

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: S3/5/07 S3/19/07

A Bill

SENATE BILL 218

5 By: Joint Budget Committee
6
7

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 HEALTH AND HUMAN SERVICES -
12 DIVISION OF BEHAVIORAL HEALTH FOR THE BIENNIAL
13 PERIOD ENDING JUNE 30, 2009; AND FOR OTHER
14 PURPOSES.

Subtitle

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16
17
18 AN ACT FOR THE DEPARTMENT OF HEALTH AND
19 HUMAN SERVICES - DIVISION OF BEHAVIORAL
20 HEALTH APPROPRIATION FOR THE 2007-2009
21 BIENNIUM.
22
23

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

26 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for
27 the Department of Health and Human Services - Division of Behavioral Health
28 for the 2007-2009 biennium, the following maximum number of regular employees
29 whose salaries shall be governed by the provisions of the Uniform
30 Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or
31 its successor, and all laws amendatory thereto. Provided, however, that any
32 position to which a specific maximum annual salary is set out herein in
33 dollars, shall be exempt from the provisions of said Uniform Classification
34 and Compensation Act. All persons occupying positions authorized herein are
35 hereby governed by the provisions of the Regular Salaries Procedures and
36 Restrictions Act (Arkansas Code §21-5-101), or its successor.



					Maximum Annual	
				Maximum	Salary Rate	
	Item	Class		No. of	Fiscal Years	
	No.	Code	Title	Employees	2007-2008	2008-2009
6	(1)	6610	PSYCHIATRIC SPECIALIST SUPERVISOR	2	\$157,513	\$160,663
7	(2)	6617	PSYCHIATRIC SPECIALIST	2	\$149,932	\$152,930
8	(3)	6623	REHAB MED DIR ALCOHOL REHAB CNT-BEN	1	\$142,822	\$145,678
9	(4)	6621	PSYCHIATRIST	2	\$142,822	\$145,678
10	(5)	7162	DHS ADMR AR BEHAVIORAL HLTH STATE H	1	\$135,997	\$138,716
11	(6)	6639	BEHAVIORAL HEALTH GENERAL PHYSICIAN	7	\$131,742	\$134,376
12	(7)	9408	DHS CHIEF INFORMATION OFFICER	1	\$102,821	\$104,877
13	(8)	9970	DHS DEP DIR BEHAVIORAL HEALTH SERVI	1	\$102,714	\$104,768
14	(9)	9701	HEALTH DIR ALCOL & DRUG ABUSE PREV	1	\$95,371	\$97,278
15	(10)	9476	AHC DIRECTOR OF NURSING	1	\$91,134	\$92,956
16	(11)	8964	DHS BEHAVIORAL HEALTH CENTER DIRECT	1	\$87,612	\$89,364
17	(12)	6607	BEHAVIORAL HLTH SVCS CHIEF PSYCHOL	1	\$87,486	\$89,235
18	(13)	9475	AHC CLINICAL DIRECTOR	1	\$85,042	\$86,742
19	(14)	9474	AHC NURSING HOME ADMINISTRATOR	1	\$85,042	\$86,742
20	(15)	8932	BEHAVIORAL HEALTH ASST. DEP. DIR. A	1	\$84,017	\$85,697
21	(16)	8033	DHS BEHAV. HLT. ASST. DIR. MANAGED	1	\$84,014	\$85,694
22	(17)	8032	DHS/BH ASST. DIR. ADMIN. SVCS.	1	\$84,014	\$85,694
23	(18)	9407	DHS HIPPA PRIVACY OFFICER	1	\$73,470	\$74,939
24	(19)	8933	DHS/DBHS ASST. DEP. DIR. PROGRAM DE	1	\$67,669	\$69,022
25	(20)	8934	DHS/DBHS DEP. DIR. PROG. DEV.	1	\$61,723	\$62,957
26	(21)	L014	DIRECTOR OF PHARMACY SERVICES	1		GRADE 26
27	(22)	L134	PSYCHOLOGIST SUPERVISOR	3		GRADE 26
28	(23)	L124	PSYCHOLOGIST	5		GRADE 25
29	(24)	L011	DIRECTOR PHARMACY	1		GRADE 25
30	(25)	118Z	DHS NURSING SERVICES ADMINISTRATOR	1		GRADE 25
31	(26)	180Z	BEHAVIORAL HEALTH ASSOC. DIR., AHC	1		GRADE 25
32	(27)	397Z	DHS/DCFS ADMIN COMMUNITY SVCS	1		GRADE 25
33	(28)	474Z	BEHAVIORAL HEALTH PSYCHOLOGIST ADM.	1		GRADE 25
34	(29)	188Z	A&D ABUSE PREV ASST DEP DIR/DIR SVC	1		GRADE 24
35	(30)	871Z	BEHAVIORAL HLT SOCIAL WORK ADM.	1		GRADE 24
36	(31)	L005	PHARMACIST I	1		GRADE 24

1	(32)	L096	SR PHARMACIST	2	GRADE 24
2	(33)	L112	PSYCH RESIDENT	2	GRADE 24
3	(34)	870Z	BEHAVIORAL HLTH. FACILITY ADMINISTR	3	GRADE 23
4	(35)	923Z	DHS PRGM ADMINISTRATOR	6	GRADE 23
5	(36)	B040	HLTH PUB HLTH LAB SECTION DIRECTOR	1	GRADE 23
6	(37)	R184	NURSING SERVICES UNIT MANAGER	8	GRADE 23
7	(38)	D066	SYSTEMS COORDINATION ANALYST II	1	GRADE 22
8	(39)	A088	DHS FINANCIAL SECTION MANAGER	1	GRADE 22
9	(40)	B006	SR EPIDEMIOLOGIST	1	GRADE 22
10	(41)	909Z	PROGRAM SUPPORT MANAGER	3	GRADE 22
11	(42)	L078	NURSE SUPERVISOR	20	GRADE 22
12	(43)	M118	DHS/DBHS DIR. OF COMM. SUPPORT PROG	1	GRADE 22
13	(44)	R055	HLTH PUB HLTH NURSING PROGRAM COORD	1	GRADE 22
14	(45)	R074	BEHAVIORAL HLTH. COMM. SVCS. COORD.	1	GRADE 21
15	(46)	L122	PSYCHOLOGICAL EXAMINER II	5	GRADE 21
16	(47)	M051	BEHAVIORAL HLTH DIR. OF SOCIAL SERV	1	GRADE 21
17	(48)	L082	NURSING SERVICES SPECIALIST	10	GRADE 21
18	(49)	L090	OCCUPATIONAL THERAPY SUPERVISOR	2	GRADE 21
19	(50)	L030	DIETARY SERVICES DIRECTOR	1	GRADE 21
20	(51)	A008	ACCOUNTING SUPERVISOR II	3	GRADE 21
21	(52)	892Z	DHS INSTITUTION BUSINESS MANAGER	1	GRADE 21
22	(53)	480Z	BEHAVIORAL HEALTH PERSONNEL MANAGER	2	GRADE 21
23	(54)	697Z	DHS PRGM MANAGER	2	GRADE 21
24	(55)	R298	AGENCY PROGRAM COORDINATOR	1	GRADE 21
25	(56)	R326	QUALITY ASSURANCE COORDINATOR	2	GRADE 21
26	(57)	T004	AR BEHAVIORAL HLTH PUBLIC SAFETY DI	1	GRADE 20
27	(58)	R145	DHS PROGRAM COORDINATOR	3	GRADE 20
28	(59)	R266	MANAGEMENT PROJECT ANALYST II	6	GRADE 20
29	(60)	W006	BEHAVIORAL HEALTH REGISTRAR	1	GRADE 20
30	(61)	Y116	MAINTENANCE SYSTEMS SUPV	1	GRADE 20
31	(62)	A006	ACCOUNTING SUPERVISOR I	2	GRADE 20
32	(63)	E038	NURSE INSTRUCTOR	1	GRADE 20
33	(64)	G214	DIRECTOR MAINTENANCE	1	GRADE 20
34	(65)	L070	NURSE II	47	GRADE 20
35	(66)	M028	COUNSELOR II	2	GRADE 20
36	(67)	L140	SPEECH PATHOLOGIST II	2	GRADE 20

1	(68)	M088	SOCIAL WORKER II	28	GRADE 20
2	(69)	M127	SR REHABILITATION COUNSELOR	1	GRADE 20
3	(70)	Q046	MEDICARE/MEDICAID SURVEY SPECIALIST	1	GRADE 20
4	(71)	M086	SOCIAL WORKER I	2	GRADE 19
5	(72)	M097	VOLUNTEER PROGRAM DEVELOPER II	1	GRADE 19
6	(73)	R030	ASST PERSONNEL MANAGER	1	GRADE 19
7	(74)	R084	DHS STAFF SUPERVISOR	1	GRADE 19
8	(75)	M056	REHAB COUNSELOR III	1	GRADE 19
9	(76)	M019	CHAPLAIN	1	GRADE 19
10	(77)	L028	DIETICIAN	1	GRADE 19
11	(78)	L032	HEALTH PROGRAM CONSULTANT	4	GRADE 19
12	(79)	G026	BLDG AND GROUNDS COORDINATOR	2	GRADE 19
13	(80)	E042	PUB HLTH EDUCATOR	1	GRADE 19
14	(81)	E118	HABILITATION/REHAB INSTRUCTOR SUPV	1	GRADE 19
15	(82)	V008	BUYER III	1	GRADE 19
16	(83)	R168	GRANTS COORDINATOR II	2	GRADE 19
17	(84)	T055	UNIFORM COMMANDER	4	GRADE 19
18	(85)	T074	PUBLIC SAFETY DIRECTOR	1	GRADE 19
19	(86)	R150	RESEARCH PROJECT ANALYST	1	GRADE 19
20	(87)	R264	MANAGEMENT PROJECT ANALYST I	1	GRADE 18
21	(88)	V006	BUYER II	1	GRADE 18
22	(89)	V040	PURCHASE AGENT II/PURCHASE AGENT	1	GRADE 18
23	(90)	Y022	STATIONARY ENGINEER SUPERVISOR	1	GRADE 18
24	(91)	Y027	ELECTRICIAN SUPERVISOR	1	GRADE 18
25	(92)	Y081	PLUMBER SUPERVISOR	1	GRADE 18
26	(93)	W030	RECORDS MANAGEMENT ANALYST II	1	GRADE 18
27	(94)	Y005	AUTO/DIESEL MECHANIC SUPERVISOR	1	GRADE 18
28	(95)	Y017	CARPENTER SUPERVISOR	1	GRADE 18
29	(96)	E050	STAFF DEVELOPMENT SPECIALIST II	2	GRADE 18
30	(97)	A111	ACCOUNTANT	1	GRADE 18
31	(98)	E024	INSTITUTIONAL INSTRUCTOR II	6	GRADE 18
32	(99)	G031	CONSTRUCTION/MAINTENANCE PROJ EST	4	GRADE 18
33	(100)	H032	FOOD PRODUCTION MANAGER	2	GRADE 18
34	(101)	L036	CERTIFIED RESPIRATORY THERAPY TECH	1	GRADE 18
35	(102)	R134	PLANNING SPECIALIST II	1	GRADE 18
36	(103)	M050	RECREATIONAL ACTIVITY LEADER SUPV	1	GRADE 18

1	(104)	M075	SOCIAL SERVICE REPRESENTATIVE II	2	GRADE 18
2	(105)	M082	SOCIAL SERVICE WORKER III	7	GRADE 18
3	(106)	R010	ADMINISTRATIVE ASSISTANT II	17	GRADE 17
4	(107)	L117	LPN/LPTN SUPERVISOR	19	GRADE 17
5	(108)	G141	WATER FILTER/WASTE DISPOS PLNT SUPV	1	GRADE 17
6	(109)	G161	GENERAL MAINTENANCE REPAIRMAN	7	GRADE 17
7	(110)	E086	HABILITATION/REHAB INSTRUCTOR II	12	GRADE 17
8	(111)	A034	FIELD AUDITOR	1	GRADE 17
9	(112)	Y021	STATIONARY ENGINEER	3	GRADE 17
10	(113)	Y039	HEATING & A/C MECHANIC	4	GRADE 17
11	(114)	Y053	JOURNEYMAN CARPENTER	4	GRADE 17
12	(115)	Y055	JOURNEYMAN ELECTRICIAN	5	GRADE 17
13	(116)	Y057	JOURNEYMAN PAINTER	3	GRADE 17
14	(117)	Y061	JOURNEYMAN PLUMBER	3	GRADE 17
15	(118)	Y065	JOURNEYMAN LOCKSMITH	1	GRADE 17
16	(119)	W028	RECORDS MANAGEMENT ANALYST I	3	GRADE 17
17	(120)	T049	SECURITY OFFICER SUPERVISOR	2	GRADE 17
18	(121)	R166	GRANTS COORDINATOR I	1	GRADE 17
19	(122)	T037	PUB SAFETY OFFICER II	10	GRADE 16
20	(123)	A053	INSURANCE SPECIALIST II	3	GRADE 16
21	(124)	G167	EXECUTIVE HOUSEKEEPER I	2	GRADE 16
22	(125)	G215	MAJOR APPLIANCE REPAIRMAN	1	GRADE 16
23	(126)	L126	PSYCHOLOGICAL INTERN	2	GRADE 16
24	(127)	L153	X-RAY TECH SUPV/X-RAY TECH II	1	GRADE 16
25	(128)	L116	LPN III/LPTN III	81	GRADE 16
26	(129)	L115	LPN II/LPTN II	73	GRADE 15
27	(130)	K011	ADMINISTRATIVE OFFICE SUPERVISOR	2	GRADE 15
28	(131)	M002	ADMISSIONS INTERVIEWER SUPV	1	GRADE 15
29	(132)	M073	SOCIAL SERVICE REPRESENTATIVE I	1	GRADE 15
30	(133)	M048	RECREATIONAL ACTIVITY LEADER II	24	GRADE 15
31	(134)	R009	ADMINISTRATIVE ASSISTANT I	7	GRADE 15
32	(135)	A108	ACCOUNTING TECHNICIAN II	4	GRADE 15
33	(136)	A063	PAYROLL OFFICER	1	GRADE 15
34	(137)	T047	SECURITY OFFICER III	19	GRADE 15
35	(138)	V051	STOREROOM SUPV/STORE SUPV	2	GRADE 15
36	(139)	L184	DIETETIC TECHNICIAN	5	GRADE 14

1	(140)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	5	GRADE 14
2	(141)	K117	MEDICAL OR LEGAL SECRETARY	22	GRADE 14
3	(142)	L113	LPN I/LPTN I	8	GRADE 14
4	(143)	L107	PHYSICAL THERAPY WORKER	1	GRADE 13
5	(144)	L091	OCCUPATIONAL THERAPY WORKER	3	GRADE 13
6	(145)	H049	SUPERVISOR OF COOKING	3	GRADE 13
7	(146)	K153	SECRETARY II	9	GRADE 13
8	(147)	E027	INSTITUTIONAL TEACHER ASSISTANT	1	GRADE 13
9	(148)	B049	LABORATORY TECHNICIAN II	2	GRADE 13
10	(149)	G115	NURSERY ASST & GROUNDSKEEPER SUPV	1	GRADE 13
11	(150)	G139	WATER FILTER/WASTE DISPOS PLNT OPER	2	GRADE 13
12	(151)	C013	SWITCHBOARD OPERATOR SUPERVISOR	1	GRADE 12
13	(152)	K115	STATISTICIAN ASST II/STATISTICIAN I	2	GRADE 12
14	(153)	L020	CERTIFIED NURSING ASSISTANT II	81	GRADE 12
15	(154)	K039	DOCUMENT EXAMINER II	2	GRADE 12
16	(155)	K145	CASHIER/CASHIER II	1	GRADE 12
17	(156)	T045	SECURITY OFFICER II	1	GRADE 12
18	(157)	T013	FIRE & SAFETY COORD	1	GRADE 12
19	(158)	V043	SHIPPING & RECEIVING CLERK	3	GRADE 11
20	(159)	L018	CERTIFIED NURSING ASSISTANT I	68	GRADE 11
21	(160)	K155	SECRETARY I	1	GRADE 11
22	(161)	L101	PHARMACY TECH	1	GRADE 11
23	(162)	M001	ADMISSIONS INTERVIEWER	2	GRADE 11
24	(163)	L181	BEHAVIORAL HEALTH AIDE	41	GRADE 11
25	(164)	L097	PHARMACY ASST	3	GRADE 10
26	(165)	G006	MOTOR VEHICLE OPERATOR	8	GRADE 10
27	(166)	H005	BAKER II	2	GRADE 10
28	(167)	H027	COOK II	7	GRADE 10
29	(168)	V029	INVENTORY CONTROL CLERK	3	GRADE 10
30	(169)	V015	CENTRAL SUPPLY TECHNICIAN	1	GRADE 09
31	(170)	C011	SWITCHBOARD OPERATOR II	8	GRADE 09
32	(171)	K065	MAIL OFFICER	2	GRADE 09
33	(172)	H053	FOOD SERVICE WORKER III	14	GRADE 08
34	(173)	G010	LAUNDRY SUPERVISOR	1	GRADE 08
35	(174)	G045	EQUIPMENT OPERATOR	2	GRADE 08
36	(175)	H025	COOK I	6	GRADE 08

1	(176)	G169	CUSTODIAL SUPV I	2	GRADE 06
2	(177)	H043	FOOD SERVICE WORKER II	34	GRADE 05
3	(178)	V049	STOCK CLERK II	3	GRADE 05
4	(179)	Y095	SEAMSTRESS II	3	GRADE 05
5	(180)	G035	CUSTODIAL WRKR II	29	GRADE 04
6	(181)	G008	LAUNDRY WORKER	<u>13</u>	GRADE 04
7			MAX. NO. OF EMPLOYEES	1,013	

SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for the Department of Health and Human Services - Division of Behavioral Health for the 2007-2009 biennium, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: one hundred three (103) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated, to the Department of Health and 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 Health and Human Services - Division of Behavioral Health - State Operations for the biennial period ending June 30, 2009, the following:

ITEM	FISCAL YEARS	
<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
(01) REGULAR SALARIES	\$ 33,272,611	\$ 33,938,060
(02) EXTRA HELP	1,838,889	1,838,889
(03) PERSONAL SERVICES MATCHING	11,330,993	11,468,625
(04) OVERTIME	820,692	820,692
(05) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	12,085,739	12,085,739
(B) CONF. & TRAVEL	243,040	243,040
(C) PROF. FEES	7,084,874	7,084,874
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0

1	(06) GRANTS/PATIENT SERVICES	16,326,627	16,604,180
2	(07) MENTAL HEALTH CTR TRANSFER	<u>2,698,341</u>	<u>2,744,213</u>
3	TOTAL AMOUNT APPROPRIATED	<u>\$ 85,701,806</u>	<u>\$ 86,828,312</u>

4
 5 SECTION 4. APPROPRIATION - COMMUNITY ALCOHOL SAFETY OPERATIONS. There is
 6 hereby appropriated, to the Department of Health and Human Services -
 7 Division of Behavioral Health, to be payable from the Highway Safety Special
 8 Fund, for personal services and operating expenses of the Department of
 9 Health and Human Services - Division of Behavioral Health - Community Alcohol
 10 Safety Operations for the biennial period ending June 30, 2009, the
 11 following:

13	ITEM	FISCAL YEARS	
14	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
15	(01) REGULAR SALARIES	\$ 64,521	\$ 65,811
16	(02) PERSONAL SERVICES MATCHING	21,601	21,866
17	(03) MAINT. & GEN. OPERATION		
18	(A) OPER. EXPENSE	45,195	45,195
19	(B) CONF. & TRAVEL	8,298	8,298
20	(C) PROF. FEES	0	0
21	(D) CAP. OUTLAY	0	0
22	(E) DATA PROC.	0	0
23	(04) COMMUNITY ALCOHOL SAFETY GRANTS AND		
24	AID	<u>3,396,469</u>	<u>3,396,469</u>
25	TOTAL AMOUNT APPROPRIATED	<u>\$ 3,536,084</u>	<u>\$ 3,537,639</u>

26
 27 SECTION 5. APPROPRIATION - CANTEENS - CASH. There is hereby appropriated,
 28 to the Department of Health and Human Services - Division of Behavioral
 29 Health, to be payable from the cash fund deposited in the State Treasury as
 30 determined by the Chief Fiscal Officer of the State, for operating expenses
 31 of the Department of Health and Human Services - Division of Behavioral
 32 Health - Canteens - Cash for the biennial period ending June 30, 2009, the
 33 following:

35	ITEM	FISCAL YEARS	
36	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>

1	(01) MAINT. & GEN. OPERATION		
2	(A) OPER. EXPENSE	\$ 174,048	\$ 174,048
3	(B) CONF. & TRAVEL	0	0
4	(C) PROF. FEES	0	0
5	(D) CAP. OUTLAY	0	0
6	(E) DATA PROC.	<u>0</u>	<u>0</u>
7	TOTAL AMOUNT APPROPRIATED	<u>\$ 174,048</u>	<u>\$ 174,048</u>

8

9 SECTION 6. APPROPRIATION - PATIENT BENEFITS - CASH. There is hereby

10 appropriated, to the Department of Health and Human Services - Division of

11 Behavioral Health, to be payable from the cash fund deposited in the State

12 Treasury as determined by the Chief Fiscal Officer of the State, for benefits

13 of the patients of the Department of Health and Human Services - Division of

14 Behavioral Health for the biennial period ending June 30, 2009, the

15 following:

16			
17	ITEM	FISCAL YEARS	
18	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
19	(01) PATIENT BENEFIT FUND	<u>\$ 75,000</u>	<u>\$ 75,000</u>

20

21 SECTION 7. APPROPRIATION - COMMUNITY MENTAL HEALTH CENTERS. There is

22 hereby appropriated, to the Department of Health and Human Services -

23 Division of Behavioral Health, to be payable from the Mental Health Services

24 Fund Account, for state assistance to the Community Mental Health Centers by

25 the Department of Health and Human Services - Division of Behavioral Health

26 for the biennial period ending June 30, 2009, the following:

27			
28	ITEM	FISCAL YEARS	
29	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
30	(01) STATE ASSISTANCE	<u>\$ 8,929,873</u>	<u>\$ 9,081,681</u>

31

32 SECTION 8. APPROPRIATION - BLOCK GRANT - FEDERAL. There is hereby

33 appropriated, to the Department of Health and Human Services - Division of

34 Behavioral Health, to be payable from the federal funds as designated by the

35 Chief Fiscal Officer of the State, for grant payments of the Department of

36 Health and Human Services - Division of Behavioral Health for the biennial

1 period ending June 30, 2009, the following:

2

3 ITEM	4 FISCAL YEARS	
	5 NO.	6
7 (01) MENTAL HEALTH BLOCK GRANT	8 <u>\$ 6,068,799</u>	9 <u>\$ 6,068,799</u>

6

7 SECTION 9. APPROPRIATION - ACUTE MENTAL HEALTH SERVICES - PER CAPITA.

8 There is hereby appropriated, to the Department of Health and Human Services
 9 - Division of Behavioral Health, to be payable from the Mental Health
 10 Services Fund Account, for acute mental health services within community-
 11 based settings of the catchment areas served by Community Mental Health
 12 Centers licensed and certified by the Division of Behavioral Health of the
 13 Department of Health and Human Services for the biennial period ending June
 14 30, 2009, the following:

15

16 ITEM	17 FISCAL YEARS	
	18 NO.	19
20 (01) ACUTE MENTAL HEALTH SERVICES-PER 21 CAPITA	22 <u>\$ 5,847,750</u>	23 <u>\$ 5,947,162</u>

20

21 SECTION 10. APPROPRIATION - ALCOHOL AND DRUG ABUSE PREVENTION. There is
 22 hereby appropriated, to the Department of Health and Human Services -
 23 Division of Behavioral Health, to be payable from the Drug Abuse Prevention
 24 and Treatment Fund, for education, drug abuse prevention and treatment
 25 services of the Department of Health and Human Services - Division of
 26 Behavioral Health - Alcohol and Drug Abuse Prevention for the biennial period
 27 ending June 30, 2009, the following:

28

29 ITEM	30 FISCAL YEARS	
	31 NO.	32
33 (01) EDUCATION/PREVENTION/TREATMENT	34 <u>\$ 21,324,072</u>	35 <u>\$ 21,324,072</u>

32

33 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

35 BEHAVIORAL HEALTH SERVICES - ALLOCATION RESTRICTIONS. There is hereby
 36 allocated to the Community Mental Health Centers, as set out herein, the

1 following amounts of the funds appropriated for State Assistance in the
 2 Behavioral Health Services - Community Mental Health Centers appropriation,
 3 to the Department of Health and Human Services – Behavioral Health Services
 4 Division, there to be used as provided by law, for the biennial period ending
 5 June 30, ~~2007~~ 2009, the following:

	Maximum Allocation			
	Fiscal Years			
Item NO. Mental Health Center	2005-06	<u>2007-08</u>	2006-07	<u>2008-09</u>
9 (01) OZARK GUIDANCE CENTER, INC.	\$1,151,206	<u>1,151,920</u>	\$1,151,206	<u>1,151,920</u>
10 (02) OZARK COUNSELING SERVICES, INC.	345,750	<u>345,992</u>	345,750	<u>345,992</u>
11 (03) HEALTH RESOURCES OF				
12 ARKANSAS, INC.	729,750	<u>730,142</u>	729,750	<u>730,142</u>
13 (04) COUNSELING SERVICES OF				
14 EASTERN ARKANSAS	488,940	<u>489,381</u>	488,940	<u>489,381</u>
15 (05) DELTA COUNSELING ASSOCIATES,				
16 INC.	279,089	<u>279,144</u>	279,089	<u>279,144</u>
17 (06) SOUTH ARKANSAS REGIONAL				
18 HEALTH CENTER	409,889	<u>410,327</u>	409,889	<u>410,327</u>
19 (07) SOUTHEAST ARKANSAS BEHAVIORAL				
20 HEALTHCARE SYS. INC.	477,735	<u>474,778</u>	477,735	<u>474,778</u>
21 (08) SOUTHWEST ARKANSAS COUNSELING				
22 & MENTAL HEALTH CENTER, INC.	382,198	<u>381,894</u>	382,198	<u>381,894</u>
23 (09) COMMUNITY COUNSELING				
24 SERVICES, INC.	532,976	<u>533,770</u>	532,976	<u>533,770</u>
25 (10) WESTERN ARK. COUNSELING &				
26 GUIDANCE CENTER	787,788	<u>787,607</u>	787,788	<u>787,607</u>
27 (11) COUNSELING ASSOCIATES, INC.	705,741	<u>705,982</u>	705,741	<u>705,982</u>
28 (12) COUNSELING CLINIC, INCORPORATED	274,799	<u>274,345</u>	274,799	<u>274,345</u>
29 (13) PROFESSIONAL COUNSELING				
30 ASSOCIATES	797,898	<u>798,459</u>	797,898	<u>798,459</u>
31 (14) LITTLE ROCK CMHC	593,855	<u>593,619</u>	593,855	<u>593,619</u>
32 (15) MID-SOUTH HEALTH SYSTEMS	822,989	<u>823,243</u>	822,989	<u>823,243</u>
33 TOTAL AMOUNT ALLOCATED		\$8,780,603		\$8,780,603

34

35 The additional funding provided by this provision shall supplement and not
 36 supplant any monies currently funding state assistance to Community Mental

1 Health Centers.

2 The requirements in this section shall only be implemented in accordance
3 with any necessary approval by the Centers for Medicare and Medicaid
4 Services, and in the event that additional general revenue funding is
5 provided by the General Assembly for these purposes. Should additional
6 funding provided for these purposes be insufficient to provide for the
7 increases in full, the increases shall be provided to the extent that funding
8 is made available.

9 The provisions of this section shall be in effect only from July 1, ~~2005~~
10 2007 through June 30, ~~2007~~ 2009.

11

12 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

14 BEHAVIORAL HEALTH SERVICES - ALLOCATION RESTRICTION AND TRANSFER PROVISION.

15 Of the amounts allocated in the BEHAVIORAL HEALTH SERVICES - ALLOCATION
16 RESTRICTIONS section above, it is the intent of the General Assembly that
17 such amounts are to be the maximum expended in the applicable fiscal year
18 from the funds as appropriated for State Assistance in the Behavioral Health
19 Services - Community Mental Health Centers appropriation for the benefit of
20 the appropriate program so enumerated. Provided, however, in the event that
21 unforeseen circumstances occur in either fiscal year which would necessitate
22 a transfer of the maximum allocation provided the BEHAVIORAL HEALTH SERVICES
23 - ALLOCATION RESTRICTIONS section above from one or more programs to another
24 program or programs as enumerated in the BEHAVIORAL HEALTH SERVICES -
25 ALLOCATION RESTRICTIONS section above, the Behavioral Health Services
26 Division with the approval of the Director of the Department of Health and
27 Human Services shall make its request known, and the reasons thereof, to the
28 Office of Budget, Department of Finance and Administration in such form and
29 detail as may be required by the Chief Fiscal Officer of the State. If
30 approved, such transfer approval shall be transmitted to the Bureau of
31 Legislative Research who shall make a report of the transfer and the reasons
32 thereof to the Arkansas Legislative Council at least quarterly.

33 The provisions of this section shall be in effect only from July 1, ~~2005~~
34 2007 through June 30, ~~2007~~ 2009.

35

36 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
2 BEHAVIORAL HEALTH SERVICES - LEGISLATIVE AUDIT OF MENTAL HEALTH CENTERS.
3 Every Mental Health Center eligible to receive any of the funds appropriated
4 for State Assistance in the Behavioral Health Services - Community Mental
5 Health Centers appropriation in this Act shall, as a condition of receiving
6 any such funds, be subject to an annual audit of the overall operation of
7 such Mental Health Center by the Division of Legislative Audit. The Mental
8 Health Centers shall submit a budget to the Behavioral Health Services
9 Division, Department of Health and Human Services, and the Arkansas
10 Legislative Council and go through the budget procedures process in the same
11 manner as State departments, agencies, institutions, boards and commissions.
12 Budgets shall be submitted based on operating revenues and expenses of each
13 Center and each Center shall provide information related to financial status
14 requested by the Legislative Council and/or Joint Budget Committee.

15 The provisions of this section shall be in effect only from July 1, ~~2005~~
16 2007 through June 30, ~~2007~~ 2009.

17
18 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
20 BEHAVIORAL HEALTH SERVICES - APPORTIONMENT OF FUNDS. All funds appropriated
21 under the provisions of the State Assistance line item in the Behavioral
22 Health Services - Community Mental Health Centers appropriation in this Act
23 shall be apportioned on the basis of three dollars and six cents (\$3.06) per
24 capita for fiscal year ~~2005-2006~~ 2007-2008 and three dollars and six cents
25 (\$3.06) per capita for fiscal year ~~2006-2007~~ 2008-2009 or so much thereof as
26 funds shall become available. Additional funds shall be apportioned on the
27 basis of fifty cents (\$.50) per capita or a one-to-one State/Local funds
28 matching basis for both years of the biennial period ending June 30, ~~2007~~
29 2009. The total \$8,780,603 allocated for FY ~~2005-2006~~ 2007-2008 and
30 \$8,780,603 for FY ~~2006-2007~~ 2008-2009 shall be distributed to the community
31 mental health centers as described in this section.

32 The provisions of this section shall be in effect only from July 1, ~~2005~~
33 2007 through June 30, ~~2007~~ 2009.

34
35 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

1 BEHAVIORAL HEALTH SERVICES - GRANTS-IN-AID CONDITIONS FOR RECEIVING FUNDS.

2 Only locally-operated Centers and Clinics licensed or certified by the
3 Behavioral Health Services Division are eligible to receive funds
4 appropriated for State Assistance in the Behavioral Health Services -
5 Community Mental Health Centers appropriation in this Act, and as a condition
6 of receiving such funds they shall:

7 (1) Meet minimum standards of performance in the delivery of Mental Health
8 Services as defined by the Department of Health and Human Services,
9 Behavioral Health Services Division. Such standards will identify priority
10 and/or target populations to be served. The standards shall describe
11 procedures for assuring timely service delivery to clients who are within the
12 custody of the Department of Health and Human Services when such clients are
13 referred to a duly certified center or clinic. Provided further, all such
14 priorities, policies and procedures shall be reviewed by the House Aging,
15 Children & Youth, Legislative and Military Affairs Committee and the Senate
16 Children and Youth Committee.

17 (2) Supply statistical data to the Department of Health and Human
18 Services, Behavioral Health Services Division.

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

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

34 (5) The Board of Directors of each Center or Clinic licensed or certified
35 by the Department of Health and Human Services, Behavioral Health Services
36 Division, shall adopt and submit to the Director, Behavioral Health Services

1 Division, in the form and according to the procedures specified by the
 2 Director, Behavioral Health Services Division, an annual plan for the
 3 delivery of community support services for persons with long-term, severe
 4 mental illness. Each Center's plan must be approved by the Director,
 5 Behavioral Health Services Division.

6 The provisions of this section shall be in effect only from July 1, ~~2005~~
 7 2007 through June 30, ~~2007~~ 2009.

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 HEALTH SERVICES - FEDERAL FUNDS. It is the specific intent of the
 12 General Assembly that in the event of the availability of federal funding for
 13 the Division of Behavioral Health Services during either year of the biennial
 14 period ending June 30, ~~2007~~ 2009, that such funding be utilized to conserve
 15 or reduce the expenditure of general revenue except where prohibited by law.

16 The provisions of this section shall be in effect only from July 1, ~~2005~~
 17 2007 through June 30, ~~2007~~ 2009.

18

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

31	Class Code	Title
32	6610	Psychiatric Specialist Supervisor
33	6617	Psychiatric Specialist
34	6621	Psychiatrist
35	6639	Behavioral Health General Physician
36	6607	Behavioral Health Services Chief Psychologist

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

5 The provisions of this section shall be in effect only from July 1, ~~2005~~
6 2007 through June 30, ~~2007~~ 2009.

7
8 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
10 BEHAVIORAL HEALTH SERVICES - VOCATIONAL TRAINEES. The Division of Behavioral
11 Health Services of the Department of Health and Human Services is hereby
12 authorized during the ~~2005-2007~~ 2007-2009 biennium to provide employment
13 opportunities for some of the working residents who are separate from the
14 currently authorized regular vocational trainee positions. The positions
15 authorized herein shall not be incorporated into the present classification
16 system but shall be provided for by each Community Mental Health Center, or
17 State Hospital, on a cash account basis. It is the intent of the General
18 Assembly that the authorization of these positions shall facilitate the
19 Agency's ability to provide for residents who are not part of a regular
20 vocational training program.

21 The provisions of this section shall be in effect only from July 1, ~~2005~~
22 2007 through June 30, ~~2007~~ 2009.

23
24 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
26 BEHAVIORAL HEALTH SERVICES - JOB SHARE. The Division of Behavioral Health
27 Services can utilize job share for positions within the nursing
28 classification (RN, LPN/LPTN, MHW/CNA) for up to 24 hours per week per
29 individual. This will allow the Division to offer weekend option shifts to
30 nursing personnel without increasing the number of positions.

31 The provisions of this section shall be in effect only from July 1, ~~2005~~
32 2007 through June 30, ~~2007~~ 2009.

33
34 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
36 BEHAVIORAL HEALTH SERVICES - STATE HOSPITAL CONTINGENCY POSITIONS. If the

1 Department of Health and Human Services determines, and after prior review by
2 the Legislative Council, it shall be determined that it is in the best
3 interest of the State of Arkansas to discontinue a management contract with a
4 private provider and it is deemed necessary to utilize Department staff to
5 provide the required services, the Director of the Department of Health and
6 Human Services may request the Department of Finance and Administration to
7 approve the establishment of one or more additional positions at salary rates
8 not to exceed the maximum salaries established for comparable positions in
9 the Uniform Classification and Compensation Act, the Department of Health and
10 Human Services' Appropriation Act, and the University of Arkansas for Medical
11 Sciences' Appropriation Act. Upon approval by the Department of Finance and
12 Administration and after review by the Legislative Council, the Department of
13 Health and Human Services, Division of Behavioral Health Services may
14 establish such positions.

15 If the agency requests continuation of a "Growth Pool" position(s) as
16 established herein during the next biennium, the position(s) must be
17 requested as a new position(s) in the agencies biennial budget request.
18 The provisions of this section shall be in effect only from July 1, ~~2005~~ 2007
19 through June 30, ~~2007~~ 2009.

20

21 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS
23 HEALTH CENTER. (A) The Department of Health and Human Services shall not
24 close the Arkansas Health Center that provides skilled nursing through
25 specialized services and programs.

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

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

33 (D) Determining the maximum amount of appropriation and general revenue
34 funding for a state agency each fiscal year is the prerogative of the General
35 Assembly. This is usually accomplished by delineating such maximums in the
36 appropriation act(s) for a state agency and the general revenue allocations

1 authorized for each fund and fund account by amendment to the Revenue
2 Stabilization law. Further, the General Assembly has determined that the
3 Department of Health and Human Services may operate more efficiently if some
4 flexibility is provided to the Department of Health and Human Services
5 authorizing broad powers under this Section. Therefore, it is both necessary
6 and appropriate that the General Assembly maintain oversight by requiring
7 prior approval of the Legislative Council or Joint Budget Committee as
8 provided by this section. The requirement of approval by the Legislative
9 Council or Joint Budget Committee is not a severable part of this section.
10 If the requirement of approval by the Legislative Council or Joint Budget
11 Committee is ruled unconstitutional by a court of competent jurisdiction,
12 this entire section is void.
13 The provisions of this section shall be in effect only from July 1, ~~2005~~ 2007
14 through June 30, ~~2007~~ 2009.

15

16 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA
18 HELP – BEHAVIORAL HEALTH SERVICES. Employees in extra-help positions at the
19 Department of Health and Human Services – Behavioral Health Division may
20 receive an amount not to exceed eighty-five percent (85%) of the maximum
21 annual salary for a comparable position as authorized under § 21-5-201 et
22 seq. during any fiscal year, nor shall such an employee be employed for a
23 period of time to exceed one thousand eight hundred (1800) hours in any
24 single fiscal year.

25 The provisions of this section shall be in effect only from July 1, ~~2005~~ 2007
26 through June 30, ~~2007~~ 2009.

27

28 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL
30 PROVISIONS FOR SHIFT DIFFERENTIAL AND WEEKEND PAY FOR ~~PERSONNEL AT HUMAN~~
31 ~~DEVELOPMENT CENTERS,~~ BEHAVIORAL HEALTH SHIFT DIFFERENTIAL. Personnel employed
32 in areas providing critical support and care to Patient Units at the Arkansas
33 State Hospital and Arkansas Health Center during evening and night shifts
34 shall be eligible to receive up to twenty percent (20%) of the hourly rate
35 paid as a shift differential. Personnel required to provide critical and
36 support care to client units during weekend hours shall be eligible to

1 receive up to twenty percent (20%) of the hourly rate paid as a weekend
2 differential. When facilities use shifts other than traditional eight-hour
3 shifts, shift differential may be paid for those shifts exceeding the normal
4 day shift of the facility. When shift and weekend differentials are provided
5 to employees as herein described, the total compensation may exceed the
6 maximum annual rate for the assigned pay grade for those positions included
7 in this Act.

8
9 The Agency shall identify the shift(s) and job classifications applicable for
10 the differential and the shift differential percentage for which each
11 classification is eligible within each shift. The shift schedule, job
12 classification listing ~~the job titles~~ and the percentage of shift
13 differential for which the job titles will be eligible shall be submitted to
14 the Office of Personnel Management for approval by the Chief Fiscal Officer
15 of the State. Subsequent changes to the shift schedule, job classifications
16 and shift differential percentages must receive prior approval by the Chief
17 Fiscal Officer of the State.

18
19 The provisions of this section shall be in effect only from July 1, 2007
20 through June 30, 2009.

21
22 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
24 BEHAVIORAL HEALTH SERVICES - APPORTIONMENT OF FUNDS. Each Community Mental
25 Health Center shall contract with one or more facilities of its choice
26 (excluding Arkansas State Hospital) to provide the inpatient care for
27 indigent patients which the Community Mental Health Center has determined to
28 be necessary after prompt screening by the Community Mental Health Center.
29 Payment for patients screened and approved by the Community Mental Health
30 Center who receive care at these inpatient facilities shall be provided to
31 the inpatient facilities at the contract rate unless the funds available for
32 this purpose have been exhausted. Available funding as determined by the
33 Director of the Department of Health and Human Services shall be apportioned
34 on a per capita basis up to a maximum of three dollars and forty-eight cents
35 (\$3.48) per capita for fiscal year ~~2005-2006~~ 2007-2008 and three dollars and
36 forty-eight cents (\$3.48) per capita for fiscal year ~~2006-2007~~ 2008-2009.

1 The 2000 federal population census shall be used in determining the
2 population of each catchment area of the fifteen Community Mental Health
3 Centers. All amounts appropriated under this section shall be used by
4 Community Mental Health Centers for residents of each center's catchment area
5 and such funds shall only be accessed as the payment of last resort.
6

7 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
9 REPORTING. The Division of Behavioral Health Services shall develop an
10 evaluation and monitoring program that will assure all expenditures are made
11 consistent with the intent of these appropriations. As a condition for
12 receiving funds under this Act, Community Mental Health Centers (CMHCs) shall
13 report quarterly to the Division of Behavioral Health Services the following
14 data:

- 15 (1) the number of involuntary commitments and medically indigent admissions
16 referred by CMHCs to community-based settings;
- 17 (2) the number of involuntary commitments and medically indigent admissions
18 to community-based settings receiving assistance from the acute mental health
19 services funds;
- 20 (3) the total number of acute bed days utilized by these involuntary
21 commitments;
- 22 (4) the total number of bed days utilized by these medically indigent
23 admissions;
- 24 (5) the average length of stay of admissions for these involuntary
25 commitments per catchment area;
- 26 (6) the average length of stay of admissions for these medically indigent
27 admissions per catchment area;
- 28 (7) the number of medically indigent admissions per catchment area unable to
29 receive assistance from the acute mental health services funds due to such
30 funds being depleted by prior admissions;
- 31 (8) the number of re-admissions per catchment area for involuntary
32 commitments and medically indigent admissions to community-based settings
33 receiving assistance from the acute mental health services; and
- 34 (9) identify any steps taken by CMHCs to improve access to acute mental
35 health services.

36

1 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ACUTE
3 MENTAL HEALTH SERVICES – PER CAPITA - LEGISLATIVE FINDINGS AND INTENT. The
4 General Assembly recognizes that the state encouraged the treatment of
5 mentally ill residents within community-based settings over two decades ago
6 and has taken various approaches to funding since then. The General Assembly
7 also recognizes that there are inherent problems within the current public
8 mental health system that create disincentives for proper treatment and care.
9 The purpose of the Acute Mental Health Services – Per Capita appropriation is
10 to provide an appropriation for acute mental health services to be utilized
11 within community-based settings for the treatment and care of medically
12 indigent persons 18 years of age and older and involuntary commitments to the
13 public mental health system. The appropriation for acute mental health
14 services provided in this Act shall only be used for Community Mental Health
15 Centers licensed and certified by the Division of Behavioral Health of the
16 Department of Health and Human Services for use within community-based
17 settings and facilities.

18
19 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COMMUNITY
21 ALCOHOL SAFETY CARRY FORWARD. Such Community Alcohol Safety appropriation as
22 is authorized in this Act which remains at the end of the first fiscal year
23 of the biennium may be carried forward into the second fiscal year of the
24 biennium there to be used for the same purposes.

25
26 Any carry forward of unexpended balance of appropriation and/or funding as
27 authorized herein, may be carried forward under the following conditions:

28
29 (1) Prior to June 30, 2008 the Agency shall by written statement set forth
30 its reason(s) for the need to carry forward said appropriation and/or funding
31 to the Department of Finance and Administration Office of Budget;

32
33 (2) The Department of Finance and Administration Office of Budget shall
34 report to the Arkansas Legislative Council all amounts carried forward from
35 the first fiscal year of the biennium to the second fiscal year of the
36 biennium by the September Arkansas Legislative Council or Joint Budget

1 Committee meeting in the second fiscal year of the biennial period which
2 report shall include the name of the Agency, Board, Commission or Institution
3 and the amount of the appropriation and/or funding carried forward from the
4 first fiscal year to the second fiscal year, the program name or line item,
5 the funding source of that appropriation and a copy of the written request
6 set forth in (1) above;

7
8 (3) Each Agency, Board, Commission or Institution shall provide a written
9 report to the Arkansas Legislative Council or Joint Budget Committee
10 containing all information set forth in item (2) above, along with a written
11 statement as to the current status of the project, contract, purpose etc. for
12 which the carry forward was originally requested no later than thirty (30)
13 days prior to the time the Agency, Board, Commission or Institution presents
14 its budget request to the Arkansas Legislative Council/Joint Budget
15 Committee; and

16
17 (4) Thereupon, the Department of Finance and Administration shall include all
18 information obtained in item (3) above in the biennial budget manuals and/or
19 a statement of non-compliance by the Agency, Board, Commission or
20 Institution.

21
22 The provisions of this section shall be in effect only from July 1, 2005
23 2007 through June 30, ~~2007~~ 2009.

24
25 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
27 BEHAVIORAL HEALTH SERVICES - PROCEEDS FOR SALES OF TIMBER AND HAY - CAPITAL
28 IMPROVEMENTS AND EQUIPMENT. The Division of Behavioral Health Services is
29 authorized to use administrative operating account for capital improvements
30 to the physical plant, and for the purchase of capital equipment, and for the
31 operation of the Arkansas Health Center, operated by the Department of Health
32 and Human Services, Division of Behavioral Health Services. The funds shall
33 be held by the Department of Health and Human Services, Division of
34 Behavioral Health Services, from the proceeds of the sale of timber and hay
35 that may be harvested from land owned by the Division of Behavioral Health
36 Services. All funds deposited and all expenses shall be tracked separately.

1 The harvesting of timber and hay is specifically authorized to provide funds
2 to finance capital improvements to the physical plant, for the purchase of
3 major capital equipment, and for the operation of the Arkansas Health Center.
4 The Division of Behavioral Health Services shall report all income derived
5 from the sale of timber and hay to the Chief Fiscal Officer of the State and
6 the Legislative Council. Any contracts initiated for the harvesting of
7 timber and hay shall be submitted to the Review Subcommittee of the Arkansas
8 Legislative Council for prior review. All expenditures of funds derived from
9 the sale of timber and hay will be expended in accordance with relevant state
10 purchasing laws.

11
12 The provisions of this section shall be in effect only from July 1, 2007
13 through June 30, 2009.

14
15 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

17 BEHAVIORAL HEALTH SERVICES – GRANT/CONTRACT CHANGE LEVEL GUIDELINES.

18 (a) The Arkansas General Assembly has recognized the value of non-profit
19 community-based programs in the delivery of services to provide treatment,
20 care and support for behavioral health services as an alternative to more
21 restrictive settings. The state has designated the community-based behavioral
22 health services and their contracted non-profit provider network as quasi-
23 governmental instrumentalities of the state and utilized them to provide an
24 array of treatment, care and support services to the behavioral health
25 services in a community environment.

26
27 (b) Due to the ongoing Classification Study commissioned by the 85th General
28 Assembly, it was determined by an Executive Policy Statement by the Governor,
29 for preparation of 2007-2009 Biennial Budget Requests, that no pay plan
30 increases for state employees be included in agency requests. Therefore, an
31 eighty-five percent (85%) of two percent (2%) Base Level funding increase
32 authorized in this subsection is deemed necessary due to the non-
33 establishment of a pay plan policy for state employees for the 2007-2009
34 Biennium. The eighty-five percent (85%) of two percent (2%) Base Level
35 funding increase shall be applied over and above the 2007 fiscal year
36 budgeted amounts in the Grants/Patient Services, Mental Health Ctr Transfer,

1 State Assistance, and Acute Mental Health Services-Per Capita community-based
 2 service provider appropriation line items authorized in this act. The two
 3 percent (2%) used in the calculation of the Base Level funding increase is
 4 derived from the percentage increase utilized by the state to compute Base
 5 Level Regular Salaries each fiscal year of the 2005-2007 biennium for state
 6 employees earning between twenty thousand dollars (\$20,000) to fifty thousand
 7 dollars (\$50,000).

8
 9 (c) There is hereby established for the following line items in this act, as
 10 set out herein, the following base level amounts to be made available by the
 11 Department of Health and Human Services, there to be used as provided by law
 12 for the biennial period ending June 30, 2009, the following:

<u>Item</u>		<u>Base Level</u>	
<u>No. Line Item</u>		<u>Fiscal Years</u>	
<u>No.</u>	<u>Line Item</u>	<u>2007-08</u>	<u>2008-09</u>
17	<u>(01) Grants/Patient Services</u>	<u>\$16,326,627</u>	<u>\$16,604,180</u>
18	<u>(02) Mental Health Ctr Transfer</u>	<u>\$2,698,341</u>	<u>\$2,744,213</u>
19	<u>(03) State Assistance</u>	<u>\$8,929,873</u>	<u>\$9,081,681</u>
20	<u>(04) Acute Mental Health Services-Per Capita</u>	<u>\$5,847,750</u>	<u>\$5,947,162</u>
21	<u>Total Base Level Amount</u>	<u>\$33,802,591</u>	<u>\$34,377,235</u>

22
 23 (d) The annual Base Level funding increases in the community-based service
 24 line items listed in subsections (b) and (c) of this section is to provide
 25 annual base level adjustments for services in community-based programs. It is
 26 also the legislative intent that the general revenue funding provided by the
 27 Arkansas General Assembly beyond what is used for non-Medicaid reimbursable
 28 services shall be utilized at the match rate determined by the current
 29 federal medical assistance percentage and in accordance with payment rates
 30 approved by the Centers for Medicare and Medicaid Services.

31
 32 (e) Upon a determination by the Department of Health and Human Services that
 33 the amount of available funding in the Mental Health Services Fund Account or
 34 the paying account as determined by the State Chief Fiscal Officer
 35 insufficient to provide for the projected expenditures from the fund account
 36 or paying account during the fiscal year, the Department shall identify

1 proposed spending reductions and appropriation and funds transfers necessary
2 to eliminate the projected shortfall while minimizing the loss of federal
3 matching funds; and shall simultaneously notify affected providers and the
4 State Chief Fiscal Officer of any proposed remedial action. Nothing in this
5 section shall be construed to alter or eliminate any review or approval
6 process required by law or to prevent the Department from taking steps that
7 are necessary to avoid violation of § 19-2-104, Title 19, Chapter 4, or the
8 State Treasury Management Law.

9
10 (f) Notwithstanding any law pertaining to the Reallocation of Resources or
11 Transfer Authority for the Department of Health and Human Services or any law
12 to the contrary, no funds appropriated for non-profit community-based
13 services licensed by the Division of Behavioral Health Services shall be
14 transferred from the line items listed in subsections (b) and (c) of this
15 section except to remedy, in whole or in part, a projected shortfall of
16 appropriation, funding, or both.

17
18 The provisions of this section shall be in effect only from July 1, 2007
19 through June 30, 2009.

20
21 SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY-
23 FORWARD - COMMUNITY BASED PROVIDERS. Any unexpended balance of appropriation
24 authorized for Grants/Patient Services, Mental Health Ctr Transfer, State
25 Assistance, and Acute Mental Health Services-Per Capita remaining on June 30,
26 2008 shall be carried forward and made available during the fiscal year
27 ending June 30, 2009, there to be used for the same purposes.

28
29 Any carry forward of unexpended balance of appropriation and/or funding as
30 authorized herein, may be carried forward under the following conditions:

31
32 (1) Prior to June 30, 2008 the Agency shall by written statement set forth
33 its reason(s) for the need to carry forward said appropriation and/or funding
34 to the Department of Finance and Administration Office of Budget;

35
36 (2) The Department of Finance and Administration Office of Budget shall

1 report to the Arkansas Legislative Council all amounts carried forward from
2 the first fiscal year of the biennium to the second fiscal year of the
3 biennium by the September Arkansas Legislative Council or Joint Budget
4 Committee meeting in the second fiscal year of the biennial period which
5 report shall include the name of the Agency, Board, Commission or Institution
6 and the amount of the appropriation and/or funding carried forward from the
7 first fiscal year to the second fiscal year, the program name or line item,
8 the funding source of that appropriation and a copy of the written request
9 set forth in (1) above;

10
11 (3) Each Agency, Board, Commission or Institution shall provide a written
12 report to the Arkansas Legislative Council or Joint Budget Committee
13 containing all information set forth in item (2) above, along with a written
14 statement as to the current status of the project, contract, purpose etc. for
15 which the carry forward was originally requested no later than thirty (30)
16 days prior to the time the Agency, Board, Commission or Institution presents
17 its budget request to the Arkansas Legislative Council/Joint Budget
18 Committee; and

19
20 (4) Thereupon, the Department of Finance and Administration shall include all
21 information obtained in item (3) above in the biennial budget manuals and/or
22 a statement of non-compliance by the Agency, Board, Commission or
23 Institution.

24
25 The provisions of this section shall be in effect only from July 1, 2007
26 through June 30, 2009.

27
28 SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDS
30 CARRY-FORWARD PROVISION. Notwithstanding any law pertaining to the transfer
31 of year-end fund balances or any law to the contrary, any obligated general
32 revenue funds which remain in the Mental Health Services Fund Account or the
33 paying account as determined by the Chief Fiscal Officer of the State, or
34 both, allocated for the Grants/Patient Services, Mental Health Ctr Transfer,
35 State Assistance, and Acute Mental Health Services-Per Capita line item
36 programs at the end of a fiscal year shall remain in the Mental Health

1 Services Fund Account or the paying account as determined by the Chief Fiscal
2 Officer of the State, or both, and made available in the following fiscal
3 year for the same purposes to satisfy such legal and contractual obligations
4 that have been entered into prior to the end of the fiscal year.

5
6 Any carry forward of unexpended balance of appropriation and/or funding as
7 authorized herein, may be carried forward under the following conditions:

8
9 (1) Prior to June 30, 2008 the Agency shall by written statement set forth
10 its reason(s) for the need to carry forward said appropriation and/or funding
11 to the Department of Finance and Administration Office of Budget;

12
13 (2) The Department of Finance and Administration Office of Budget shall
14 report to the Arkansas Legislative Council all amounts carried forward from
15 the first fiscal year of the biennium to the second fiscal year of the
16 biennium by the September Arkansas Legislative Council or Joint Budget
17 Committee meeting in the second fiscal year of the biennial period which
18 report shall include the name of the Agency, Board, Commission or Institution
19 and the amount of the appropriation and/or funding carried forward from the
20 first fiscal year to the second fiscal year, the program name or line item,
21 the funding source of that appropriation and a copy of the written request
22 set forth in (1) above;

23
24 (3) Each Agency, Board, Commission or Institution shall provide a written
25 report to the Arkansas Legislative Council or Joint Budget Committee
26 containing all information set forth in item (2) above, along with a written
27 statement as to the current status of the project, contract, purpose etc. for
28 which the carry forward was originally requested no later than thirty (30)
29 days prior to the time the Agency, Board, Commission or Institution presents
30 its budget request to the Arkansas Legislative Council/Joint Budget
31 Committee; and

32
33 (4) Thereupon, the Department of Finance and Administration shall include all
34 information obtained in item (3) above in the biennial budget manuals and/or
35 a statement of non-compliance by the Agency, Board, Commission or
36 Institution.

1
2 The provisions of this section shall be in effect only from July 1, 2007
3 through June 30, 2009.

4
5 *SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*
6 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ACUTE*
7 *MENTAL HEALTH SERVICES EMERGENCY RESERVE FUND. Of the total amount*
8 *appropriated each fiscal year in Section 9 of this Act for Acute Mental*
9 *Health Services - Per Capita, two hundred fifty thousand dollars (\$250,000)*
10 *each fiscal year shall first be placed in an Acute Care Emergency Reserve*
11 *Fund, administered by the Division of Behavioral Health Services, distributed*
12 *only to community mental health centers for the payment to community-based*
13 *hospitals for bed days in instances when the community mental health centers*
14 *have exhausted their regular appropriation of acute care funds during the*
15 *fiscal year. The remaining five million five hundred ninety-seven thousand*
16 *seven hundred and fifty dollars (\$5,597,750) appropriated for fiscal year*
17 *2008 and the remaining five million six hundred ninety-seven thousand one*
18 *hundred sixty-two dollars (\$5,697,162) appropriated for fiscal year 2009*
19 *shall be allocated and made available to the community mental health centers*
20 *within community-based settings on a per-capita basis. The Division of*
21 *Behavioral Health Services shall report its plan for the administration of*
22 *the Acute Care Emergency Reserve Fund to the Arkansas Legislative Council*
23 *prior to the beginning of the state fiscal year in which the funds are*
24 *distributed.*

25 *The Division of Behavioral Health Services shall work with community*
26 *mental health centers to secure additional funds to be dedicated to the Acute*
27 *Care Emergency Reserve Fund. The Division of Behavioral Health Services shall*
28 *report to the Arkansas Legislative Council the amount and source of any such*
29 *additional funds secured.*

30
31 *SECTION 33. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized*
32 *by this act shall be limited to the appropriation for such agency and funds*
33 *made available by law for the support of such appropriations; and the*
34 *restrictions of the State Procurement Law, the General Accounting and*
35 *Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary*
36 *Procedures and Restrictions Act, or their successors, and other fiscal*

1 control laws of this State, where applicable, and regulations promulgated by
2 the Department of Finance and Administration, as authorized by law, shall be
3 strictly complied with in disbursement of said funds.

4
5 SECTION 34. LEGISLATIVE INTENT. It is the intent of the General Assembly
6 that any funds disbursed under the authority of the appropriations contained
7 in this act shall be in compliance with the stated reasons for which this act
8 was adopted, as evidenced by the Agency Requests, Executive Recommendations
9 and Legislative Recommendations contained in the budget manuals prepared by
10 the Department of Finance and Administration, letters, or summarized oral
11 testimony in the official minutes of the Arkansas Legislative Council or
12 Joint Budget Committee which relate to its passage and adoption.

13
14 SECTION 35. EMERGENCY CLAUSE. It is found and determined by the General
15 Assembly, that the Constitution of the State of Arkansas prohibits the
16 appropriation of funds for more than a two (2) year period; that the
17 effectiveness of this Act on July 1, 2007 is essential to the operation of
18 the agency for which the appropriations in this Act are provided, and that in
19 the event of an extension of the Regular Session, the delay in the effective
20 date of this Act beyond July 1, 2007 could work irreparable harm upon the
21 proper administration and provision of essential governmental programs.
22 Therefore, an emergency is hereby declared to exist and this Act being
23 necessary for the immediate preservation of the public peace, health and
24 safety shall be in full force and effect from and after July 1, 2007.

25
26 /s/ Joint Budget Committee
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