

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 86th General Assembly
3 Regular Session, 2007
4

As Engrossed: H3/21/07

A Bill

HOUSE BILL 2358

5 By: Representatives E. Brown, Pennartz
6
7

For An Act To Be Entitled

9 AN ACT TO ESTABLISH THE PRINCIPLES OF A SYSTEM OF
10 CARE FOR BEHAVIORAL HEALTH CARE SERVICES FOR
11 CHILDREN AND YOUTH AS THE PUBLIC POLICY OF THE
12 STATE; FOR IMPROVING THE EFFECTIVENESS OF
13 BEHAVIORAL HEALTH AND RELATED SERVICES TO
14 CHILDREN, YOUTH AND THEIR FAMILIES; AND FOR OTHER
15 PURPOSES.
16

Subtitle

17
18 AN ACT TO ENSURE BETTER UTILIZATION AND
19 COORDINATION OF THE STATE'S BEHAVIORAL
20 HEALTH CARE RESOURCES DEVOTED TO SERVING
21 CHILDREN, YOUTH AND THEIR FAMILIES.
22
23

24
25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
26

27 SECTION 1. Arkansas Code Title 20, Chapter 47 is amended to add an
28 additional subchapter to read as follows:

29 20-47-601. Title.

30 This subchapter shall be known and may be cited as the "Arkansas System
31 of Care for Behavioral Health Care Services for Children and Youth Act.
32

33 20-47-602. Purpose.

34 The purpose of this Act is to help facilitate the establishment of an
35 improved system of behavioral health care for children and youth, especially
36 those with serious emotional disturbances.



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

20-47-603. Findings.

The General Assembly finds:

(a) The system for providing behavioral health care services to children, youth and their families should ensure that those services are appropriate, cost-effective, and provided in the least restrictive settings.

(b) Behavioral health and other services identified in Arkansas Code § 20-47-502 (10) are provided to children and youth by various departments, agencies, and providers at both the state and local level, often without appropriate or effective collaboration.

(c) Providing effective services for children with the most severe needs requires many areas of expertise and shared responsibility among the aforementioned departments, agencies and providers.

(d) The system of behavioral health care should be built upon the foundation established by the Child and Adolescent Service System Program principles identified in Arkansas Code § 20-47-503. The guiding principles for establishing the system of care should be:

(1) The system should be family-driven, child-centered and youth-guided, and should include family participation at all levels of the services system;

(2) The system should be community-based with decision-making responsibility and management at the regional and local levels: and

(3) The System should be culturally competent, with agencies, programs and services responsive to the cultural and individual differences of the populations they serve.

20-47-604. Children's Behavioral Health Care Commission.

The Governor shall establish a Children's Behavioral Health Care Commission. The Commission shall:

(a) Consist of at least ten (10) but no more than twenty (20) members, who shall:

(1) Include families and advocates for children receiving behavioral health care services and representatives from a variety of behavioral health care agencies, disciplines, and providers;

(2) Serve three (3) year terms, except that the initial term for two-thirds (2/3) of the membership shall be equally divided by lot with one-

1 half of such persons serving an initial term of one (1) year and the other
2 half serving an initial term of two (2) years.

3 (b) Provide advice and guidance to the Department of Health and Human
4 Services and other state agencies providing behavioral health care services
5 to children, youth and their families on the most effective methods for
6 establishing a system of care approach.

7
8 20-47-605. Behavioral Health Care Initiatives.

9 The Department, with advice from the Children's Behavioral Health Care
10 Commission, shall:

11 (a) Identify and implement actions for ensuring that children, youth
12 and their families are full partners in design and implementation of all
13 aspects of the system of care as well as full partners' in decisions about
14 their care or their child's care.

15 (b) Identify up to \$2 million per year to apply to the following
16 purposes:

17 (1) Meeting extraordinary, non-Medicaid reimbursable needs of
18 children, youth and their families, as identified in multi-agency plans of
19 services;

20 (2) Supporting creation or strengthening of entities designed to
21 guide the development and operation of local, regional and state components
22 of the system of care;

23 (3) Strengthening family and advocate skills and capacity to
24 provide meaningful input on the system of care; and

25 (4) Supporting the development and enhancement of needed
26 behavioral health care services in underserved areas.

27 (c) Revise Medicaid rules and regulations to increase quality,
28 accountability and appropriateness of Medicaid reimbursed behavioral health
29 care services, including, but not limited to:

30 (1) Clarifying behavioral health care services definitions to
31 assure that the definitions are appropriate to the needs of children, youth
32 and their families;

33 (2) Revising the process for Medicaid to receive, review, and
34 act upon requests for behavioral health care for children and youth
35 classified as 'seriously emotionally disturbed;

36 (3) Clarifying Medicaid certification rules for providers

1 serving children, youth and their families to assure that the certification
2 rules correlate with the requirements for enrollment as a Medicaid provider
3 of behavioral health care services;

4 (4) Defining a standardized screening and assessment process
5 designed to provide early identification of conditions that require
6 behavioral health care services. The standardized process shall ensure:

7 (A) Assessments guide service decisions and outcomes and,
8 if appropriate, development of a multi-agency plan of services; and

9 (B) Services delivered are appropriate to meet the needs
10 of the child as identified by the assessment.

11 (d) Research, identify and implement innovative and promising local,
12 regional or statewide approaches for better managing the State's resources
13 devoted to children's behavioral health.

14 (e) Create additional capacity within the Department's Division of
15 Behavioral Health Services to develop, support and oversee the new system of
16 care for behavioral health services for children, including:

17 (1) Developing an outcomes-based data system to support an
18 improved system of tracking, accountability and decision-making; and

19 (2) Creating additional staff support to provide technical
20 assistance, utilize information, identify and encourage best practices,
21 monitor performance, and recommend system improvements.

22
23 20-47-606. Assessment Tool.

24 The standardized screening and assessment tool established by Medicaid
25 rules shall:

26 (a) Guide service decisions and outcomes;

27 (b) Establish guidelines to identify children who need a multi-agency
28 plan of services.

29
30 20-47-607. Multi-agency plan of services.

31 Each multi-agency plan of services shall:

32 (a) Be consistent with the results of the standardized screening and
33 assessment established by Medicaid rules;

34 (b) Provide for collaboration among the child, the persons or entities
35 responsible for the child's care and custody; and the providers of behavioral
36 health care services for the child; and

