

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 S3/23/07

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

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	3	\$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)	017Z	DHS/DYS ADMIN PROG COMPLIANCE	1		GRADE 26
29	(24)	L124	PSYCHOLOGIST	6		GRADE 25
30	(25)	L011	DIRECTOR PHARMACY	2		GRADE 25
31	(26)	118Z	DHS NURSING SERVICES ADMINISTRATOR	1		GRADE 25
32	(27)	180Z	BEHAVIORAL HEALTH ASSOC. DIR., AHC	1		GRADE 25
33	(28)	397Z	DHS/DCFS ADMIN COMMUNITY SVCS	1		GRADE 25
34	(29)	474Z	BEHAVIORAL HEALTH PSYCHOLOGIST ADM.	1		GRADE 25
35	(30)	188Z	A&D ABUSE PREV ASST DEP DIR/DIR SVC	1		GRADE 24
36	(31)	871Z	BEHAVIORAL HLT SOCIAL WORK ADM.	1		GRADE 24

1	(32)	L005	PHARMACIST I	1	GRADE 24
2	(33)	L096	SR PHARMACIST	2	GRADE 24
3	(34)	L112	PSYCH RESIDENT	2	GRADE 24
4	(35)	361Z	HLTH MEDICAL CARE SVCS ADMR	2	GRADE 24
5	(36)	870Z	BEHAVIORAL HLTH. FACILITY ADMINISTR	3	GRADE 23
6	(37)	923Z	DHS PRGM ADMINISTRATOR	6	GRADE 23
7	(38)	B040	HLTH PUB HLTH LAB SECTION DIRECTOR	1	GRADE 23
8	(39)	R184	NURSING SERVICES UNIT MANAGER	9	GRADE 23
9	(40)	D066	SYSTEMS COORDINATION ANALYST II	1	GRADE 22
10	(41)	A088	DHS FINANCIAL SECTION MANAGER	1	GRADE 22
11	(42)	B006	SR EPIDEMIOLOGIST	1	GRADE 22
12	(43)	909Z	PROGRAM SUPPORT MANAGER	3	GRADE 22
13	(44)	L078	NURSE SUPERVISOR	22	GRADE 22
14	(45)	L074	REGISTERED NURSE PRACTITIONER II	1	GRADE 22
15	(46)	M118	DHS/DBHS DIR. OF COMM. SUPPORT PROG	1	GRADE 22
16	(47)	R055	HLTH PUB HLTH NURSING PROGRAM COORD	1	GRADE 22
17	(48)	699Z	DHS/DCO FIELD MANAGER	1	GRADE 22
18	(49)	R074	BEHAVIORAL HLTH. COMM. SVCS. COORD.	1	GRADE 21
19	(50)	L122	PSYCHOLOGICAL EXAMINER II	5	GRADE 21
20	(51)	M051	BEHAVIORAL HLTH DIR. OF SOCIAL SERV	1	GRADE 21
21	(52)	L082	NURSING SERVICES SPECIALIST	11	GRADE 21
22	(53)	L090	OCCUPATIONAL THERAPY SUPERVISOR	2	GRADE 21
23	(54)	L030	DIETARY SERVICES DIRECTOR	1	GRADE 21
24	(55)	A008	ACCOUNTING SUPERVISOR II	3	GRADE 21
25	(56)	892Z	DHS INSTITUTION BUSINESS MANAGER	1	GRADE 21
26	(57)	480Z	BEHAVIORAL HEALTH PERSONNEL MANAGER	2	GRADE 21
27	(58)	697Z	DHS PRGM MANAGER	2	GRADE 21
28	(59)	R298	AGENCY PROGRAM COORDINATOR	1	GRADE 21
29	(60)	R326	QUALITY ASSURANCE COORDINATOR	2	GRADE 21
30	(61)	T004	AR BEHAVIORAL HLTH PUBLIC SAFETY DI	1	GRADE 20
31	(62)	R145	DHS PROGRAM COORDINATOR	3	GRADE 20
32	(63)	R266	MANAGEMENT PROJECT ANALYST II	6	GRADE 20
33	(64)	W006	BEHAVIORAL HEALTH REGISTRAR	1	GRADE 20
34	(65)	Y116	MAINTENANCE SYSTEMS SUPV	1	GRADE 20
35	(66)	A006	ACCOUNTING SUPERVISOR I	2	GRADE 20
36	(67)	E038	NURSE INSTRUCTOR	1	GRADE 20

1	(68)	G214	DIRECTOR MAINTENANCE	1	GRADE 20
2	(69)	L070	NURSE II	62	GRADE 20
3	(70)	M028	COUNSELOR II	2	GRADE 20
4	(71)	L140	SPEECH PATHOLOGIST II	2	GRADE 20
5	(72)	M088	SOCIAL WORKER II	30	GRADE 20
6	(73)	M127	SR REHABILITATION COUNSELOR	1	GRADE 20
7	(74)	Q046	MEDICARE/MEDICAID SURVEY SPECIALIST	1	GRADE 20
8	(75)	L156	HLTH PUB HLTH NURSE II	1	GRADE 20
9	(76)	M128	DHS/DDS PRGM COORDINATOR	1	GRADE 20
10	(77)	W014	DIRECTOR MEDICAL RECORDS	1	GRADE 20
11	(78)	M086	SOCIAL WORKER I	3	GRADE 19
12	(79)	M097	VOLUNTEER PROGRAM DEVELOPER II	1	GRADE 19
13	(80)	R030	ASST PERSONNEL MANAGER	2	GRADE 19
14	(81)	R084	DHS STAFF SUPERVISOR	1	GRADE 19
15	(82)	M056	REHAB COUNSELOR III	1	GRADE 19
16	(83)	M019	CHAPLAIN	1	GRADE 19
17	(84)	L028	DIETICIAN	1	GRADE 19
18	(85)	L032	HEALTH PROGRAM CONSULTANT	4	GRADE 19
19	(86)	G026	BLDG AND GROUNDS COORDINATOR	2	GRADE 19
20	(87)	E042	PUB HLTH EDUCATOR	1	GRADE 19
21	(88)	E118	HABILITATION/REHAB INSTRUCTOR SUPV	1	GRADE 19
22	(89)	V008	BUYER III	1	GRADE 19
23	(90)	R168	GRANTS COORDINATOR II	3	GRADE 19
24	(91)	T055	UNIFORM COMMANDER	4	GRADE 19
25	(92)	T074	PUBLIC SAFETY DIRECTOR	1	GRADE 19
26	(93)	R150	RESEARCH PROJECT ANALYST	1	GRADE 19
27	(94)	R264	MANAGEMENT PROJECT ANALYST I	2	GRADE 18
28	(95)	V006	BUYER II	1	GRADE 18
29	(96)	V040	PURCHASE AGENT II/PURCHASE AGENT	1	GRADE 18
30	(97)	Y022	STATIONARY ENGINEER SUPERVISOR	1	GRADE 18
31	(98)	Y027	ELECTRICIAN SUPERVISOR	1	GRADE 18
32	(99)	Y081	PLUMBER SUPERVISOR	1	GRADE 18
33	(100)	W030	RECORDS MANAGEMENT ANALYST II	1	GRADE 18
34	(101)	Y005	AUTO/DIESEL MECHANIC SUPERVISOR	1	GRADE 18
35	(102)	Y017	CARPENTER SUPERVISOR	1	GRADE 18
36	(103)	E050	STAFF DEVELOPMENT SPECIALIST II	2	GRADE 18

1	(104)	A111	ACCOUNTANT	1	GRADE 18
2	(105)	E024	INSTITUTIONAL INSTRUCTOR II	7	GRADE 18
3	(106)	G031	CONSTRUCTION/MAINTENANCE PROJ EST	4	GRADE 18
4	(107)	H032	FOOD PRODUCTION MANAGER	2	GRADE 18
5	(108)	L036	CERTIFIED RESPIRATORY THERAPY TECH	1	GRADE 18
6	(109)	R134	PLANNING SPECIALIST II	2	GRADE 18
7	(110)	M050	RECREATIONAL ACTIVITY LEADER SUPV	3	GRADE 18
8	(111)	M075	SOCIAL SERVICE REPRESENTATIVE II	2	GRADE 18
9	(112)	M082	SOCIAL SERVICE WORKER III	8	GRADE 18
10	(113)	E072	TRAINING INSTRUCTOR	1	GRADE 18
11	(114)	R010	ADMINISTRATIVE ASSISTANT II	18	GRADE 17
12	(115)	L117	LPN/LPTN SUPERVISOR	20	GRADE 17
13	(116)	G141	WATER FILTER/WASTE DISPOS PLNT SUPV	1	GRADE 17
14	(117)	G161	GENERAL MAINTENANCE REPAIRMAN	9	GRADE 17
15	(118)	E086	HABILITATION/REHAB INSTRUCTOR II	13	GRADE 17
16	(119)	A034	FIELD AUDITOR	1	GRADE 17
17	(120)	Y021	STATIONARY ENGINEER	4	GRADE 17
18	(121)	Y039	HEATING & A/C MECHANIC	4	GRADE 17
19	(122)	Y053	JOURNEYMAN CARPENTER	4	GRADE 17
20	(123)	Y055	JOURNEYMAN ELECTRICIAN	6	GRADE 17
21	(124)	Y057	JOURNEYMAN PAINTER	3	GRADE 17
22	(125)	Y061	JOURNEYMAN PLUMBER	4	GRADE 17
23	(126)	Y065	JOURNEYMAN LOCKSMITH	1	GRADE 17
24	(127)	W028	RECORDS MANAGEMENT ANALYST I	4	GRADE 17
25	(128)	T049	SECURITY OFFICER SUPERVISOR	2	GRADE 17
26	(129)	R166	GRANTS COORDINATOR I	1	GRADE 17
27	(130)	M080	SOCIAL SERVICE WK II/SOC SVC WK	1	GRADE 17
28	(131)	V030	INVENTORY CONTROL MANAGER	1	GRADE 17
29	(132)	T037	PUB SAFETY OFFICER II	18	GRADE 16
30	(133)	A053	INSURANCE SPECIALIST II	3	GRADE 16
31	(134)	G167	EXECUTIVE HOUSEKEEPER I	2	GRADE 16
32	(135)	G215	MAJOR APPLIANCE REPAIRMAN	1	GRADE 16
33	(136)	L126	PSYCHOLOGICAL INTERN	2	GRADE 16
34	(137)	L153	X-RAY TECH SUPV/X-RAY TECH II	2	GRADE 16
35	(138)	L116	LPN III/LPTN III	95	GRADE 16
36	(139)	L115	LPN II/LPTN II	84	GRADE 15

1	(140)	K011	ADMINISTRATIVE OFFICE SUPERVISOR	2	GRADE 15
2	(141)	M002	ADMISSIONS INTERVIEWER SUPV	1	GRADE 15
3	(142)	M073	SOCIAL SERVICE REPRESENTATIVE I	1	GRADE 15
4	(143)	M048	RECREATIONAL ACTIVITY LEADER II	25	GRADE 15
5	(144)	R009	ADMINISTRATIVE ASSISTANT I	8	GRADE 15
6	(145)	A108	ACCOUNTING TECHNICIAN II	5	GRADE 15
7	(146)	A063	PAYROLL OFFICER	1	GRADE 15
8	(147)	T047	SECURITY OFFICER III	19	GRADE 15
9	(148)	V051	STOREROOM SUPV/STORE SUPV	2	GRADE 15
10	(149)	E084	HABILITATION/REHAB INSTRUCTOR I	1	GRADE 15
11	(150)	L183	OCCUPATIONAL THERAPY ASSISTANT	4	GRADE 15
12	(151)	V011	CENTRAL SUPPLY SUPV	1	GRADE 15
13	(152)	L184	DIETETIC TECHNICIAN	5	GRADE 14
14	(153)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	5	GRADE 14
15	(154)	K117	MEDICAL OR LEGAL SECRETARY	23	GRADE 14
16	(155)	L113	LPN I/LPTN I	12	GRADE 14
17	(156)	L107	PHYSICAL THERAPY WORKER	1	GRADE 13
18	(157)	L091	OCCUPATIONAL THERAPY WORKER	3	GRADE 13
19	(158)	H049	SUPERVISOR OF COOKING	4	GRADE 13
20	(159)	K153	SECRETARY II	10	GRADE 13
21	(160)	E027	INSTITUTIONAL TEACHER ASSISTANT	2	GRADE 13
22	(161)	B049	LABORATORY TECHNICIAN II	2	GRADE 13
23	(162)	G115	NURSERY ASST & GROUNDSKEEPER SUPV	1	GRADE 13
24	(163)	G139	WATER FILTER/WASTE DISPOS PLNT OPER	2	GRADE 13
25	(164)	M047	RECREATIONAL ACTIVITY LEADER I	3	GRADE 13
26	(165)	C013	SWITCHBOARD OPERATOR SUPERVISOR	1	GRADE 12
27	(166)	K115	STATISTICIAN ASST II/STATISTICIAN I	2	GRADE 12
28	(167)	L020	CERTIFIED NURSING ASSISTANT II	90	GRADE 12
29	(168)	K039	DOCUMENT EXAMINER II	2	GRADE 12
30	(169)	K145	CASHIER/CASHIER II	1	GRADE 12
31	(170)	T045	SECURITY OFFICER II	1	GRADE 12
32	(171)	T013	FIRE & SAFETY COORD	1	GRADE 12
33	(172)	K089	PERSONNEL ASSISTANT	1	GRADE 12
34	(173)	V043	SHIPPING & RECEIVING CLERK	3	GRADE 11
35	(174)	L018	CERTIFIED NURSING ASSISTANT I	82	GRADE 11
36	(175)	K155	SECRETARY I	2	GRADE 11

1	(176)	L101	PHARMACY TECH	1	GRADE 11
2	(177)	M001	ADMISSIONS INTERVIEWER	2	GRADE 11
3	(178)	L181	BEHAVIORAL HEALTH AIDE	43	GRADE 11
4	(179)	L097	PHARMACY ASST	3	GRADE 10
5	(180)	G006	MOTOR VEHICLE OPERATOR	9	GRADE 10
6	(181)	H005	BAKER II	2	GRADE 10
7	(182)	H027	COOK II	7	GRADE 10
8	(183)	V029	INVENTORY CONTROL CLERK	3	GRADE 10
9	(184)	V015	CENTRAL SUPPLY TECHNICIAN	1	GRADE 09
10	(185)	C011	SWITCHBOARD OPERATOR II	9	GRADE 09
11	(186)	K065	MAIL OFFICER	2	GRADE 09
12	(187)	H053	FOOD SERVICE WORKER III	14	GRADE 08
13	(188)	G010	LAUNDRY SUPERVISOR	1	GRADE 08
14	(189)	G045	EQUIPMENT OPERATOR	2	GRADE 08
15	(190)	H025	COOK I	6	GRADE 08
16	(191)	L055	MENTAL HEALTH WORKER	9	GRADE 08
17	(192)	G191	CLOTHING SHOP OPERATOR	1	GRADE 07
18	(193)	G169	CUSTODIAL SUPV I	2	GRADE 06
19	(194)	H043	FOOD SERVICE WORKER II	38	GRADE 05
20	(195)	V049	STOCK CLERK II	4	GRADE 05
21	(196)	Y095	SEAMSTRESS II	3	GRADE 05
22	(197)	H017	CANTEEN OPER II/SNACKBAR OPER	1	GRADE 05
23	(198)	G035	CUSTODIAL WRKR II	35	GRADE 04
24	(199)	G008	LAUNDRY WORKER	13	GRADE 04
25	(200)	G171	CUSTODIAL WRKR I	<u>1</u>	GRADE 03
26			MAX. NO. OF EMPLOYEES	1,172	

27

28 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for the
 29 Department of Health and Human Services - Division of Behavioral Health for
 30 the 2007-2009 biennium, the following maximum number of part-time or
 31 temporary employees, to be known as "Extra Help", payable from funds
 32 appropriated herein for such purposes: *one hundred twenty-three (123)*
 33 temporary or part-time employees, when needed, at rates of pay not to exceed
 34 those provided in the Uniform Classification and Compensation Act, or its
 35 successor, or this act for the appropriate classification.

36

1 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated,
 2 to the Department of Health and Human Services - Division of Behavioral
 3 Health, to be payable from the Mental Health Services Fund Account, for
 4 personal services and operating expenses of the Department of Health and
 5 Human Services - Division of Behavioral Health - State Operations for the
 6 biennial period ending June 30, 2009, the following:

8	ITEM	FISCAL YEARS	
9	NO.	2007-2008	2008-2009
10	(01) REGULAR SALARIES	\$ 39,478,870	\$ 39,552,552
11	(02) EXTRA HELP	2,668,889	2,668,889
12	(03) PERSONAL SERVICES MATCHING	14,092,440	14,112,944
13	(04) OVERTIME	1,386,342	1,386,342
14	(05) MAINT. & GEN. OPERATION		
15	(A) OPER. EXPENSE	31,566,875	33,125,479
16	(B) CONF. & TRAVEL	243,040	243,040
17	(C) PROF. FEES	7,379,419	7,379,419
18	(D) CAP. OUTLAY	0	0
19	(E) DATA PROC.	0	0
20	(06) GRANTS/PATIENT SERVICES	16,639,855	17,627,439
21	(07) MENTAL HEALTH CTR TRANSFER	<u>2,653,236</u>	<u>2,653,236</u>
22	TOTAL AMOUNT APPROPRIATED	<u>\$ 116,108,966</u>	<u>\$ 118,749,340</u>

23
 24 SECTION 4. APPROPRIATION - COMMUNITY ALCOHOL SAFETY OPERATIONS. There is
 25 hereby appropriated, to the Department of Health and Human Services -
 26 Division of Behavioral Health, to be payable from the Highway Safety Special
 27 Fund, for personal services and operating expenses of the Department of
 28 Health and Human Services - Division of Behavioral Health - Community Alcohol
 29 Safety Operations for the biennial period ending June 30, 2009, the
 30 following:

32	ITEM	FISCAL YEARS	
33	NO.	2007-2008	2008-2009
34	(01) REGULAR SALARIES	\$ 64,521	\$ 65,811
35	(02) PERSONAL SERVICES MATCHING	21,601	21,866
36	(03) MAINT. & GEN. OPERATION		

1	(A) OPER. EXPENSE	45,195	45,195
2	(B) CONF. & TRAVEL	8,298	8,298
3	(C) PROF. FEES	0	0
4	(D) CAP. OUTLAY	0	0
5	(E) DATA PROC.	0	0
6	(04) COMMUNITY ALCOHOL SAFETY GRANTS AND		
7	AID	<u>3,396,469</u>	<u>3,396,469</u>
8	TOTAL AMOUNT APPROPRIATED	<u>\$ 3,536,084</u>	<u>\$ 3,537,639</u>

9

10 SECTION 5. APPROPRIATION - CANTEENS - CASH. There is hereby appropriated,
 11 to the Department of Health and Human Services - Division of Behavioral
 12 Health, to be payable from the cash fund deposited in the State Treasury as
 13 determined by the Chief Fiscal Officer of the State, for operating expenses
 14 of the Department of Health and Human Services - Division of Behavioral
 15 Health - Canteens - Cash for the biennial period ending June 30, 2009, the
 16 following:

18	ITEM	FISCAL YEARS	
19	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
20	(01) MAINT. & GEN. OPERATION		
21	(A) OPER. EXPENSE	\$ 174,048	\$ 174,048
22	(B) CONF. & TRAVEL	0	0
23	(C) PROF. FEES	0	0
24	(D) CAP. OUTLAY	0	0
25	(E) DATA PROC.	<u>0</u>	<u>0</u>
26	TOTAL AMOUNT APPROPRIATED	<u>\$ 174,048</u>	<u>\$ 174,048</u>

27

28 SECTION 6. APPROPRIATION - PATIENT BENEFITS - CASH. There is hereby
 29 appropriated, to the Department of Health and Human Services - Division of
 30 Behavioral Health, to be payable from the cash fund deposited in the State
 31 Treasury as determined by the Chief Fiscal Officer of the State, for benefits
 32 of the patients of the Department of Health and Human Services - Division of
 33 Behavioral Health for the biennial period ending June 30, 2009, the
 34 following:

35

36 ITEM FISCAL YEARS

NO.	2007-2008	2008-2009
(01) PATIENT BENEFIT FUND	\$ 75,000	\$ 75,000

SECTION 7. APPROPRIATION - COMMUNITY MENTAL HEALTH CENTERS. 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 state assistance to the Community Mental Health Centers by the Department of Health and Human Services - Division of Behavioral Health for the biennial period ending June 30, 2009, the following:

ITEM	FISCAL YEARS	
NO.	2007-2008	2008-2009
(01) STATE ASSISTANCE	\$ 8,780,603	\$ 8,780,603

SECTION 8. APPROPRIATION - BLOCK GRANT - FEDERAL. There is hereby appropriated, to the Department of Health and Human Services - Division of Behavioral Health, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for grant payments of the Department of Health and Human Services - Division of Behavioral Health for the biennial period ending June 30, 2009, the following:

ITEM	FISCAL YEARS	
NO.	2007-2008	2008-2009
(01) MENTAL HEALTH BLOCK GRANT	\$ 6,068,799	\$ 6,068,799

SECTION 9. APPROPRIATION - ACUTE MENTAL HEALTH SERVICES - PER CAPITA. 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 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 Health and Human Services for the biennial period ending June 30, 2009, the following:

ITEM	FISCAL YEARS	
NO.	2007-2008	2008-2009

1 (01) ACUTE MENTAL HEALTH SERVICES-PER
 2 CAPITA \$ 5,750,000 \$ 5,750,000
 3

4 SECTION 10. APPROPRIATION - ALCOHOL AND DRUG ABUSE PREVENTION. There is
 5 hereby appropriated, to the Department of Health and Human Services -
 6 Division of Behavioral Health, to be payable from the Drug Abuse Prevention
 7 and Treatment Fund, for education, drug abuse prevention and treatment
 8 services of the Department of Health and Human Services - Division of
 9 Behavioral Health - Alcohol and Drug Abuse Prevention for the biennial period
 10 ending June 30, 2009, the following:
 11

12 ITEM 13 NO.	FISCAL YEARS	
	2007-2008	2008-2009
14 (01) EDUCATION/PREVENTION/TREATMENT	<u>\$ 21,324,072</u>	<u>\$ 21,324,072</u>

15
 16 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 18 BEHAVIORAL HEALTH SERVICES - ALLOCATION RESTRICTIONS. There is hereby
 19 allocated to the Community Mental Health Centers, as set out herein, the
 20 following amounts of the funds appropriated for State Assistance in the
 21 Behavioral Health Services - Community Mental Health Centers appropriation,
 22 to the Department of Health and Human Services – Behavioral Health Services
 23 Division, there to be used as provided by law, for the biennial period ending
 24 June 30, ~~2007~~ 2009, the following:
 25

26 Item NO.	Mental Health Center	Maximum Allocation			
		Fiscal Years			
		2005-06	<u>2007-08</u>	2006-07	<u>2008-09</u>
27 (01)	OZARK GUIDANCE CENTER, INC.	\$1,151,206	<u>1,151,920</u>	\$1,151,206	<u>1,151,920</u>
28 (02)	OZARK COUNSELING SERVICES, INC.	345,750	<u>345,992</u>	345,750	<u>345,992</u>
29 (03)	HEALTH RESOURCES OF				
30	ARKANSAS, INC.	729,750	<u>730,142</u>	729,750	<u>730,142</u>
31 (04)	COUNSELING SERVICES OF				
32	EASTERN ARKANSAS	488,940	<u>489,381</u>	488,940	<u>489,381</u>
33 (05)	DELTA COUNSELING ASSOCIATES,				
34	INC.	279,089	<u>279,144</u>	279,089	<u>279,144</u>
35 (06)	SOUTH ARKANSAS REGIONAL				

1	HEALTH CENTER	409,889	<u>410,327</u>	409,889	<u>410,327</u>
2	(07) SOUTHEAST ARKANSAS BEHAVIORAL				
3	HEALTHCARE SYS. INC.	477,735	<u>474,778</u>	477,735	<u>474,778</u>
4	(08) SOUTHWEST ARKANSAS COUNSELING				
5	& MENTAL HEALTH CENTER, INC.	382,198	<u>381,894</u>	382,198	<u>381,894</u>
6	(09) COMMUNITY COUNSELING				
7	SERVICES, INC.	532,976	<u>533,770</u>	532,976	<u>533,770</u>
8	(10) WESTERN ARK. COUNSELING &				
9	GUIDANCE CENTER	787,788	<u>787,607</u>	787,788	<u>787,607</u>
10	(11) COUNSELING ASSOCIATES, INC.	705,741	<u>705,982</u>	705,741	<u>705,982</u>
11	(12) COUNSELING CLINIC, INCORPORATED	274,799	<u>274,345</u>	274,799	<u>274,345</u>
12	(13) PROFESSIONAL COUNSELING				
13	ASSOCIATES	797,898	<u>798,459</u>	797,898	<u>798,459</u>
14	(14) LITTLE ROCK CMHC	593,855	<u>593,619</u>	593,855	<u>593,619</u>
15	(15) MID-SOUTH HEALTH SYSTEMS	822,989	<u>823,243</u>	822,989	<u>823,243</u>
16	TOTAL AMOUNT ALLOCATED		\$8,780,603		\$8,780,603

17

18 The additional funding provided by this provision shall supplement and not
 19 supplant any monies currently funding state assistance to Community Mental
 20 Health Centers.

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

28 The provisions of this section shall be in effect only from July 1, 2005
 29 2007 through June 30, ~~2007~~ 2009.

30

31 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 33 BEHAVIORAL HEALTH SERVICES - ALLOCATION RESTRICTION AND TRANSFER PROVISION.
 34 Of the amounts allocated in the BEHAVIORAL HEALTH SERVICES - ALLOCATION
 35 RESTRICTIONS section above, it is the intent of the General Assembly that
 36 such amounts are to be the maximum expended in the applicable fiscal year

1 from the funds as appropriated for State Assistance in the Behavioral Health
2 Services - Community Mental Health Centers appropriation for the benefit of
3 the appropriate program so enumerated. Provided, however, in the event that
4 unforeseen circumstances occur in either fiscal year which would necessitate
5 a transfer of the maximum allocation provided the BEHAVIORAL HEALTH SERVICES
6 - ALLOCATION RESTRICTIONS section above from one or more programs to another
7 program or programs as enumerated in the BEHAVIORAL HEALTH SERVICES -
8 ALLOCATION RESTRICTIONS section above, the Behavioral Health Services
9 Division with the approval of the Director of the Department of Health and
10 Human Services shall make its request known, and the reasons thereof, to the
11 Office of Budget, Department of Finance and Administration in such form and
12 detail as may be required by the Chief Fiscal Officer of the State. If
13 approved, such transfer approval shall be transmitted to the Bureau of
14 Legislative Research who shall make a report of the transfer and the reasons
15 thereof to the Arkansas Legislative Council at least quarterly.

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

21 BEHAVIORAL HEALTH SERVICES - LEGISLATIVE AUDIT OF MENTAL HEALTH CENTERS.

22 Every Mental Health Center eligible to receive any of the funds appropriated
23 for State Assistance in the Behavioral Health Services - Community Mental
24 Health Centers appropriation in this Act shall, as a condition of receiving
25 any such funds, be subject to an annual audit of the overall operation of
26 such Mental Health Center by the Division of Legislative Audit. The Mental
27 Health Centers shall submit a budget to the Behavioral Health Services
28 Division, Department of Health and Human Services, and the Arkansas
29 Legislative Council and go through the budget procedures process in the same
30 manner as State departments, agencies, institutions, boards and commissions.
31 Budgets shall be submitted based on operating revenues and expenses of each
32 Center and each Center shall provide information related to financial status
33 requested by the Legislative Council and/or Joint Budget Committee.

34 The provisions of this section shall be in effect only from July 1, ~~2005~~
35 2007 through June 30, ~~2007~~ 2009.

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 HEALTH SERVICES - APPORTIONMENT OF FUNDS. All funds appropriated
4 under the provisions of the State Assistance line item in the Behavioral
5 Health Services - Community Mental Health Centers appropriation in this Act
6 shall be apportioned on the basis of three dollars and six cents (\$3.06) per
7 capita for fiscal year ~~2005-2006~~ 2007-2008 and three dollars and six cents
8 (\$3.06) per capita for fiscal year ~~2006-2007~~ 2008-2009 or so much thereof as
9 funds shall become available. Additional funds shall be apportioned on the
10 basis of fifty cents (\$.50) per capita or a one-to-one State/Local funds
11 matching basis for both years of the biennial period ending June 30, ~~2007~~
12 2009. The total \$8,780,603 allocated for FY ~~2005-2006~~ 2007-2008 and
13 \$8,780,603 for FY ~~2006-2007~~ 2008-2009 shall be distributed to the community
14 mental health centers as described in this section.

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 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
20 BEHAVIORAL HEALTH SERVICES - GRANTS-IN-AID CONDITIONS FOR RECEIVING FUNDS.
21 Only locally-operated Centers and Clinics licensed or certified by the
22 Behavioral Health Services Division are eligible to receive funds
23 appropriated for State Assistance in the Behavioral Health Services -
24 Community Mental Health Centers appropriation in this Act, and as a condition
25 of receiving such funds they shall:

26 (1) Meet minimum standards of performance in the delivery of Mental Health
27 Services as defined by the Department of Health and Human Services,
28 Behavioral Health Services Division. Such standards will identify priority
29 and/or target populations to be served. The standards shall describe
30 procedures for assuring timely service delivery to clients who are within the
31 custody of the Department of Health and Human Services when such clients are
32 referred to a duly certified center or clinic. Provided further, all such
33 priorities, policies and procedures shall be reviewed by the House Aging,
34 Children & Youth, Legislative and Military Affairs Committee and the Senate
35 Children and Youth Committee.

36 (2) Supply statistical data to the Department of Health and Human

1 Services, Behavioral Health Services Division.

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

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

17 (5) The Board of Directors of each Center or Clinic licensed or certified
18 by the Department of Health and Human Services, Behavioral Health Services
19 Division, shall adopt and submit to the Director, Behavioral Health Services
20 Division, in the form and according to the procedures specified by the
21 Director, Behavioral Health Services Division, an annual plan for the
22 delivery of community support services for persons with long-term, severe
23 mental illness. Each Center's plan must be approved by the Director,
24 Behavioral Health Services Division.

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

27
28 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
30 BEHAVIORAL HEALTH SERVICES - FEDERAL FUNDS. It is the specific intent of the
31 General Assembly that in the event of the availability of federal funding for
32 the Division of Behavioral Health Services during either year of the biennial
33 period ending June 30, ~~2007~~ 2009, that such funding be utilized to conserve
34 or reduce the expenditure of general revenue except where prohibited by law.

35 The provisions of this section shall be in effect only from July 1, ~~2005~~
36 2007 through June 30, ~~2007~~ 2009.

1

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

14 Class Code Title

15 6610 Psychiatric Specialist Supervisor

16 6617 Psychiatric Specialist

17 6621 Psychiatrist

18 6639 Behavioral Health General Physician

19 6607 Behavioral Health Services Chief Psychologist

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

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

26

27 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 29 BEHAVIORAL HEALTH SERVICES - VOCATIONAL TRAINEES. The Division of Behavioral
 30 Health Services of the Department of Health and Human Services is hereby
 31 authorized during the ~~2005-2007~~ 2007-2009 biennium to provide employment
 32 opportunities for some of the working residents who are separate from the
 33 currently authorized regular vocational trainee positions. The positions
 34 authorized herein shall not be incorporated into the present classification
 35 system but shall be provided for by each Community Mental Health Center, or
 36 State Hospital, on a cash account basis. It is the intent of the General

1 Assembly that the authorization of these positions shall facilitate the
2 Agency's ability to provide for residents who are not part of a regular
3 vocational training program.

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

6
7 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
9 BEHAVIORAL HEALTH SERVICES - JOB SHARE. The Division of Behavioral Health
10 Services can utilize job share for positions within the nursing
11 classification (RN, LPN/LPTN, MHW/CNA) for up to 24 hours per week per
12 individual. This will allow the Division to offer weekend option shifts to
13 nursing personnel without increasing the number of positions.

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

16
17 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
19 BEHAVIORAL HEALTH SERVICES - STATE HOSPITAL CONTINGENCY POSITIONS. If the
20 Department of Health and Human Services determines, and after prior review by
21 the Legislative Council, it shall be determined that it is in the best
22 interest of the State of Arkansas to discontinue a management contract with a
23 private provider and it is deemed necessary to utilize Department staff to
24 provide the required services, the Director of the Department of Health and
25 Human Services may request the Department of Finance and Administration to
26 approve the establishment of one or more additional positions at salary rates
27 not to exceed the maximum salaries established for comparable positions in
28 the Uniform Classification and Compensation Act, the Department of Health and
29 Human Services' Appropriation Act, and the University of Arkansas for Medical
30 Sciences' Appropriation Act. Upon approval by the Department of Finance and
31 Administration and after review by the Legislative Council, the Department of
32 Health and Human Services, Division of Behavioral Health Services may
33 establish such positions.

34 If the agency requests continuation of a "Growth Pool" position(s) as
35 established herein during the next biennium, the position(s) must be
36 requested as a new position(s) in the agencies biennial budget request.

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

3
4 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS
6 HEALTH CENTER. (A) The Department of Health and Human Services shall not
7 close the Arkansas Health Center that provides skilled nursing through
8 specialized services and programs.

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

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

16 (D) Determining the maximum amount of appropriation and general revenue
17 funding for a state agency each fiscal year is the prerogative of the General
18 Assembly. This is usually accomplished by delineating such maximums in the
19 appropriation act(s) for a state agency and the general revenue allocations
20 authorized for each fund and fund account by amendment to the Revenue
21 Stabilization law. Further, the General Assembly has determined that the
22 Department of Health and Human Services may operate more efficiently if some
23 flexibility is provided to the Department of Health and Human Services
24 authorizing broad powers under this Section. Therefore, it is both necessary
25 and appropriate that the General Assembly maintain oversight by requiring
26 prior approval of the Legislative Council or Joint Budget Committee as
27 provided by this section. The requirement of approval by the Legislative
28 Council or Joint Budget Committee is not a severable part of this section.
29 If the requirement of approval by the Legislative Council or Joint Budget
30 Committee is ruled unconstitutional by a court of competent jurisdiction,
31 this entire section is void.

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

34
35 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA

1 HELP – BEHAVIORAL HEALTH SERVICES. Employees in extra-help positions at the
2 Department of Health and Human Services – Behavioral Health Division may
3 receive an amount not to exceed eighty-five percent (85%) of the maximum
4 annual salary for a comparable position as authorized under § 21-5-201 et
5 seq. during any fiscal year, nor shall such an employee be employed for a
6 period of time to exceed one thousand eight hundred (1800) hours in any
7 single fiscal year.

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

10
11 *SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*
12 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL*
13 *PROVISIONS FOR SHIFT DIFFERENTIAL AND WEEKEND PAY FOR ~~PERSONNEL AT HUMAN~~*
14 *~~DEVELOPMENT CENTERS~~, BEHAVIORAL HEALTH SHIFT DIFFERENTIAL. Personnel employed*
15 *in areas providing critical support and care to Patient Units at the Arkansas*
16 *State Hospital and Arkansas Health Center during evening and night shifts*
17 *shall be eligible to receive up to twenty percent (20%) of the hourly rate*
18 *paid as a shift differential. Personnel required to provide critical and*
19 *support care to client units during weekend hours shall be eligible to*
20 *receive up to twenty percent (20%) of the hourly rate paid as a weekend*
21 *differential. When facilities use shifts other than traditional eight-hour*
22 *shifts, shift differential may be paid for those shifts exceeding the normal*
23 *day shift of the facility. When shift and weekend differentials are provided*
24 *to employees as herein described, the total compensation may exceed the*
25 *maximum annual rate for the assigned pay grade for those positions included*
26 *in this Act.*

27
28 *The Agency shall identify the shift(s) and job classifications applicable for*
29 *the differential and the shift differential percentage for which each*
30 *classification is eligible within each shift. The shift schedule, job*
31 *classification listing ~~the job titles~~ and the percentage of shift*
32 *differential for which the job titles will be eligible shall be submitted to*
33 *the Office of Personnel Management for approval by the Chief Fiscal Officer*
34 *of the State. Subsequent changes to the shift schedule, job classifications*
35 *and shift differential percentages must receive prior approval by the Chief*
36 *Fiscal Officer of the State.*

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

4
5 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
7 BEHAVIORAL HEALTH SERVICES - APPORTIONMENT OF FUNDS. Each Community Mental
8 Health Center shall contract with one or more facilities of its choice
9 (excluding Arkansas State Hospital) to provide the inpatient care for
10 indigent patients which the Community Mental Health Center has determined to
11 be necessary after prompt screening by the Community Mental Health Center.
12 Payment for patients screened and approved by the Community Mental Health
13 Center who receive care at these inpatient facilities shall be provided to
14 the inpatient facilities at the contract rate unless the funds available for
15 this purpose have been exhausted. Available funding as determined by the
16 Director of the Department of Health and Human Services shall be apportioned
17 on a per capita basis up to a maximum of three dollars and forty-eight cents
18 (\$3.48) per capita for fiscal year ~~2005-2006~~ 2007-2008 and three dollars and
19 forty-eight cents (\$3.48) per capita for fiscal year ~~2006-2007~~ 2008-2009.
20 The 2000 federal population census shall be used in determining the
21 population of each catchment area of the fifteen Community Mental Health
22 Centers. All amounts appropriated under this section shall be used by
23 Community Mental Health Centers for residents of each center's catchment area
24 and such funds shall only be accessed as the payment of last resort.

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

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

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

19

20 SECTION 26. 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 – PER CAPITA - LEGISLATIVE FINDINGS AND INTENT. The
23 General Assembly recognizes that the state encouraged the treatment of
24 mentally ill residents within community-based settings over two decades ago
25 and has taken various approaches to funding since then. The General Assembly
26 also recognizes that there are inherent problems within the current public
27 mental health system that create disincentives for proper treatment and care.
28 The purpose of the Acute Mental Health Services – Per Capita appropriation is
29 to provide an appropriation for acute mental health services to be utilized
30 within community-based settings for the treatment and care of medically
31 indigent persons 18 years of age and older and involuntary commitments to the
32 public mental health system. The appropriation for acute mental health
33 services provided in this Act shall only be used for Community Mental Health
34 Centers licensed and certified by the Division of Behavioral Health of the
35 Department of Health and Human Services for use within community-based
36 settings and facilities.

1
2 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COMMUNITY
4 ALCOHOL SAFETY CARRY FORWARD. Such Community Alcohol Safety appropriation as
5 is authorized in this Act which remains at the end of the first fiscal year
6 of the biennium may be carried forward into the second fiscal year of the
7 biennium there to be used for the same purposes.

8
9 Any carry forward of unexpended balance of appropriation and/or funding as
10 authorized herein, may be carried forward under the following conditions:

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

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

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

35
36 (4) Thereupon, the Department of Finance and Administration shall include all

1 information obtained in item (3) above in the biennial budget manuals and/or
2 a statement of non-compliance by the Agency, Board, Commission or
3 Institution.

4
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 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
10 BEHAVIORAL HEALTH SERVICES - PROCEEDS FOR SALES OF TIMBER AND HAY - CAPITAL
11 IMPROVEMENTS AND EQUIPMENT. The Division of Behavioral Health Services is
12 authorized to use administrative operating account for capital improvements
13 to the physical plant, and for the purchase of capital equipment, and for the
14 operation of the Arkansas Health Center, operated by the Department of Health
15 and Human Services, Division of Behavioral Health Services. The funds shall
16 be held by the Department of Health and Human Services, Division of
17 Behavioral Health Services, from the proceeds of the sale of timber and hay
18 that may be harvested from land owned by the Division of Behavioral Health
19 Services. All funds deposited and all expenses shall be tracked separately.
20 The harvesting of timber and hay is specifically authorized to provide funds
21 to finance capital improvements to the physical plant, for the purchase of
22 major capital equipment, and for the operation of the Arkansas Health Center.
23 The Division of Behavioral Health Services shall report all income derived
24 from the sale of timber and hay to the Chief Fiscal Officer of the State and
25 the Legislative Council. Any contracts initiated for the harvesting of
26 timber and hay shall be submitted to the Review Subcommittee of the Arkansas
27 Legislative Council for prior review. All expenditures of funds derived from
28 the sale of timber and hay will be expended in accordance with relevant state
29 purchasing laws.

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

33
34 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ACUTE
36 MENTAL HEALTH SERVICES EMERGENCY RESERVE FUND. Of the total amount

1 appropriated each fiscal year in Section 9 of this Act for Acute Mental
2 Health Services - Per Capita, two hundred fifty thousand dollars (\$250,000)
3 each fiscal year shall first be placed in an Acute Care Emergency Reserve
4 Fund, administered by the Division of Behavioral Health Services, distributed
5 only to community mental health centers for the payment to community-based
6 hospitals for bed days in instances when the community mental health centers
7 have exhausted their regular appropriation of acute care funds during the
8 fiscal year. The remaining five million five hundred ninety-seven thousand
9 seven hundred and fifty dollars (\$5,597,750) appropriated for fiscal year
10 2008 and the remaining five million six hundred ninety-seven thousand one
11 hundred sixty-two dollars (\$5,697,162) appropriated for fiscal year 2009
12 shall be allocated and made available to the community mental health centers
13 within community-based settings on a per-capita basis. The Division of
14 Behavioral Health Services shall report its plan for the administration of
15 the Acute Care Emergency Reserve Fund to the Arkansas Legislative Council
16 prior to the beginning of the state fiscal year in which the funds are
17 distributed.

18 The Division of Behavioral Health Services shall work with community
19 mental health centers to secure additional funds to be dedicated to the Acute
20 Care Emergency Reserve Fund. The Division of Behavioral Health Services shall
21 report to the Arkansas Legislative Council the amount and source of any such
22 additional funds secured.

23
24 SECTION 30. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
25 by this act shall be limited to the appropriation for such agency and funds
26 made available by law for the support of such appropriations; and the
27 restrictions of the State Procurement Law, the General Accounting and
28 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
29 Procedures and Restrictions Act, or their successors, and other fiscal
30 control laws of this State, where applicable, and regulations promulgated by
31 the Department of Finance and Administration, as authorized by law, shall be
32 strictly complied with in disbursement of said funds.

33
34 SECTION 31. LEGISLATIVE INTENT. It is the intent of the General Assembly
35 that any funds disbursed under the authority of the appropriations contained
36 in this act shall be in compliance with the stated reasons for which this act

1 was adopted, as evidenced by the Agency Requests, Executive Recommendations
2 and Legislative Recommendations contained in the budget manuals prepared by
3 the Department of Finance and Administration, letters, or summarized oral
4 testimony in the official minutes of the Arkansas Legislative Council or
5 Joint Budget Committee which relate to its passage and adoption.

6
7 SECTION 32. EMERGENCY CLAUSE. It is found and determined by the General
8 Assembly, that the Constitution of the State of Arkansas prohibits the
9 appropriation of funds for more than a two (2) year period; that the
10 effectiveness of this Act on July 1, 2007 is essential to the operation of
11 the agency for which the appropriations in this Act are provided, and that in
12 the event of an extension of the Regular Session, the delay in the effective
13 date of this Act beyond July 1, 2007 could work irreparable harm upon the
14 proper administration and provision of essential governmental programs.
15 Therefore, an emergency is hereby declared to exist and this Act being
16 necessary for the immediate preservation of the public peace, health and
17 safety shall be in full force and effect from and after July 1, 2007.

18
19 */s/ Joint Budget Committee*
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36