

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas As Engrossed: S3/5/07 S3/19/07 S3/23/07 S3/26/07 S3/27/07 S3/28/07 S3/29/07

2 86th General Assembly

# A Bill

3 Regular Session, 2007

SENATE BILL 218

4  
5 By: Joint Budget Committee

## 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.*



					<i>Maximum Annual</i>	
				<i>Maximum</i>	<i>Salary Rate</i>	
	<i>Item</i>	<i>Class</i>		<i>No. of</i>	<i>Fiscal Years</i>	
	<i>No.</i>	<i>Code</i>	<i>Title</i>	<i>Employees</i>	<i>2007-2008</i>	<i>2008-2009</i>
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)		DIRECTOR OF PHARMACY	1	\$128,249	\$130,804
13	(8)		REGISTERED PHARMACIST II	5	\$107,234	\$109,378
14	(9)	9408	DHS CHIEF INFORMATION OFFICER	1	\$102,821	\$104,877
15	(10)	9970	DHS DEP DIR BEHAVIORAL HEALTH SERVI	1	\$102,714	\$104,768
16	(11)	9701	HEALTH DIR ALCOL & DRUG ABUSE PREV	1	\$95,371	\$97,278
17	(12)	9476	AHC DIRECTOR OF NURSING	1	\$91,134	\$92,956
18	(13)	8964	DHS BEHAVIORAL HEALTH CENTER DIRECT	1	\$87,612	\$89,364
19	(14)	6607	BEHAVIORAL HLTH SVCS CHIEF PSYCHOL	1	\$87,486	\$89,235
20	(15)	9475	AHC CLINICAL DIRECTOR	1	\$85,042	\$86,742
21	(16)	9474	AHC NURSING HOME ADMINISTRATOR	1	\$85,042	\$86,742
22	(17)	8932	BEHAVIORAL HEALTH ASST. DEP. DIR. A	1	\$84,017	\$85,697
23	(18)	8033	DHS BEHAV. HLT. ASST. DIR. MANAGED	1	\$84,014	\$85,694
24	(19)	8032	DHS/BH ASST. DIR. ADMIN. SVCS.	1	\$84,014	\$85,694
25	(20)	9407	DHS HIPPA PRIVACY OFFICER	1	\$73,470	\$74,939
26	(21)	8933	DHS/DBHS ASST. DEP. DIR. PROGRAM DE	1	\$67,669	\$69,022
27	(22)	8934	DHS/DBHS DEP. DIR. PROG. DEV.	1	\$61,723	\$62,957
28	(23)	L134	PSYCHOLOGIST SUPERVISOR	3		GRADE 26
29	(24)	017Z	DHS/DYS ADMIN PROG COMPLIANCE	1		GRADE 26
30	(25)	L124	PSYCHOLOGIST	6		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)	L112	PSYCH RESIDENT	2	GRADE 24
2	(33)	361Z	HLTH MEDICAL CARE SVCS ADMR	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	9	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	22	GRADE 22
12	(43)	L074	REGISTERED NURSE PRACTITIONER II	1	GRADE 22
13	(44)	M118	DHS/DBHS DIR. OF COMM. SUPPORT PROG	1	GRADE 22
14	(45)	R055	HLTH PUB HLTH NURSING PROGRAM COORD	1	GRADE 22
15	(46)	699Z	DHS/DCO FIELD MANAGER	1	GRADE 22
16	(47)	R074	BEHAVIORAL HLTH. COMM. SVCS. COORD.	1	GRADE 21
17	(48)	L122	PSYCHOLOGICAL EXAMINER II	5	GRADE 21
18	(49)	M051	BEHAVIORAL HLTH DIR. OF SOCIAL SERV	1	GRADE 21
19	(50)	L082	NURSING SERVICES SPECIALIST	11	GRADE 21
20	(51)	L090	OCCUPATIONAL THERAPY SUPERVISOR	2	GRADE 21
21	(52)	L030	DIETARY SERVICES DIRECTOR	1	GRADE 21
22	(53)	A008	ACCOUNTING SUPERVISOR II	3	GRADE 21
23	(54)	892Z	DHS INSTITUTION BUSINESS MANAGER	1	GRADE 21
24	(55)	480Z	BEHAVIORAL HEALTH PERSONNEL MANAGER	2	GRADE 21
25	(56)	697Z	DHS PRGM MANAGER	2	GRADE 21
26	(57)	R298	AGENCY PROGRAM COORDINATOR	1	GRADE 21
27	(58)	R326	QUALITY ASSURANCE COORDINATOR	2	GRADE 21
28	(59)	T004	AR BEHAVIORAL HLTH PUBLIC SAFETY DI	1	GRADE 20
29	(60)	R145	DHS PROGRAM COORDINATOR	3	GRADE 20
30	(61)	R266	MANAGEMENT PROJECT ANALYST II	6	GRADE 20
31	(62)	W006	BEHAVIORAL HEALTH REGISTRAR	1	GRADE 20
32	(63)	Y116	MAINTENANCE SYSTEMS SUPV	1	GRADE 20
33	(64)	A006	ACCOUNTING SUPERVISOR I	2	GRADE 20
34	(65)	E038	NURSE INSTRUCTOR	1	GRADE 20
35	(66)	G214	DIRECTOR MAINTENANCE	1	GRADE 20
36	(67)	L070	NURSE II	62	GRADE 20

1	(68)	M028	COUNSELOR II	2	GRADE 20
2	(69)	L140	SPEECH PATHOLOGIST II	2	GRADE 20
3	(70)	M088	SOCIAL WORKER II	30	GRADE 20
4	(71)	M127	SR REHABILITATION COUNSELOR	1	GRADE 20
5	(72)	Q046	MEDICARE/MEDICAID SURVEY SPECIALIST	1	GRADE 20
6	(73)	L156	HLTH PUB HLTH NURSE II	1	GRADE 20
7	(74)	M128	DHS/DDS PRGM COORDINATOR	1	GRADE 20
8	(75)	W014	DIRECTOR MEDICAL RECORDS	1	GRADE 20
9	(76)	M086	SOCIAL WORKER I	3	GRADE 19
10	(77)	M097	VOLUNTEER PROGRAM DEVELOPER II	1	GRADE 19
11	(78)	R030	ASST PERSONNEL MANAGER	2	GRADE 19
12	(79)	R084	DHS STAFF SUPERVISOR	1	GRADE 19
13	(80)	M056	REHAB COUNSELOR III	1	GRADE 19
14	(81)	M019	CHAPLAIN	1	GRADE 19
15	(82)	L028	DIETICIAN	1	GRADE 19
16	(83)	L032	HEALTH PROGRAM CONSULTANT	4	GRADE 19
17	(84)	G026	BLDG AND GROUNDS COORDINATOR	2	GRADE 19
18	(85)	E042	PUB HLTH EDUCATOR	1	GRADE 19
19	(86)	E118	HABILITATION/REHAB INSTRUCTOR SUPV	1	GRADE 19
20	(87)	V008	BUYER III	1	GRADE 19
21	(88)	R168	GRANTS COORDINATOR II	3	GRADE 19
22	(89)	T055	UNIFORM COMMANDER	4	GRADE 19
23	(90)	T074	PUBLIC SAFETY DIRECTOR	1	GRADE 19
24	(91)	R150	RESEARCH PROJECT ANALYST	1	GRADE 19
25	(92)	R264	MANAGEMENT PROJECT ANALYST I	2	GRADE 18
26	(93)	V006	BUYER II	1	GRADE 18
27	(94)	V040	PURCHASE AGENT II/PURCHASE AGENT	1	GRADE 18
28	(95)	Y022	STATIONARY ENGINEER SUPERVISOR	1	GRADE 18
29	(96)	Y027	ELECTRICIAN SUPERVISOR	1	GRADE 18
30	(97)	Y081	PLUMBER SUPERVISOR	1	GRADE 18
31	(98)	W030	RECORDS MANAGEMENT ANALYST II	1	GRADE 18
32	(99)	Y005	AUTO/DIESEL MECHANIC SUPERVISOR	1	GRADE 18
33	(100)	Y017	CARPENTER SUPERVISOR	1	GRADE 18
34	(101)	E050	STAFF DEVELOPMENT SPECIALIST II	2	GRADE 18
35	(102)	A111	ACCOUNTANT	1	GRADE 18
36	(103)	E024	INSTITUTIONAL INSTRUCTOR II	7	GRADE 18

1	(104)	G031	CONSTRUCTION/MAINTENANCE PROJ EST	4	GRADE 18
2	(105)	H032	FOOD PRODUCTION MANAGER	2	GRADE 18
3	(106)	L036	CERTIFIED RESPIRATORY THERAPY TECH	1	GRADE 18
4	(107)	R134	PLANNING SPECIALIST II	2	GRADE 18
5	(108)	M050	RECREATIONAL ACTIVITY LEADER SUPV	3	GRADE 18
6	(109)	M075	SOCIAL SERVICE REPRESENTATIVE II	2	GRADE 18
7	(110)	M082	SOCIAL SERVICE WORKER III	8	GRADE 18
8	(111)	E072	TRAINING INSTRUCTOR	1	GRADE 18
9	(112)	R010	ADMINISTRATIVE ASSISTANT II	18	GRADE 17
10	(113)	L117	LPN/LPTN SUPERVISOR	20	GRADE 17
11	(114)	G141	WATER FILTER/WASTE DISPOS PLNT SUPV	1	GRADE 17
12	(115)	G161	GENERAL MAINTENANCE REPAIRMAN	9	GRADE 17
13	(116)	E086	HABILITATION/REHAB INSTRUCTOR II	13	GRADE 17
14	(117)	A034	FIELD AUDITOR	1	GRADE 17
15	(118)	Y021	STATIONARY ENGINEER	4	GRADE 17
16	(119)	Y039	HEATING & A/C MECHANIC	4	GRADE 17
17	(120)	Y053	JOURNEYMAN CARPENTER	4	GRADE 17
18	(121)	Y055	JOURNEYMAN ELECTRICIAN	6	GRADE 17
19	(122)	Y057	JOURNEYMAN PAINTER	3	GRADE 17
20	(123)	Y061	JOURNEYMAN PLUMBER	4	GRADE 17
21	(124)	Y065	JOURNEYMAN LOCKSMITH	1	GRADE 17
22	(125)	W028	RECORDS MANAGEMENT ANALYST I	4	GRADE 17
23	(126)	T049	SECURITY OFFICER SUPERVISOR	2	GRADE 17
24	(127)	R166	GRANTS COORDINATOR I	1	GRADE 17
25	(128)	M080	SOCIAL SERVICE WK II/SOC SVC WK	1	GRADE 17
26	(129)	V030	INVENTORY CONTROL MANAGER	1	GRADE 17
27	(130)	T037	PUB SAFETY OFFICER II	18	GRADE 16
28	(131)	A053	INSURANCE SPECIALIST II	3	GRADE 16
29	(132)	G167	EXECUTIVE HOUSEKEEPER I	2	GRADE 16
30	(133)	G215	MAJOR APPLIANCE REPAIRMAN	1	GRADE 16
31	(134)	L126	PSYCHOLOGICAL INTERN	2	GRADE 16
32	(135)	L153	X-RAY TECH SUPV/X-RAY TECH II	2	GRADE 16
33	(136)	L116	LPN III/LPTN III	95	GRADE 16
34	(137)	L115	LPN II/LPTN II	84	GRADE 15
35	(138)	K011	ADMINISTRATIVE OFFICE SUPERVISOR	2	GRADE 15
36	(139)	M002	ADMISSIONS INTERVIEWER SUPV	1	GRADE 15

1	(140)	M073	SOCIAL SERVICE REPRESENTATIVE I	1	GRADE 15
2	(141)	M048	RECREATIONAL ACTIVITY LEADER II	25	GRADE 15
3	(142)	R009	ADMINISTRATIVE ASSISTANT I	8	GRADE 15
4	(143)	A108	ACCOUNTING TECHNICIAN II	5	GRADE 15
5	(144)	A063	PAYROLL OFFICER	1	GRADE 15
6	(145)	T047	SECURITY OFFICER III	19	GRADE 15
7	(146)	V051	STOREROOM SUPV/STORE SUPV	2	GRADE 15
8	(147)	E084	HABILITATION/REHAB INSTRUCTOR I	1	GRADE 15
9	(148)	L183	OCCUPATIONAL THERAPY ASSISTANT	4	GRADE 15
10	(149)	V011	CENTRAL SUPPLY SUPV	1	GRADE 15
11	(150)	L184	DIETETIC TECHNICIAN	5	GRADE 14
12	(151)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	5	GRADE 14
13	(152)	K117	MEDICAL OR LEGAL SECRETARY	23	GRADE 14
14	(153)	L113	LPN I/LPTN I	12	GRADE 14
15	(154)	L107	PHYSICAL THERAPY WORKER	1	GRADE 13
16	(155)	L091	OCCUPATIONAL THERAPY WORKER	3	GRADE 13
17	(156)	H049	SUPERVISOR OF COOKING	4	GRADE 13
18	(157)	K153	SECRETARY II	10	GRADE 13
19	(158)	E027	INSTITUTIONAL TEACHER ASSISTANT	2	GRADE 13
20	(159)	B049	LABORATORY TECHNICIAN II	2	GRADE 13
21	(160)	G115	NURSERY ASST & GROUNDSKEEPER SUPV	1	GRADE 13
22	(161)	G139	WATER FILTER/WASTE DISPOS PLNT OPER	2	GRADE 13
23	(162)	M047	RECREATIONAL ACTIVITY LEADER I	3	GRADE 13
24	(163)	C013	SWITCHBOARD OPERATOR SUPERVISOR	1	GRADE 12
25	(164)	K115	STATISTICIAN ASST II/STATISTICIAN I	2	GRADE 12
26	(165)	L020	CERTIFIED NURSING ASSISTANT II	90	GRADE 12
27	(166)	K039	DOCUMENT EXAMINER II	2	GRADE 12
28	(167)	K145	CASHIER/CASHIER II	1	GRADE 12
29	(168)	T045	SECURITY OFFICER II	1	GRADE 12
30	(169)	T013	FIRE & SAFETY COORD	1	GRADE 12
31	(170)	K089	PERSONNEL ASSISTANT	1	GRADE 12
32	(171)	V043	SHIPPING & RECEIVING CLERK	3	GRADE 11
33	(172)	L018	CERTIFIED NURSING ASSISTANT I	82	GRADE 11
34	(173)	K155	SECRETARY I	2	GRADE 11
35	(174)	L101	PHARMACY TECH	1	GRADE 11
36	(175)	M001	ADMISSIONS INTERVIEWER	2	GRADE 11

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

25

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

34

35 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated,  
 36 to the Department of Health and Human Services - Division of Behavioral

1 Health, to be payable from the Mental Health Services Fund Account, for  
 2 personal services and operating expenses of the Department of Health and  
 3 Human Services - Division of Behavioral Health - State Operations for the  
 4 biennial period ending June 30, 2009, the following:

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

21

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

29		FISCAL YEARS	
30	ITEM		
31	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
32	(01) REGULAR SALARIES	\$ 64,521	\$ 65,811
33	(02) PERSONAL SERVICES MATCHING	21,601	21,866
34	(03) MAINT. & GEN. OPERATION		
35	(A) OPER. EXPENSE	45,195	45,195
36	(B) CONF. & TRAVEL	8,298	8,298

1	(C) PROF. FEES	0	0
2	(D) CAP. OUTLAY	0	0
3	(E) DATA PROC.	0	0
4	(04) COMMUNITY ALCOHOL SAFETY GRANTS AND		
5	AID	<u>3,396,469</u>	<u>3,396,469</u>
6	TOTAL AMOUNT APPROPRIATED	<u>\$ 3,536,084</u>	<u>\$ 3,537,639</u>

7

8 SECTION 5. APPROPRIATION - CANTEENS - CASH. There is hereby appropriated,

9 to the Department of Health and Human Services - Division of Behavioral

10 Health, to be payable from the cash fund deposited in the State Treasury as

11 determined by the Chief Fiscal Officer of the State, for operating expenses

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

13 Health - Canteens - Cash for the biennial period ending June 30, 2009, the

14 following:

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

25

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

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

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

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

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

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

32 following:

34	ITEM	FISCAL YEARS	
35	NO.	2007-2008	2008-2009
36	(01) PATIENT BENEFIT FUND	<u>\$ 75,000</u>	<u>\$ 75,000</u>

1  
2 SECTION 7. APPROPRIATION - COMMUNITY MENTAL HEALTH CENTERS. There is  
3 hereby appropriated, to the Department of Health and Human Services -  
4 Division of Behavioral Health, to be payable from the Mental Health Services  
5 Fund Account, for state assistance to the Community Mental Health Centers by  
6 the Department of Health and Human Services - Division of Behavioral Health  
7 for the biennial period ending June 30, 2009, the following:

8	9 ITEM	10 FISCAL YEARS	
11	NO.	2007-2008	2008-2009
12	(01) STATE ASSISTANCE	<u>\$ 8,780,603</u>	<u>\$ 8,780,603</u>

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

19	20 ITEM	21 FISCAL YEARS	
22	NO.	2007-2008	2008-2009
23	(01) MENTAL HEALTH BLOCK GRANT	<u>\$ 6,068,799</u>	<u>\$ 6,068,799</u>

24 SECTION 9. APPROPRIATION - ACUTE MENTAL HEALTH SERVICES - PER CAPITA.  
25 There is hereby appropriated, to the Department of Health and Human Services  
26 - Division of Behavioral Health, to be payable from the Mental Health  
27 Services Fund Account, for acute mental health services within community-  
28 based settings of the catchment areas served by Community Mental Health  
29 Centers licensed and certified by the Division of Behavioral Health of the  
30 Department of Health and Human Services for the biennial period ending June  
31 30, 2009, the following:

32	33 ITEM	34 FISCAL YEARS	
35	NO.	2007-2008	2008-2009
36	(01) ACUTE MENTAL HEALTH SERVICES-PER CAPITA	<u>\$ 5,750,000</u>	<u>\$ 5,750,000</u>

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

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) EDUCATION/PREVENTION/TREATMENT	\$ 21,324,072	\$ 21,324,072

SECTION 11. APPROPRIATION - DRUG COURT PROGRAMS. There is hereby appropriated, to the Department of Health and Human Services - Division of Behavioral Health, to be payable from the MAGNUM Drug Court Fund, for state assistance, operation grants, treatment and other expenses for Drug Court Programs for the biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) DRUG COURT PROGRAMS - STATE ASSISTANCE, OPERATION GRANTS, TREATMENTS AND OTHER EXPENSES	\$ 1,000,000	\$ 1,000,000

SECTION 12. APPROPRIATIONS - PREVENTION AND TREATMENT SERVICES. There is hereby appropriated to the Department of Health and Human Services - Division of Behavioral Health, to be payable from the Drug Abuse Prevention and Treatment Fund, for specialized women's services, adolescent and adult prevention and treatment services, and operating expenses of the Arkansas Office of Drug Abuse Administration, for the biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) SPECIALIZED PREVENTION AND TREATMENT		

1           SERVICES AND OPERATING EXPENSES                           \$ 17,250,000    \$ 17,250,000

2

3           SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
5 BEHAVIORAL HEALTH SERVICES - ALLOCATION RESTRICTIONS. There is hereby  
6 allocated to the Community Mental Health Centers, as set out herein, the  
7 following amounts of the funds appropriated for State Assistance in the  
8 Behavioral Health Services - Community Mental Health Centers appropriation,  
9 to the Department of Health and Human Services – Behavioral Health Services  
10 Division, there to be used as provided by law, for the biennial period ending  
11 June 30, ~~2007~~ 2009, the following:

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

1	(14) LITTLE ROCK CMHC	<del>593,855</del>	<u>593,619</u>	<del>593,855</del>	<u>593,619</u>
2	(15) MID-SOUTH HEALTH SYSTEMS	<del>822,989</del>	<u>823,243</u>	<del>822,989</del>	<u>823,243</u>
3	TOTAL AMOUNT ALLOCATED		\$8,780,603		\$8,780,603

4

5 The additional funding provided by this provision shall supplement and not  
6 supplant any monies currently funding state assistance to Community Mental  
7 Health Centers.

8 The requirements in this section shall only be implemented in accordance  
9 with any necessary approval by the Centers for Medicare and Medicaid  
10 Services, and in the event that additional general revenue funding is  
11 provided by the General Assembly for these purposes. Should additional  
12 funding provided for these purposes be insufficient to provide for the  
13 increases in full, the increases shall be provided to the extent that funding  
14 is made available.

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 - ALLOCATION RESTRICTION AND TRANSFER PROVISION.

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

1 Legislative Research who shall make a report of the transfer and the reasons  
2 thereof to the Arkansas Legislative Council at least quarterly.

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

5  
6 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

9 Every Mental Health Center eligible to receive any of the funds appropriated  
10 for State Assistance in the Behavioral Health Services - Community Mental  
11 Health Centers appropriation in this Act shall, as a condition of receiving  
12 any such funds, be subject to an annual audit of the overall operation of  
13 such Mental Health Center by the Division of Legislative Audit. The Mental  
14 Health Centers shall submit a budget to the Behavioral Health Services  
15 Division, Department of Health and Human Services, and the Arkansas  
16 Legislative Council and go through the budget procedures process in the same  
17 manner as State departments, agencies, institutions, boards and commissions.  
18 Budgets shall be submitted based on operating revenues and expenses of each  
19 Center and each Center shall provide information related to financial status  
20 requested by the Legislative Council and/or Joint Budget Committee.

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

26 BEHAVIORAL HEALTH SERVICES - APPORTIONMENT OF FUNDS. All funds appropriated  
27 under the provisions of the State Assistance line item in the Behavioral  
28 Health Services - Community Mental Health Centers appropriation in this Act  
29 shall be apportioned on the basis of three dollars and six cents (\$3.06) per  
30 capita for fiscal year ~~2005-2006~~ 2007-2008 and three dollars and six cents  
31 (\$3.06) per capita for fiscal year ~~2006-2007~~ 2008-2009 or so much thereof as  
32 funds shall become available. Additional funds shall be apportioned on the  
33 basis of fifty cents (\$.50) per capita or a one-to-one State/Local funds  
34 matching basis for both years of the biennial period ending June 30, ~~2007~~  
35 2009. The total \$8,780,603 allocated for FY ~~2005-2006~~ 2007-2008 and  
36 \$8,780,603 for FY ~~2006-2007~~ 2008-2009 shall be distributed to the community

1 mental health centers as described in this section.

2 The provisions of this section shall be in effect only from July 1, 2005  
3 2007 through June 30, ~~2007~~ 2009.

4

5 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
7 BEHAVIORAL HEALTH SERVICES - GRANTS-IN-AID CONDITIONS FOR RECEIVING FUNDS.  
8 Only locally-operated Centers and Clinics licensed or certified by the  
9 Behavioral Health Services Division are eligible to receive funds  
10 appropriated for State Assistance in the Behavioral Health Services -  
11 Community Mental Health Centers appropriation in this Act, and as a condition  
12 of receiving such funds they shall:

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

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

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

28 (4) Establish and maintain community support programs designed to provide  
29 coordinated care and treatment to ensure ongoing therapeutic involvement and  
30 individualized treatment for persons with long-term, severe mental illness.  
31 Every community support program shall use a coordinated case management  
32 system and shall provide or assure access to services for persons with long-  
33 term, severe mental illness who reside within the respective catchment area  
34 of the Center. At a minimum, each community support program shall provide  
35 assessment, diagnosis, identification of persons in need of services, case  
36 management, crisis intervention, psychiatric treatment including medication

1 services and supervision, counseling and psychotherapy, activities of daily  
2 living, housing, protection and advocacy, and psychosocial rehabilitation  
3 which may include services provided by day treatment programs.

4 (5) The Board of Directors of each Center or Clinic licensed or certified  
5 by the Department of Health and Human Services, Behavioral Health Services  
6 Division, shall adopt and submit to the Director, Behavioral Health Services  
7 Division, in the form and according to the procedures specified by the  
8 Director, Behavioral Health Services Division, an annual plan for the  
9 delivery of community support services for persons with long-term, severe  
10 mental illness. Each Center's plan must be approved by the Director,  
11 Behavioral Health Services Division.

12 The provisions of this section shall be in effect only from July 1, ~~2005~~  
13 2007 through June 30, ~~2007~~ 2009.

14  
15 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

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

27 BEHAVIORAL HEALTH SERVICES. Pay rates for physicians and chief psychologists  
28 within the Division of Behavioral Health Services may include the special  
29 allowances available to UAMS physicians and professional faculty as described  
30 in the special language of the UAMS appropriation. Part of the salaries of  
31 such staff will come from the receipt of professional income in the care of  
32 patients and/or funds received from federal agencies, foundations and other  
33 private sponsors in the support of research. Provided that any such  
34 allowance shall not exceed, for any employee, an amount equal to two and one  
35 half times the salary authorized by the General Assembly. The specific  
36 Division of Behavioral Health classifications covered by this language are:

1	Class Code	Title
2	6610	Psychiatric Specialist Supervisor
3	6617	Psychiatric Specialist
4	6621	Psychiatrist
5	6639	Behavioral Health General Physician
6	6607	Behavioral Health Services Chief Psychologist

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

11 The provisions of this section shall be in effect only from July 1, ~~2005~~  
12 2007 through June 30, ~~2007~~ 2009.

13

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

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

29

30 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
32 BEHAVIORAL HEALTH SERVICES - JOB SHARE. The Division of Behavioral Health  
33 Services can utilize job share for positions within the nursing  
34 classification (RN, LPN/LPTN, MHW/CNA) for up to 24 hours per week per  
35 individual. This will allow the Division to offer weekend option shifts to  
36 nursing personnel without increasing the number of positions.

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

3  
4 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
6 BEHAVIORAL HEALTH SERVICES - STATE HOSPITAL CONTINGENCY POSITIONS. If the  
7 Department of Health and Human Services determines, and after prior review by  
8 the Legislative Council, it shall be determined that it is in the best  
9 interest of the State of Arkansas to discontinue a management contract with a  
10 private provider and it is deemed necessary to utilize Department staff to  
11 provide the required services, the Director of the Department of Health and  
12 Human Services may request the Department of Finance and Administration to  
13 approve the establishment of one or more additional positions at salary rates  
14 not to exceed the maximum salaries established for comparable positions in  
15 the Uniform Classification and Compensation Act, the Department of Health and  
16 Human Services' Appropriation Act, and the University of Arkansas for Medical  
17 Sciences' Appropriation Act. Upon approval by the Department of Finance and  
18 Administration and after review by the Legislative Council, the Department of  
19 Health and Human Services, Division of Behavioral Health Services may  
20 establish such positions.

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

26  
27 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS  
29 HEALTH CENTER. (A) The Department of Health and Human Services shall not  
30 close the Arkansas Health Center that provides skilled nursing through  
31 specialized services and programs.

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

35 (C) No funds shall be transferred or reduced from the Arkansas Health  
36 Center, except for use as federal matching funds, below the approved funding

1 level on March 1, 2003 without the prior approval of the Arkansas Legislative  
2 Council or the Joint Budget Committee.

3 (D) Determining the maximum amount of appropriation and general revenue  
4 funding for a state agency each fiscal year is the prerogative of the General  
5 Assembly. This is usually accomplished by delineating such maximums in the  
6 appropriation act(s) for a state agency and the general revenue allocations  
7 authorized for each fund and fund account by amendment to the Revenue  
8 Stabilization law. Further, the General Assembly has determined that the  
9 Department of Health and Human Services may operate more efficiently if some  
10 flexibility is provided to the Department of Health and Human Services  
11 authorizing broad powers under this Section. Therefore, it is both necessary  
12 and appropriate that the General Assembly maintain oversight by requiring  
13 prior approval of the Legislative Council or Joint Budget Committee as  
14 provided by this section. The requirement of approval by the Legislative  
15 Council or Joint Budget Committee is not a severable part of this section.  
16 If the requirement of approval by the Legislative Council or Joint Budget  
17 Committee is ruled unconstitutional by a court of competent jurisdiction,  
18 this entire section is void.

19 The provisions of this section shall be in effect only from July 1, ~~2005~~ 2007  
20 through June 30, ~~2007~~ 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. EXTRA  
24 HELP – BEHAVIORAL HEALTH SERVICES. Employees in extra-help positions at the  
25 Department of Health and Human Services – Behavioral Health Division may  
26 receive an amount not to exceed eighty-five percent (85%) of the maximum  
27 annual salary for a comparable position as authorized under § 21-5-201 et  
28 seq. during any fiscal year, nor shall such an employee be employed for a  
29 period of time to exceed one thousand eight hundred (1800) hours in any  
30 single fiscal year.

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

33  
34 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL  
36 PROVISIONS FOR SHIFT DIFFERENTIAL AND WEEKEND PAY FOR ~~PERSONNEL AT HUMAN~~

1 DEVELOPMENT CENTERS, BEHAVIORAL HEALTH SHIFT DIFFERENTIAL. Personnel employed  
2 in areas providing critical support and care to Patient Units at the Arkansas  
3 State Hospital and Arkansas Health Center during evening and night shifts  
4 shall be eligible to receive up to twenty percent (20%) of the hourly rate  
5 paid as a shift differential. Personnel required to provide critical and  
6 support care to client units during weekend hours shall be eligible to  
7 receive up to twenty percent (20%) of the hourly rate paid as a weekend  
8 differential. When facilities use shifts other than traditional eight-hour  
9 shifts, shift differential may be paid for those shifts exceeding the normal  
10 day shift of the facility. When shift and weekend differentials are provided  
11 to employees as herein described, the total compensation may exceed the  
12 maximum annual rate for the assigned pay grade for those positions included  
13 in this Act.

14  
15 The Agency shall identify the shift(s) and job classifications applicable for  
16 the differential and the shift differential percentage for which each  
17 classification is eligible within each shift. The shift schedule, job  
18 classification listing the job titles and the percentage of shift  
19 differential for which the job titles will be eligible shall be submitted to  
20 the Office of Personnel Management for approval by the Chief Fiscal Officer  
21 of the State. Subsequent changes to the shift schedule, job classifications  
22 and shift differential percentages must receive prior approval by the Chief  
23 Fiscal Officer of the State.

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

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

30 BEHAVIORAL HEALTH SERVICES - APPORTIONMENT OF FUNDS. Each Community Mental  
31 Health Center shall contract with one or more facilities of its choice  
32 (excluding Arkansas State Hospital) to provide the inpatient care for  
33 indigent patients which the Community Mental Health Center has determined to  
34 be necessary after prompt screening by the Community Mental Health Center.  
35 Payment for patients screened and approved by the Community Mental Health  
36 Center who receive care at these inpatient facilities shall be provided to

1 the inpatient facilities at the contract rate unless the funds available for  
2 this purpose have been exhausted. Available funding as determined by the  
3 Director of the Department of Health and Human Services shall be apportioned  
4 on a per capita basis up to a maximum of three dollars and forty-eight cents  
5 (\$3.48) per capita for fiscal year ~~2005-2006~~ 2007-2008 and three dollars and  
6 forty-eight cents (\$3.48) per capita for fiscal year ~~2006-2007~~ 2008-2009.  
7 The 2000 federal population census shall be used in determining the  
8 population of each catchment area of the fifteen Community Mental Health  
9 Centers. All amounts appropriated under this section shall be used by  
10 Community Mental Health Centers for residents of each center's catchment area  
11 and such funds shall only be accessed as the payment of last resort.  
12

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

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

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

1 (8) the number of re-admissions per catchment area for involuntary  
2 commitments and medically indigent admissions to community-based settings  
3 receiving assistance from the acute mental health services; and  
4 (9) identify any steps taken by CMHCs to improve access to acute mental  
5 health services.

6

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

24

25 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COMMUNITY  
27 ALCOHOL SAFETY CARRY FORWARD. Such Community Alcohol Safety appropriation as  
28 is authorized in this Act which remains at the end of the first fiscal year  
29 of the biennium may be carried forward into the second fiscal year of the  
30 biennium there to be used for the same purposes.

31

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

34

35 (1) Prior to June 30, 2008 the Agency shall by written statement set forth  
36 its reason(s) for the need to carry forward said appropriation and/or funding

1 to the Department of Finance and Administration Office of Budget;

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

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

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

27  
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 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
33 BEHAVIORAL HEALTH SERVICES - PROCEEDS FOR SALES OF TIMBER AND HAY - CAPITAL  
34 IMPROVEMENTS AND EQUIPMENT. The Division of Behavioral Health Services is  
35 authorized to use administrative operating account for capital improvements  
36 to the physical plant, and for the purchase of capital equipment, and for the

1 operation of the Arkansas Health Center, operated by the Department of Health  
2 and Human Services, Division of Behavioral Health Services. The funds shall  
3 be held by the Department of Health and Human Services, Division of  
4 Behavioral Health Services, from the proceeds of the sale of timber and hay  
5 that may be harvested from land owned by the Division of Behavioral Health  
6 Services. All funds deposited and all expenses shall be tracked separately.  
7 The harvesting of timber and hay is specifically authorized to provide funds  
8 to finance capital improvements to the physical plant, for the purchase of  
9 major capital equipment, and for the operation of the Arkansas Health Center.  
10 The Division of Behavioral Health Services shall report all income derived  
11 from the sale of timber and hay to the Chief Fiscal Officer of the State and  
12 the Legislative Council. Any contracts initiated for the harvesting of  
13 timber and hay shall be submitted to the Review Subcommittee of the Arkansas  
14 Legislative Council for prior review. All expenditures of funds derived from  
15 the sale of timber and hay will be expended in accordance with relevant state  
16 purchasing laws.

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

20  
21 *SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*  
22 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ACUTE*  
23 *MENTAL HEALTH SERVICES EMERGENCY RESERVE FUND. Of the total amount*  
24 *appropriated each fiscal year in Section 9 of this Act for Acute Mental*  
25 *Health Services - Per Capita, two hundred fifty thousand dollars (\$250,000)*  
26 *each fiscal year shall first be allocated and made available to the Little*  
27 *Rock Community Mental Health Center for Acute Mental Health Services. The*  
28 *remaining five million five hundred thousand dollars (\$5,500,000)*  
29 *appropriated each fiscal year shall be allocated and made available to the*  
30 *community mental health centers within community-based settings on a per-*  
31 *capita basis. The Division of Behavioral Health shall work with the community*  
32 *mental health centers to develop an equitable acute care distribution plan*  
33 *which considers utilization of State Hospital beds, clarifying target*  
34 *population, and other pertinent demographic factors to ensure maximum*  
35 *equitable utilization of public funds. The Division of Behavioral Health*  
36 *shall report this distribution plan to the Arkansas Legislative Council or*

1 Joint Budget Committee by July 1, 2008.

2  
3 SECTION 32. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
4 by this act shall be limited to the appropriation for such agency and funds  
5 made available by law for the support of such appropriations; and the  
6 restrictions of the State Procurement Law, the General Accounting and  
7 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
8 Procedures and Restrictions Act, or their successors, and other fiscal  
9 control laws of this State, where applicable, and regulations promulgated by  
10 the Department of Finance and Administration, as authorized by law, shall be  
11 strictly complied with in disbursement of said funds.

12  
13 SECTION 33. LEGISLATIVE INTENT. It is the intent of the General Assembly  
14 that any funds disbursed under the authority of the appropriations contained  
15 in this act shall be in compliance with the stated reasons for which this act  
16 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
17 and Legislative Recommendations contained in the budget manuals prepared by  
18 the Department of Finance and Administration, letters, or summarized oral  
19 testimony in the official minutes of the Arkansas Legislative Council or  
20 Joint Budget Committee which relate to its passage and adoption.

21  
22 SECTION 34. EMERGENCY CLAUSE. It is found and determined by the General  
23 Assembly, that the Constitution of the State of Arkansas prohibits the  
24 appropriation of funds for more than a two (2) year period; that the  
25 effectiveness of this Act on July 1, 2007 is essential to the operation of  
26 the agency for which the appropriations in this Act are provided, and that in  
27 the event of an extension of the Regular Session, the delay in the effective  
28 date of this Act beyond July 1, 2007 could work irreparable harm upon the  
29 proper administration and provision of essential governmental programs.  
30 Therefore, an emergency is hereby declared to exist and this Act being  
31 necessary for the immediate preservation of the public peace, health and  
32 safety shall be in full force and effect from and after July 1, 2007.

33  
34 /s/ Joint Budget Committee