANTS COORDINATOR I	1	GRADE 17
26	(130)	T037	PUB SAFETY OFFICER II	13	GRADE 16
27	(131)	A053	INSURANCE SPECIALIST II	3	GRADE 16
28	(132)	G167	EXECUTIVE HOUSEKEEPER I	2	GRADE 16
29	(133)	G215	MAJOR APPLIANCE REPAIRMAN	1	GRADE 16
30	(134)	L116	LPN III/LPTN III	95	GRADE 16
31	(135)	L153	X-RAY TECH SUPV/X-RAY TECH II	2	GRADE 16
32	(136)	L126	PSYCHOLOGICAL INTERN	2	GRADE 16
33	(137)	L115	LPN II/LPTN II	84	GRADE 15
34	(138)	M048	RECREATIONAL ACTIVITY LEADER II	25	GRADE 15
35	(139)	M002	ADMISSIONS INTERVIEWER SUPV	1	GRADE 15
36	(140)	R009	ADMINISTRATIVE ASSISTANT I	8	GRADE 15

1	(141)	M073	SOCIAL SERVICE REPRESENTATIVE I	1	GRADE 15
2	(142)	K011	ADMINISTRATIVE OFFICE SUPERVISOR	2	GRADE 15
3	(143)	A108	ACCOUNTING TECHNICIAN II	5	GRADE 15
4	(144)	A063	PAYROLL OFFICER	1	GRADE 15
5	(145)	T047	SECURITY OFFICER III	19	GRADE 15
6	(146)	V011	CENTRAL SUPPLY SUPV	1	GRADE 15
7	(147)	V051	STOREROOM SUPV/STORE SUPV	2	GRADE 15
8	(148)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	5	GRADE 14
9	(149)	K117	MEDICAL OR LEGAL SECRETARY	23	GRADE 14
10	(150)	L113	LPN I/LPTN I	8	GRADE 14
11	(151)	L184	DIETETIC TECHNICIAN	5	GRADE 14
12	(152)	L107	PHYSICAL THERAPY WORKER	1	GRADE 13
13	(153)	L091	OCCUPATIONAL THERAPY WORKER	3	GRADE 13
14	(154)	K153	SECRETARY II	10	GRADE 13
15	(155)	H049	SUPERVISOR OF COOKING	4	GRADE 13
16	(156)	E027	INSTITUTIONAL TEACHER ASSISTANT	2	GRADE 13
17	(157)	B049	LABORATORY TECHNICIAN II	2	GRADE 13
18	(158)	G115	NURSERY ASST & GROUNDSKEEPER SUPV	1	GRADE 13
19	(159)	G139	WATER FILTER/WASTE DISPOS PLNT OPER	2	GRADE 13
20	(160)	C013	SWITCHBOARD OPERATOR SUPERVISOR	1	GRADE 12
21	(161)	K039	DOCUMENT EXAMINER II	2	GRADE 12
22	(162)	K145	CASHIER/CASHIER II	1	GRADE 12
23	(163)	K089	PERSONNEL ASSISTANT	1	GRADE 12
24	(164)	K115	STATISTICIAN ASST II/STATISTICIAN I	2	GRADE 12
25	(165)	L020	CERTIFIED NURSING ASSISTANT II	90	GRADE 12
26	(166)	T045	SECURITY OFFICER II	1	GRADE 12
27	(167)	T013	FIRE & SAFETY COORD	1	GRADE 12
28	(168)	V043	SHIPPING & RECEIVING CLERK	3	GRADE 11
29	(169)	L018	CERTIFIED NURSING ASSISTANT I	82	GRADE 11
30	(170)	L101	PHARMACY TECH	1	GRADE 11
31	(171)	K155	SECRETARY I	2	GRADE 11
32	(172)	M001	ADMISSIONS INTERVIEWER	2	GRADE 11
33	(173)	L181	BEHAVIORAL HEALTH AIDE	43	GRADE 11
34	(174)	L097	PHARMACY ASST	3	GRADE 10
35	(175)	G006	MOTOR VEHICLE OPERATOR	9	GRADE 10
36	(176)	H005	BAKER II	2	GRADE 10

1	(177)	H027	COOK II	7	GRADE 10
2	(178)	V029	INVENTORY CONTROL CLERK	3	GRADE 10
3	(179)	V015	CENTRAL SUPPLY TECHNICIAN	1	GRADE 09
4	(180)	C011	SWITCHBOARD OPERATOR II	9	GRADE 09
5	(181)	K065	MAIL OFFICER	2	GRADE 09
6	(182)	H053	FOOD SERVICE WORKER III	14	GRADE 08
7	(183)	G010	LAUNDRY SUPERVISOR	1	GRADE 08
8	(184)	H025	COOK I	6	GRADE 08
9	(185)	G045	EQUIPMENT OPERATOR	2	GRADE 08
10	(186)	G191	CLOTHING SHOP OPERATOR	1	GRADE 07
11	(187)	G169	CUSTODIAL SUPV I	2	GRADE 06
12	(188)	H017	CANTEEN OPERATOR II/SNACKBAR OPER	1	GRADE 05
13	(189)	H043	FOOD SERVICE WORKER II	38	GRADE 05
14	(190)	V049	STOCK CLERK II	4	GRADE 05
15	(191)	Y095	SEAMSTRESS II	3	GRADE 05
16	(192)	G035	CUSTODIAL WRKR II	35	GRADE 04
17	(193)	G008	LAUNDRY WORKER	13	GRADE 04
18	(194)	G171	CUSTODIAL WRKR I	<u>1</u>	GRADE 03
19			MAX. NO. OF EMPLOYEES	1,142	

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21 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of  
 22 Human Services - Division of Behavioral Health for the 2005-2007 biennium,  
 23 the following maximum number of part-time or temporary employees, to be known  
 24 as "Extra Help", payable from funds appropriated herein for such purposes:  
 25 one hundred three (103) temporary or part-time employees, when needed, at  
 26 rates of pay not to exceed those provided in the Uniform Classification and  
 27 Compensation Act, or its successor, or this act for the appropriate  
 28 classification.

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30 SECTION 3. APPROPRIATION - CANTEENS - CASH. There is hereby appropriated,  
 31 to the Department of Human Services - Division of Behavioral Health, to be  
 32 payable from the cash fund deposited in the State Treasury as determined by  
 33 the Chief Fiscal Officer of the State, for operating expenses of the  
 34 Department of Human Services - Division of Behavioral Health - Canteens -  
 35 Cash for the biennial period ending June 30, 2007, the following:

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ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 74,048	\$ 74,048
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 74,048</u>	<u>\$ 74,048</u>

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SECTION 4. APPROPRIATION - PATIENT BENEFITS - CASH. There is hereby appropriated, to the Department of Human Services - Division of Behavioral Health, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for benefits of the patients of the Department of Human Services - Division of Behavioral Health for the biennial period ending June 30, 2007, the following:

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ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) PATIENT BENEFIT FUND	<u>\$ 75,000</u>	<u>\$ 75,000</u>

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SECTION 5. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated, to the Department of Human Services - Division of Behavioral Health, to be payable from the Mental Health Services Fund Account, for personal services and operating expenses of the Department of Human Services - Division of Behavioral Health - State Operations for the biennial period ending June 30, 2007, the following:

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ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) REGULAR SALARIES	\$ 38,529,099	\$ 39,670,293
(02) EXTRA HELP	1,838,889	1,838,889
(03) PERSONAL SERVICES MATCHING	12,233,518	12,456,724
(04) OVERTIME	820,692	820,692
(05) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	12,291,239	12,085,739

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1	(B) CONF. & TRAVEL	243,040	243,040
2	(C) PROF. FEES	7,134,874	7,084,874
3	(D) CAP. OUTLAY	160,000	50,000
4	(E) DATA PROC.	0	0
5	(06) GRANTS/PATIENT SERVICES	16,053,714	16,053,714
6	(07) MENTAL HEALTH CTR TRANSFER	<u>2,653,236</u>	<u>2,653,236</u>
7	TOTAL AMOUNT APPROPRIATED	<u>\$ 91,958,301</u>	<u>\$ 92,957,201</u>

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 9 SECTION 6. APPROPRIATION - COMMUNITY MENTAL HEALTH CENTERS. There is  
 10 hereby appropriated, to the Department of Human Services - Division of  
 11 Behavioral Health, to be payable from the Mental Health Services Fund  
 12 Account, for state assistance to the community mental health centers of the  
 13 Department of Human Services - Division of Behavioral Health for the biennial  
 14 period ending June 30, 2007, the following:

16	ITEM	FISCAL YEARS	
17	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
18	(01) STATE ASSISTANCE	<u>\$ 8,780,603</u>	<u>\$ 8,780,603</u>

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 20 SECTION 7. APPROPRIATION - BLOCK GRANT - FEDERAL. There is hereby  
 21 appropriated, to the Department of Human Services - Division of Behavioral  
 22 Health, to be payable from the federal funds as designated by the Chief  
 23 Fiscal Officer of the State, for grant payments of the Department of Human  
 24 Services - Division of Behavioral Health for the biennial period ending June  
 25 30, 2007, the following:

27	ITEM	FISCAL YEARS	
28	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
29	(01) MENTAL HEALTH BLOCK GRANT	<u>\$ 5,068,799</u>	<u>\$ 5,068,799</u>

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 31 SECTION 8. APPROPRIATION - TRACKING AND TREATMENT PROGRAM. There is hereby  
 32 appropriated, to the Department of Human Services - Division of Behavioral  
 33 Health, to be payable from the Mental Health Services Fund Account, for  
 34 tracking and treatment of persons suffering from mental illness and substance  
 35 abuse by the Department of Human Services - Division of Behavioral Health for  
 36 the biennial period ending June 30, 2007, the following:

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ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) TRACKING & TREATMENT PROGRAM	\$ 2,024,000	\$ 2,024,000

SECTION 9. APPROPRIATION - ACUTE MENTAL HEALTH SERVICES - PER CAPITA.  
 There is hereby appropriated, to the Department of Human Services - Division of Behavioral Health, to be payable from the Mental Health Services Fund Account, for acute mental health services within community-based settings of the catchment areas served by Community Mental Health Centers licensed and certified by the Division of Behavioral Health of the Department of Human Services for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) ACUTE MENTAL HEALTH SERVICES-PER CAPITA	\$ 5,750,000	\$ 5,750,000

SECTION 10. APPROPRIATION - DRUG COURT PROGRAMS. There is hereby appropriated, to the Department of Human Services - Division of Behavioral Health, to be payable from the MAGNUM Drug Court Fund, for State assistance and operation grants to Drug Court Programs for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) DRUG COURT PROGRAM - STATE ASSISTANCE AND OPERATION GRANTS	\$ 250,000	\$ 250,000

SECTION 11. APPROPRIATION - ALCOHOL AND DRUG ABUSE PREVENTION. There is hereby appropriated, to the Department of Human Services - Division of Behavioral Health, to be payable from the Drug Abuse Prevention and Treatment Fund, for education, drug abuse prevention and treatment services of the Department of Human Services - Division of Behavioral Health - Alcohol and Drug Abuse Prevention for the biennial period ending June 30, 2007, the following:

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ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) EDUCATION/PREVENTION/TREATMENT	\$ 16,925,530	\$ 16,925,530

SECTION 12. APPROPRIATION - COMMUNITY ALCOHOL SAFETY. There is hereby appropriated, to the Department of Human Services - Division of Behavioral Health, to be payable from the Highway Safety Special Fund, for personal services and operating expenses of the Department of Human Services - Division of Behavioral Health - Community Alcohol Safety for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) REGULAR SALARIES	\$ 63,796	\$ 65,757
(02) PERSONAL SERVICES MATCHING	20,254	20,640
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	45,195	45,195
(B) CONF. & TRAVEL	8,298	8,298
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
(04) COMMUNITY ALCOHOL SAFETY GRANTS AND AID	<u>3,396,469</u>	<u>3,396,469</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 3,534,012</u>	<u>\$ 3,536,359</u>

SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BEHAVIORAL HEALTH SERVICES - ALLOCATION RESTRICTIONS. There is hereby allocated to the Community Mental Health Centers, as set out herein, the following amounts of the funds appropriated for State Assistance in the Behavioral Health Services - Community Mental Health Centers appropriation, to the Department of Human Services - Behavioral Health Services Division, there to be used as provided by law, for the biennial period ending June 30, 2007, the following:

Maximum Allocation Fiscal Years

1 Item		<u>2005-06</u>	<u>2006-07</u>
2 NO. Mental Health Center			
3 (01) OZARK GUIDANCE CENTER, INC.		<u>\$1,151,206</u>	<u>\$1,151,206</u>
4 (02) OZARK COUNSELING SERVICES, INC.		<u>345,750</u>	<u>345,750</u>
5 (03) HEALTH RESOURCES OF ARKANSAS, INC.		<u>729,750</u>	<u>729,750</u>
6 (04) COUNSELING SERVICES OF EASTERN ARKANSAS		<u>488,940</u>	<u>488,940</u>
7 (05) DELTA COUNSELING ASSOCIATES, INC.		<u>279,089</u>	<u>279,089</u>
8 (06) SOUTH ARKANSAS REGIONAL HEALTH CENTER		<u>409,889</u>	<u>409,889</u>
9 (07) SOUTHEAST ARKANSAS BEHAVIORAL HEALTHCARE			
10 SYS. INC.		<u>477,735</u>	<u>477,735</u>
11 (08) SOUTHWEST ARKANSAS COUNSELING & MENTAL			
12 HEALTH CENTER, INC.		<u>382,198</u>	<u>382,198</u>
13 (09) COMMUNITY COUNSELING SERVICES, INC.		<u>532,976</u>	<u>532,976</u>
14 (10) WESTERN ARK. COUNSELING & GUIDANCE CENTER		<u>787,788</u>	<u>787,788</u>
15 (11) COUNSELING ASSOCIATES, INC.		<u>705,741</u>	<u>705,741</u>
16 (12) COUNSELING CLINIC, INCORPORATED		<u>274,799</u>	<u>274,799</u>
17 (13) PROFESSIONAL COUNSELING ASSOCIATES		<u>797,898</u>	<u>797,898</u>
18 (14) LITTLE ROCK CMHC		<u>593,855</u>	<u>593,855</u>
19 (15) MID-SOUTH HEALTH SYSTEMS		<u>822,989</u>	<u>822,989</u>
20 TOTAL AMOUNT ALLOCATED		<u>\$8,780,603</u>	<u>\$8,780,603</u>

21

22 The additional funding provided by this provision shall supplement and not  
 23 supplant any monies currently funding state assistance to Community Mental  
 24 Health Centers.

25

26 The requirements in this section shall only be implemented in accordance  
 27 with any necessary approval by the Centers for Medicare and Medicaid  
 28 Services, and in the event that additional general revenue funding is  
 29 provided by the General Assembly for these purposes. Should additional  
 30 funding provided for these purposes be insufficient to provide for the  
 31 increases in full, the increases shall be provided to the extent that funding  
 32 is made available.

33

34 The provisions of this section shall be in effect only from July 1, 2005  
 35 through June 30, 2007.

36

1 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
3 BEHAVIORAL ~~MENTAL~~ HEALTH SERVICES - ALLOCATION RESTRICTION AND TRANSFER  
4 PROVISION. Of the amounts allocated in the BEHAVIORAL ~~MENTAL~~ HEALTH SERVICES  
5 - ALLOCATION RESTRICTIONS section above, it is the intent of the General  
6 Assembly that such amounts are to be the maximum expended in the applicable  
7 fiscal year from the funds as appropriated for State Assistance in the  
8 Behavioral ~~Mental~~ Health Services - Community Mental Health Centers  
9 appropriation for the benefit of the appropriate program so enumerated.  
10 Provided, however, in the event that unforeseen circumstances occur in either  
11 fiscal year which would necessitate a transfer of the maximum allocation  
12 provided the BEHAVIORAL ~~MENTAL~~ HEALTH SERVICES - ALLOCATION RESTRICTIONS  
13 section above from one or more programs to another program or programs as  
14 enumerated in the BEHAVIORAL ~~MENTAL~~ HEALTH SERVICES - ALLOCATION RESTRICTIONS  
15 section above, the Behavioral ~~Mental~~ Health Services Division with the  
16 approval of the Director of the Department of Human Services shall make its  
17 request known, and the reasons thereof, to the Office of Budget, Department  
18 of Finance and Administration in such form and detail as may be required by  
19 the Chief Fiscal Officer of the State. If approved, such transfer approval  
20 shall be transmitted to the Bureau of Legislative Research who shall make a  
21 report of the transfer and the reasons thereof to the Arkansas Legislative  
22 Council at least quarterly.

23 The provisions of this section shall be in effect only from July 1, ~~2003~~  
24 2005 through June 30, ~~2005~~ 2007.

25  
26 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
28 BEHAVIORAL ~~MENTAL~~ HEALTH SERVICES - LEGISLATIVE AUDIT OF MENTAL HEALTH  
29 CENTERS. Every Mental Health Center eligible to receive any of the funds  
30 appropriated for State Assistance in the Behavioral ~~Mental~~ Health Services -  
31 Community Mental Health Centers appropriation in this Act shall, as a  
32 condition of receiving any such funds, be subject to an annual audit of the  
33 overall operation of such Mental Health Center by the Division of Legislative  
34 Audit. The Mental Health Centers shall submit a budget to the Behavioral  
35 ~~Mental~~ Health Services Division, Department of Human Services, and the  
36 Arkansas Legislative Council and go through the budget procedures process in

1 the same manner as State departments, agencies, institutions, boards and  
2 commissions. Budgets shall be submitted based on operating revenues and  
3 expenses of each Center and each Center shall provide information related to  
4 financial status requested by the Legislative Council and/or Joint Budget  
5 Committee.

6 The provisions of this section shall be in effect only from July 1, ~~2003~~  
7 2005 through June 30, ~~2005~~ 2007.

8  
9 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

11 BEHAVIORAL MENTAL HEALTH SERVICES - APPORTIONMENT OF FUNDS. All funds  
12 appropriated under the provisions of the State Assistance line item in the  
13 Behavioral Mental Health Services - Community Mental Health Centers  
14 appropriation in this Act shall be apportioned on the basis of three dollars  
15 and six cents (\$3.06) per capita for fiscal year ~~2003-2004~~ 2005-2006 and  
16 three dollars and six cents (\$3.06) per capita for fiscal year ~~2004-2005~~  
17 2006-2007 or so much thereof as funds shall become available. Additional  
18 funds shall be apportioned on the basis of fifty cents (\$.50) per capita or a  
19 one-to-one State/Local funds matching basis for both years of the biennial  
20 period ending June 30, ~~2005~~ 2007. The total \$8,780,603 ~~8,381,880~~ allocated  
21 for FY ~~2003-2004~~ 2005-2006 and \$8,780,603 ~~8,381,880~~ for FY ~~2004-2005~~ 2006-  
22 2007 shall be distributed to the community mental health centers as described  
23 in this section.

24 The provisions of this section shall be in effect only from July 1, ~~2003~~  
25 2005 through June 30, ~~2005~~ 2007.

26  
27 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

29 BEHAVIORAL MENTAL HEALTH SERVICES - GRANTS-IN-AID CONDITIONS FOR RECEIVING  
30 FUNDS. Only locally-operated Centers and Clinics licensed or certified by  
31 the Behavioral Mental Health Services Division are eligible to receive funds  
32 appropriated for State Assistance in the Behavioral Mental Health Services -  
33 Community Mental Health Centers appropriation in this Act, and as a condition  
34 of receiving such funds they shall:

35 (1) Meet minimum standards of performance in the delivery of Mental Health  
36 Services as defined by the Department of Human Services, Behavioral Mental

1 Health Services Division. Such standards will identify priority and/or  
2 target populations to be served. The standards shall describe procedures for  
3 assuring timely service delivery to clients who are within the custody of the  
4 Department of Human Services when such clients are referred to a duly  
5 certified center or clinic. Provided further, all such priorities, policies  
6 and procedures shall be reviewed by the House Aging, Children & Youth,  
7 Legislative and Military Affairs Committee and the Senate Children and Youth  
8 Committee.

9 (2) Supply statistical data to the Department of Human Services,  
10 Behavioral Mental Health Services Division.

11 (3) Establish and maintain a sound financial management system in  
12 accordance with guidelines as set forth by the Department of Human Services,  
13 Behavioral Mental Health Services Division.

14 (4) Establish and maintain community support programs designed to provide  
15 coordinated care and treatment to ensure ongoing therapeutic involvement and  
16 individualized treatment for persons with long-term, severe mental illness.  
17 Every community support program shall use a coordinated case management  
18 system and shall provide or assure access to services for persons with long-  
19 term, severe mental illness who reside within the respective catchment area  
20 of the Center. At a minimum, each community support program shall provide  
21 assessment, diagnosis, identification of persons in need of services, case  
22 management, crisis intervention, psychiatric treatment including medication  
23 services and supervision, counseling and psychotherapy, activities of daily  
24 living, housing, protection and advocacy, and psychosocial rehabilitation  
25 which may include services provided by day treatment programs.

26 (5) The Board of Directors of each Center or Clinic licensed or certified  
27 by the Department of Human Services, Behavioral Mental Health Services  
28 Division, shall adopt and submit to the ~~Deputy~~ Director, Behavioral Mental  
29 Health Services Division, in the form and according to the procedures  
30 specified by the ~~Deputy~~ Director, Behavioral Mental Health Services Division,  
31 an annual plan for the delivery of community support services for persons  
32 with long-term, severe mental illness. Each Center's plan must be approved  
33 by the ~~Deputy~~ Director, Behavioral Mental Health Services Division.

34 The provisions of this section shall be in effect only from July 1, 2003  
35 2005 through June 30, ~~2005~~ 2007.

36

1 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
 3 BEHAVIORAL ~~MENTAL~~ HEALTH SERVICES - FEDERAL FUNDS. It is the specific intent  
 4 of the General Assembly that in the event of the availability of federal  
 5 funding for the Division of Behavioral ~~Mental~~ Health Services during either  
 6 year of the biennial period ending June 30, ~~2005~~ 2007, that such funding be  
 7 utilized to conserve or reduce the expenditure of general revenue except  
 8 where prohibited by law.

9 The provisions of this section shall be in effect only from July 1, ~~2003~~  
 10 2005 through June 30, ~~2005~~ 2007.

11  
 12 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
 14 BEHAVIORAL ~~MENTAL~~ HEALTH SERVICES. Pay rates for physicians and chief  
 15 psychologists within the Division of Behavioral ~~Mental~~ Health Services may  
 16 include the special allowances available to UAMS physicians and professional  
 17 faculty as described in the special language of the UAMS appropriation. Part  
 18 of the salaries of such staff will come from the receipt of professional  
 19 income in the care of patients and/or funds received from federal agencies,  
 20 foundations and other private sponsors in the support of research. Provided  
 21 that any such allowance shall not exceed, for any employee, an amount equal  
 22 to two and one half times the salary authorized by the General assembly. The  
 23 specific Division of Behavioral ~~Mental~~ Health classifications covered by this  
 24 language are:

25 Class Code	Title
26 6610	Psychiatric Specialist Supervisor
27 6617	Psychiatric Specialist
28 6621	Psychiatrist
29 6639	<u>Behavioral</u> <del>Mental</del> Health General Physician
30 6607	<u>Behavioral</u> <del>Mental</del> Health Services Chief Psychologist

31 Prior to these allowances being made available for an individual, they will  
 32 be approved by the Chief Fiscal Officer of the State and reviewed by the  
 33 Personnel Committee of the Arkansas Legislative Council or the Joint Budget  
 34 Committee.

35 The provisions of this section shall be in effect only from July 1, ~~2003~~  
 36 2005 through June 30, ~~2005~~ 2007.



1  
2 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

4 BEHAVIORAL ~~MENTAL~~ HEALTH SERVICES - VOCATIONAL TRAINEES. The Division of  
5 Behavioral ~~Mental~~ Health Services of the Department of Human Services is  
6 hereby authorized during the ~~2003-2005~~ 2005-2007 biennium to provide  
7 employment opportunities for some of the working residents who are separate  
8 from the currently authorized regular vocational trainee positions. The  
9 positions authorized herein shall not be incorporated into the present  
10 classification system but shall be provided for by each Community Mental  
11 Health Center, or State Hospital, on a cash account basis. It is the intent  
12 of the General Assembly that the authorization of these positions shall  
13 facilitate the Agency's ability to provide for residents who are not part of  
14 a regular vocational training program.

15 The provisions of this section shall be in effect only from July 1, ~~2003~~  
16 2005 through June 30, ~~2005~~ 2007.

17  
18 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

20 BEHAVIORAL ~~MENTAL~~ HEALTH SERVICES - JOB SHARE. The Division of Behavioral  
21 ~~Mental~~ Health Services can utilize job share for positions within the nursing  
22 classification (RN,LPN/LPTN,MHW/CNA) for up to 24 hours per week per  
23 individual. This will allow the Division to offer weekend option shifts to  
24 nursing personnel without increasing the number of positions.

25 The provisions of this section shall be in effect only from July 1, ~~2003~~  
26 2005 through June 30, ~~2005~~ 2007.

27  
28 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

30 BEHAVIORAL ~~MENTAL~~ HEALTH SERVICES - STATE HOSPITAL CONTINGENCY POSITIONS. If  
31 the Department of Human Services determines, and after prior review by the  
32 Legislative Council, it shall be determined that it is in the best interest  
33 of the State of Arkansas to discontinue a management contract with a private  
34 provider and it is deemed necessary to utilize Department staff to provide  
35 the required services, the Director of the Department of Human Services may  
36 request the Department of Finance and Administration to approve the

1 establishment of one or more additional positions at salary rates not to  
2 exceed the maximum salaries established for comparable positions in the  
3 Uniform Classification and Compensation Act, the Department of Human  
4 Services' Appropriation Act, and the University of Arkansas for Medical  
5 Sciences' Appropriation Act. Upon approval by the Department of Finance and  
6 Administration and after review by the Legislative Council, the Department of  
7 Human Services, Division of Behavioral ~~Mental~~ Health Services may establish  
8 such positions.

9 If the agency requests continuation of a "Growth Pool" position(s) as  
10 established herein during the next biennium, the position(s) must be  
11 requested as a new position(s) in the agencies biennial budget request.  
12 The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005  
13 through June 30, ~~2005~~ 2007.

14  
15 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS  
17 HEALTH CENTER. (A) The Department of Human Services shall not close the  
18 Arkansas Health Center that provides skilled nursing through specialized  
19 services and programs.

20 (B) The Department of Human Services shall continue to accept clients for  
21 whom it has determined that skilled nursing and specialized services are  
22 needed at the Arkansas Health Center.

23 (C) No funds shall be transferred or reduced from the Arkansas Health  
24 Center, except for use as federal matching funds, below the approved funding  
25 level on March 1, 2003 without the prior approval of the Arkansas Legislative  
26 Council or the Joint Budget Committee.

27 (D) Determining the maximum amount of appropriation and general revenue  
28 funding for a state agency each fiscal year is the prerogative of the General  
29 Assembly. This is usually accomplished by delineating such maximums in the  
30 appropriation act(s) for a state agency and the general revenue allocations  
31 authorized for each fund and fund account by amendment to the Revenue  
32 Stabilization law. Further, the General Assembly has determined that the  
33 Department of Human Services may operate more efficiently if some flexibility  
34 is provided to the Department of Human Services authorizing broad powers  
35 under this Section. Therefore, it is both necessary and appropriate that the  
36 General Assembly maintain oversight by requiring prior approval of the

1 Legislative Council or Joint Budget Committee as provided by this section.  
2 The requirement of approval by the Legislative Council or Joint Budget  
3 Committee is not a severable part of this section. If the requirement of  
4 approval by the Legislative Council or Joint Budget Committee is ruled  
5 unconstitutional by a court of competent jurisdiction, this entire section is  
6 void.  
7 The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005  
8 through June 30, ~~2005~~ 2007.

9

10 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA  
12 HELP – BEHAVIORAL HEALTH SERVICES. Employees in extra-help positions at the  
13 Department of Human Services – Behavioral Health Division may receive an  
14 amount not to exceed eighty-five percent (85%) of the maximum annual salary  
15 for a comparable position as authorized under § 21-5-201 et seq. during any  
16 fiscal year, nor shall such an employee be employed for a period of time to  
17 exceed one thousand eight hundred (1800) hours in any single fiscal year.  
18 The provisions of this section shall be in effect only from July 1, 2005  
19 through June 30, 2007.

20

21 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL  
23 PROVISIONS FOR SHIFT DIFFERENTIAL WEEKEND PAY, ANNUAL SALARY SURVEYS AND  
24 EXPERIENCE ADJUSTMENT FOR REGISTERED AND LICENSED PRACTICAL NURSES, MENTAL  
25 HEALTH WORKERS AND CERTIFIED NURSING ASSISTANTS WORKING. All Registered  
26 Nurse, Licensed Practical Nurse and Certified Nursing Assistant  
27 classifications employed in areas providing critical support and care to  
28 Patient Units at Arkansas State Hospital and Arkansas Health Center during  
29 evening and night shifts shall be eligible to receive up to twenty (20)  
30 percent of the hourly rate paid as a shift differential. All Registered  
31 Nurse, Licensed Practical Nurse and Certified Nursing Assistant  
32 classifications required to provide critical and support care to Patient  
33 Units during weekend hours shall be eligible to receive up to twenty (20)  
34 percent of the hourly rate paid as a weekend differential. When facilities  
35 use shifts other than traditional eight-hour shifts, shift differential may  
36 be paid for those positions for shifts exceeding the normal day shift of the

1 facility. When shift and weekend differentials are provided to employees as  
2 herein described, the total compensation may exceed the line item maximum  
3 salaries for those positions as included in this Act. The provisions of this  
4 section shall be in effect only from July 1, 2005 through June 30, 2007.

5  
6 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

8 BEHAVIORAL MENTAL HEALTH SERVICES - APPORTIONMENT OF FUNDS. Each Community  
9 Mental Health Center shall contract with one or more facilities of its choice  
10 (excluding Arkansas State Hospital) to provide the inpatient care for  
11 indigent patients which the Community Mental Health Center has determined to  
12 be necessary after prompt screening by the Community Mental Health Center.  
13 Payment for patients screened and approved by the Community Mental Health  
14 Center who receive care at these inpatient facilities shall be provided to  
15 the inpatient facilities at the contract rate unless the funds available for  
16 this purpose have been exhausted. Available funding as determined by the  
17 Director of the Department of Human Services shall be apportioned on a per  
18 capita basis up to a maximum of three dollars and forty-eight cents (\$3.48)  
19 per capita for fiscal year ~~2003-2004~~ 2005-2006 and three dollars and forty-  
20 eight cents (\$3.48) per capita for fiscal year ~~2004-2005~~ 2006-2007. The 2000  
21 federal population census shall be used in determining the population of each  
22 catchment area of the fifteen Community Mental Health Centers. All amounts  
23 appropriated under this section shall be used by Community Mental Health  
24 Centers for residents of each center's catchment area and such funds shall  
25 only be accessed as the payment of last resort.

26  
27 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

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

- 1 (2) the number of involuntary commitments and medically indigent admissions
- 2 to community-based settings receiving assistance from the acute mental health
- 3 services funds;
- 4 (3) the total number of acute bed days utilized by these involuntary
- 5 commitments;
- 6 (4) the total number of bed days utilized by these medically indigent
- 7 admissions;
- 8 (5) the average length of stay of admissions for these involuntary
- 9 commitments per catchment area;
- 10 (6) the average length of stay of admissions for these medically indigent
- 11 admissions per catchment area;
- 12 (7) the number of medically indigent admissions per catchment area unable to
- 13 receive assistance from the acute mental health services funds due to such
- 14 funds being depleted by prior admissions;
- 15 (8) the number of re-admissions per catchment area for involuntary
- 16 commitments and medically indigent admissions to community-based settings
- 17 receiving assistance from the acute mental health services; and
- 18 (9) identify any steps taken by CMHCs to improve access to acute mental
- 19 health services.

20

21 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ACUTE  
23 MENTAL HEALTH SERVICES – PER CAPITA - LEGISLATIVE FINDINGS AND INTENT. The  
24 General Assembly recognizes that the state encouraged the treatment of  
25 mentally ill residents within community-based settings over two decades ago  
26 and has taken various approaches to funding since then. The General Assembly  
27 also recognizes that there are inherent problems within the current public  
28 mental health system that create disincentives for proper treatment and care.  
29 The purpose of ~~this Act~~ the Acute Mental Health Services – Per Capita  
30 appropriation is to provide an appropriation for acute mental health services  
31 to be utilized within community-based settings for the treatment and care of  
32 medically indigent persons 18 years of age and older and involuntary  
33 commitments to the public mental health system. The appropriation for acute  
34 mental health services provided in this Act shall only be used for Community  
35 Mental Health Centers licensed and certified by the Division of Behavioral  
36 ~~Mental Health Services~~ of the Department of Human Services for use within

1 community-based settings and facilities.

2  
3 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DRUG  
5 COURT RULES AND REGULATIONS. The Department of Human Services - Division of  
6 Behavioral Mental Health Services shall develop administrative rules and  
7 regulations regarding the distribution of monies from the Magnum Drug Court  
8 Fund and shall submit such rules and regulations to the Arkansas Legislative  
9 Council or Joint Budget Committee for review.

10  
11 SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COMMUNITY  
13 ALCOHOL SAFETY CARRY FORWARD. Such Community Alcohol Safety appropriation as  
14 is authorized in this Act which remains at the end of the first fiscal year  
15 of the biennium may be carried forward into the second fiscal year of the  
16 biennium there to be used for the same purposes.

17 The provisions of this section shall be in effect only from ~~July 1, 2003~~  
18 July 1, 2005 through ~~June 30, 2005~~ June 30, 2007.

19  
20 SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ACUTE  
22 MENTAL HEALTH SERVICES - SOUTHEAST ARKANSAS BEHAVIORAL HEALTH CENTER. Of the  
23 total amount appropriated each fiscal year in Section 9 of this Act for Acute  
24 Mental Health Services - Per Capita, two hundred fifty thousand dollars  
25 (\$250,000) each fiscal year shall first be allocated and made available to  
26 the Southeast Arkansas Behavioral Health Center for Acute Mental Health  
27 Services. The remaining five million five hundred thousand dollars  
28 (\$5,500,000) appropriated each fiscal year shall be allocated and made  
29 available to the Community Mental Health Centers within community-based  
30 settings on a per-capita basis.

31  
32 The Division of Behavioral Health will work with the community mental health  
33 centers and shall develop an equitable acute care distribution plan which  
34 considers utilization of State Hospital beds, clarifying target population,  
35 and other pertinent demographic factors to ensure maximum equitable  
36 utilization of public funds.

1  
2 The Division of Behavioral Health shall report this distribution plan to the  
3 Arkansas Legislative Council or Joint Budget Committee by July 1, 2006. The  
4 intent of the 85<sup>th</sup> General Assembly is that this language is for the 2005-07  
5 biennium only and shall not be requested by the Division of Behavioral Health  
6 as continuing special language for the 2007-09 biennium.

7  
8 The provisions of this section shall be in effect only from July 1, 2005  
9 through June 30, 2007.

10  
11 SECTION 32. Arkansas Code § 19-5-1043, concerning the Drug Abuse  
12 Prevention and Treatment Fund, is amended to read as follows:

13 19-5-1043. Drug Abuse Prevention and Treatment Fund.

14 (a) There is hereby established on the books of the Treasurer of State,  
15 Auditor of State, and Chief Fiscal Officer of the State a fund to be known as  
16 the Drug Abuse Prevention and Treatment Fund.

17 (b) This fund shall consist of:

18 (1) Those ~~those~~ moneys transferred or deposited from the State  
19 Administration of Justice Fund;

20 (2) Such General Revenue as transferred from Mental Health Services Fund  
21 Account;

22 (3) Federal reimbursement received on account of eligible expenditures;  
23 and

24 (4) Other funds as may be provided by law.

25  
26 SECTION 33. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
27 by this act shall be limited to the appropriation for such agency and funds  
28 made available by law for the support of such appropriations; and the  
29 restrictions of the State Procurement Law, the General Accounting and  
30 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
31 Procedures and Restrictions Act, or their successors, and other fiscal  
32 control laws of this State, where applicable, and regulations promulgated by  
33 the Department of Finance and Administration, as authorized by law, shall be  
34 strictly complied with in disbursement of said funds.

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36 SECTION 34. LEGISLATIVE INTENT. It is the intent of the General Assembly

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

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9 SECTION 35. EMERGENCY CLAUSE. It is found and determined by the General  
10 Assembly, that the Constitution of the State of Arkansas prohibits the  
11 appropriation of funds for more than a two (2) year period; that the  
12 effectiveness of this Act on July 1, 2005 is essential to the operation of  
13 the agency for which the appropriations in this Act are provided, and that in  
14 the event of an extension of the Regular Session, the delay in the effective  
15 date of this Act beyond July 1, 2005 could work irreparable harm upon the  
16 proper administration and provision of essential governmental programs.  
17 Therefore, an emergency is hereby declared to exist and this Act being  
18 necessary for the immediate preservation of the public peace, health and  
19 safety shall be in full force and effect from and after July 1, 2005.

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21 */s/ Joint Budget Committee*  
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