

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 87th General Assembly
3 Regular Session, 2009
4

A Bill

SENATE BILL 297

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 HUMAN SERVICES - DIVISION OF
12 BEHAVIORAL HEALTH FOR THE FISCAL YEAR ENDING JUNE
13 30, 2010; AND FOR OTHER PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE DEPARTMENT OF HUMAN
17 SERVICES - DIVISION OF BEHAVIORAL HEALTH
18 APPROPRIATION FOR THE 2009-2010 FISCAL
19 YEAR.
20
21
22

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

25 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for
26 the Department of Human Services - Division of Behavioral Health for the
27 2009-2010 fiscal year, the following maximum number of regular employees
28 whose salaries shall be governed by the provisions of the Uniform
29 Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or
30 its successor, and all laws amendatory thereto. Provided, however, that any
31 position to which a specific maximum annual salary is set out herein in
32 dollars, shall be exempt from the provisions of said Uniform Classification
33 and Compensation Act. All persons occupying positions authorized herein are
34 hereby governed by the provisions of the Regular Salaries Procedures and
35 Restrictions Act (Arkansas Code §21-5-101), or its successor.
36



Item	Class		Maximum	Maximum Annual
No.	Code	Title	No. of	Salary Rate
			Employees	Fiscal Year
				2009-2010
5	(1) L005N	PSYCHIATRIC SPECIALIST	6	GRADE N919
6	(2) L007N	REHAB MED DIR ALCOHOL REHAB CTR-BEN	1	GRADE N918
7	(3) L009N	DHS BEHAV HLTH GENERAL PHYSICIAN	6	GRADE N917
8	(4) L011N	DENTIST	1	GRADE N916
9	(5) L014N	DIRECTOR OF PHARMACY	1	GRADE N914
10	(6) L016N	REGISTERED PHARMACIST	2	GRADE N911
11	(7) N019N	DHS DEP DIR BEHAV HLTH SERVICES	1	GRADE N910
12	(8) N053N	DHS ASH CHIEF EXECUTIVE OFFICER	1	GRADE N908
13	(9) N088N	DHS AHC DIRECTOR OF NURSING	1	GRADE N906
14	(10) N087N	DHS BEHAV HLTH DIR HOSPITAL OPS	1	GRADE N906
15	(11) N103N	DHS MENTAL HEALTH CENTER DIRECTOR	1	GRADE N906
16	(12) N123N	DHS/DBHS ASST DIR FOR FINANCE	1	GRADE N904
17	(13) N127N	DHS/DBHS DIR ALCOHOL & DRUG ABUSE	1	GRADE N904
18	(14) N135N	DHS AHC NURSING HOME ADMINISTRATOR	1	GRADE N903
19	(15) N156N	BEHAV HLTH ASST DIR CHILDRENS SVS	1	GRADE N901
20	(16) N152N	DHS/DBHS ASSISTANT DIR ADMIN SVCS	1	GRADE N901
21	(17) N153N	DHS/DBHS CLINICAL DIRECTOR	1	GRADE N901
22	(18) L022N	OCCUPATIONAL THERAPIST	2	GRADE N901
23	(19) L021N	PHYSICAL THERAPIST	1	GRADE N901
24	(20) N162N	STATE DRUG PREVENTION DIRECTOR	1	GRADE N901
25	(21) L001C	PSYCHOLOGIST SUPERVISOR	2	GRADE C129
26	(22) M002C	DHS BEHAV HLTH ASSOC DIR, AHC	1	GRADE C127
27	(23) M003C	DHS BEHAV HLTH CHILDRENS SYS CARE	1	GRADE C127
28	(24) L003C	PSYCHOLOGIST	7	GRADE C127
29	(25) L006C	ASSOCIATE DIRECTOR OF NURSING	4	GRADE C126
30	(26) L011C	DHS ALCOHOL/DRUG ABUSE PREV ADD	1	GRADE C125
31	(27) A024C	DHS DIVISION CHIEF FISCAL OFFICER	1	GRADE C125
32	(28) L009C	NURSE MANAGER	8	GRADE C125
33	(29) L015C	CLINICAL SPEECH PATHOLOGIST	2	GRADE C124
34	(30) L014C	HIPAA PROGRAM CONSULTANT	1	GRADE C124
35	(31) L024C	DHS BEHAV HLTH FACILITY ADMIN	2	GRADE C123
36	(32) L021C	NURSING HOME ASSISTANT ADMIN	1	GRADE C123

1	(33)	L020C	NURSING SERVICES UNIT MANAGER	1	GRADE C123
2	(34)	G099C	DHS PROGRAM ADMINISTRATOR	5	GRADE C122
3	(35)	A041C	PROGRAM FISCAL MANAGER	1	GRADE C122
4	(36)	L027C	REGISTERED NURSE SUPERVISOR	19	GRADE C122
5	(37)	A052C	ACCOUNTING COORDINATOR	1	GRADE C121
6	(38)	M009C	LICENSED CERTIFIED SOCIAL WORKER	32	GRADE C121
7	(39)	S004C	MAINTENANCE MANAGER	2	GRADE C121
8	(40)	L036C	NURSE INSTRUCTOR	1	GRADE C121
9	(41)	R014C	PERSONNEL MANAGER	3	GRADE C121
10	(42)	L033C	PSYCHOLOGICAL EXAMINER	1	GRADE C121
11	(43)	L032C	REGISTERED NURSE - HOSPITAL	42	GRADE C121
12	(44)	G131C	DHS BEHAV HLTH MED BUS PRACTICES AD	1	GRADE C120
13	(45)	T031C	DHS BEHAV HLTH PUBLIC SAFETY DIR	2	GRADE C120
14	(46)	L040C	DIETARY SERVICES DIRECTOR	2	GRADE C120
15	(47)	D057C	INFORMATION TECHNOLOGY MANAGER	1	GRADE C120
16	(48)	G124C	OMBUDSMAN	1	GRADE C120
17	(49)	L038C	REGISTERED NURSE	29	GRADE C120
18	(50)	G121C	REHAB PROGRAM MANAGER	1	GRADE C120
19	(51)	E023C	TRAINING PROJECT MANAGER	1	GRADE C120
20	(52)	V008C	BUYER SUPERVISOR	1	GRADE C119
21	(53)	D062C	DATABASE ANALYST	2	GRADE C119
22	(54)	L044C	DHS BEHAV HLTH CASE REVIEW ANALYST	1	GRADE C119
23	(55)	G152C	DHS PROGRAM MANAGER	4	GRADE C119
24	(56)	G147C	GRANTS COORDINATOR	1	GRADE C119
25	(57)	M020C	LICENSED PROFESSIONAL COUNSELOR	1	GRADE C119
26	(58)	X062C	QUALITY ASSURANCE COORDINATOR	1	GRADE C119
27	(59)	A063C	RESEARCH & STATISTICS SUPERVISOR	1	GRADE C119
28	(60)	A060C	SENIOR AUDITOR	1	GRADE C119
29	(61)	R024C	ASST PERSONNEL MANAGER	1	GRADE C118
30	(62)	L050C	CERTIFIED RESPIRATORY THERAPY TECH	2	GRADE C118
31	(63)	A074C	FISCAL SUPPORT SUPERVISOR	3	GRADE C118
32	(64)	M026C	LICENSED SOCIAL WORKER	4	GRADE C118
33	(65)	E044C	CERTIFIED BACHELORS TEACHER	6	GRADE C117
34	(66)	L056C	DHS BEHAV HLTH REGISTRAR	1	GRADE C117
35	(67)	G184C	DHS PROGRAM CONSULTANT	4	GRADE C117
36	(68)	G183C	DHS PROGRAM COORDINATOR	21	GRADE C117

1	(69)	T052C	DHS/DBHS PUBLIC SAFETY SUPERVISOR	6	GRADE C117
2	(70)	L055C	DIETICIAN	1	GRADE C117
3	(71)	G180C	GRANTS ANALYST	5	GRADE C117
4	(72)	R025C	HUMAN RESOURCES ANALYST	1	GRADE C117
5	(73)	X101C	INTERNAL AFFAIRS INVESTIGATOR	1	GRADE C117
6	(74)	S017C	MAINTENANCE COORDINATOR	1	GRADE C117
7	(75)	L051C	REHABILITATION COUNSELOR	3	GRADE C117
8	(76)	B076C	RESEARCH PROJECT ANALYST	3	GRADE C117
9	(77)	V014C	BUYER	1	GRADE C116
10	(78)	E048C	EDUCATION & INSTRUCTION SPECIALIST	1	GRADE C116
11	(79)	A084C	PROGRAM/FIELD AUDIT SPECIALIST	1	GRADE C116
12	(80)	T055C	PUBLIC SAFETY OFFICER	27	GRADE C116
13	(81)	S022C	SKILLED TRADES SUPERVISOR	8	GRADE C116
14	(82)	S021C	WATER FILTER/WASTE DISP PLANT SUPV	1	GRADE C116
15	(83)	C037C	ADMINISTRATIVE ANALYST	8	GRADE C115
16	(84)	D079C	COMPUTER SUPPORT TECHNICIAN	2	GRADE C115
17	(85)	A091C	FISCAL SUPPORT ANALYST	1	GRADE C115
18	(86)	D077C	HELP DESK SPECIALIST	1	GRADE C115
19	(87)	L062C	LICENSED PRACTICAL NURSE SUPERVISOR	15	GRADE C115
20	(88)	S033C	MAINTENANCE SUPERVISOR	2	GRADE C115
21	(89)	C028C	MEDICAL RECORDS SUPERVISOR	1	GRADE C115
22	(90)	A090C	PAYROLL SERVICES SPECIALIST	2	GRADE C115
23	(91)	G204C	PLANNING SPECIALIST	2	GRADE C115
24	(92)	V015C	PURCHASING SPECIALIST	1	GRADE C115
25	(93)	S031C	SKILLED TRADESMAN	27	GRADE C115
26	(94)	G202C	VOLUNTEER PROGRAM COORDINATOR	1	GRADE C115
27	(95)	S030C	WATER FILTER/WASTE DISP PLANT OPER	2	GRADE C115
28	(96)	S041C	BOILER OPERATOR	4	GRADE C114
29	(97)	M066C	PROGRAM ELIGIBILITY SPECIALIST	4	GRADE C114
30	(98)	L064C	RADIOLOGY TECHNICIAN	1	GRADE C114
31	(99)	M065C	RECREATIONAL ACTIVITY SUPERVISOR	3	GRADE C114
32	(100)	E051C	STAFF DEVELOPMENT SPECIALIST	1	GRADE C114
33	(101)	V018C	WAREHOUSE MANAGER	1	GRADE C114
34	(102)	C050C	ADMINISTRATIVE SUPPORT SUPERVISOR	1	GRADE C113
35	(103)	R036C	HUMAN RESOURCES SPECIALIST	5	GRADE C113
36	(104)	V020C	INVENTORY CONTROL MANAGER	2	GRADE C113

1	(105)	L069C	LICENSED PRACTICAL NURSE	132	GRADE C113
2	(106)	S046C	MAINTENANCE TECHNICIAN	4	GRADE C113
3	(107)	L067C	PSYCHOLOGICAL INTERN	3	GRADE C113
4	(108)	C043C	RECORDS MANAGEMENT ANALYST	6	GRADE C113
5	(109)	L066C	REHABILITATION INSTRUCTOR	35	GRADE C113
6	(110)	T072C	SECURITY OFFICER SUPERVISOR	1	GRADE C113
7	(111)	C056C	ADMINISTRATIVE SPECIALIST III	50	GRADE C112
8	(112)	R037C	BENEFITS TECHNICIAN	3	GRADE C112
9	(113)	A098C	FISCAL SUPPORT SPECIALIST	5	GRADE C112
10	(114)	A097C	PAYROLL TECHNICIAN	2	GRADE C112
11	(115)	V022C	PURCHASING TECHNICIAN	1	GRADE C112
12	(116)	S056C	FOOD PREPARATION SUPERVISOR	13	GRADE C111
13	(117)	M076C	RECREATIONAL ACTIVITY LEADER II	30	GRADE C111
14	(118)	V023C	STOREROOM SUPERVISOR	2	GRADE C111
15	(119)	B111C	LABORATORY TECHNICIAN	2	GRADE C110
16	(120)	T084C	PUBLIC SAFETY SECURITY OFFICER	36	GRADE C110
17	(121)	L074C	THERAPY ASSISTANT	3	GRADE C110
18	(122)	V025C	WAREHOUSE SPECIALIST	1	GRADE C110
19	(123)	C073C	ADMINISTRATIVE SPECIALIST II	21	GRADE C109
20	(124)	L082C	CERTIFIED NURSING ASSISTANT	162	GRADE C109
21	(125)	L080C	DIETETIC TECHNICIAN	2	GRADE C109
22	(126)	M082C	RECREATIONAL ACTIVITY LEADER I	5	GRADE C109
23	(127)	E056C	TEACHER ASSISTANT	1	GRADE C109
24	(128)	M084C	BEHAV HLTH AIDE	85	GRADE C108
25	(129)	C078C	CASHIER	2	GRADE C108
26	(130)	A102C	FISCAL SUPPORT TECHNICIAN	1	GRADE C108
27	(131)	V027C	INVENTORY CONTROL TECHNICIAN	7	GRADE C108
28	(132)	M083C	RESIDENTIAL CARE TECHNICIAN	4	GRADE C108
29	(133)	S070C	EQUIPMENT TECHNICIAN	9	GRADE C107
30	(134)	C087C	ADMINISTRATIVE SPECIALIST I	8	GRADE C106
31	(135)	L086C	PHARMACY ASSISTANT	2	GRADE C106
32	(136)	V028C	WAREHOUSE WORKER	2	GRADE C106
33	(137)	C088C	MAIL SERVICES ASSISTANT	2	GRADE C105
34	(138)	V030C	SHIPPING & RECEIVING CLERK	3	GRADE C105
35	(139)	S085C	FOOD PREPARATION SPECIALIST	7	GRADE C104
36	(140)	S084C	INSTITUTIONAL SERVICES SUPERVISOR	4	GRADE C104

1	(141)	S087C	INSTITUTIONAL SERVICES ASSISTANT	53	GRADE C103
2	(142)	S089C	FOOD PREPARATION TECHNICIAN	45	GRADE C102
3	(143)	V031C	STOCK CLERK	<u>2</u>	GRADE C102
4			MAX. NO. OF EMPLOYEES	1,167	

5

6 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for the
7 Department of Human Services - Division of Behavioral Health for the 2009-
8 2010 fiscal year, the following maximum number of part-time or temporary
9 employees, to be known as "Extra Help", payable from funds appropriated
10 herein for such purposes: three hundred thirty-six (336) temporary or part-
11 time employees, when needed, at rates of pay not to exceed those provided in
12 the Uniform Classification and Compensation Act, or its successor, or this
13 act for the appropriate classification.

14

15 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated,
16 to the Department of Human Services - Division of Behavioral Health, to be
17 payable from the Mental Health Services Fund Account, for personal services
18 and operating expenses of the Department of Human Services - Division of
19 Behavioral Health - State Operations for the fiscal year ending June 30,
20 2010, the following:

22	ITEM	FISCAL YEAR
23	<u>NO.</u>	<u>2009-2010</u>
24	(01) REGULAR SALARIES	\$ 41,872,487
25	(02) EXTRA HELP	2,668,889
26	(03) PERSONAL SERVICES MATCHING	14,627,517
27	(04) OVERTIME	2,086,342
28	(05) MAINT. & GEN. OPERATION	
29	(A) OPER. EXPENSE	27,154,894
30	(B) CONF. & TRAVEL	188,227
31	(C) PROF. FEES	7,434,461
32	(D) CAP. OUTLAY	500,000
33	(E) DATA PROC.	0
34	(06) GRANTS/PATIENT SERVICES	16,006,179
35	(07) MENTAL HEALTH CTR TRANSFER	<u>2,653,236</u>
36	TOTAL AMOUNT APPROPRIATED	<u>\$ 115,192,232</u>

SECTION 4. APPROPRIATION - COMMUNITY ALCOHOL SAFETY OPERATIONS. There is hereby appropriated, to the Department of Human Services - Division of Behavioral Health, to be payable from the Highway Safety Special Fund, for personal services and operating expenses of the Department of Human Services - Division of Behavioral Health - Community Alcohol Safety Operations for the fiscal year ending June 30, 2010, the following:

ITEM NO.	FISCAL YEAR
	2009-2010
(01) REGULAR SALARIES	\$ 77,628
(02) PERSONAL SERVICES MATCHING	25,206
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	45,195
(B) CONF. & TRAVEL	8,298
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(04) COMMUNITY ALCOHOL SAFETY GRANTS AND AID	<u>3,396,469</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 3,552,796</u>

SECTION 5. APPROPRIATION - CANTEENS - CASH. There is hereby appropriated, to the Department of Human Services - Division of Behavioral Health, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for operating expenses of the Department of Human Services - Division of Behavioral Health - Canteens - Cash for the fiscal year ending June 30, 2010, the following:

ITEM NO.	FISCAL YEAR
	2009-2010
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$ 174,048
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	0

1 (E) DATA PROC. 0
 2 TOTAL AMOUNT APPROPRIATED \$ 174,048

3
 4 SECTION 6. APPROPRIATION - PATIENT BENEFITS - CASH. There is hereby
 5 appropriated, to the Department of Human Services - Division of Behavioral
 6 Health, to be payable from the cash fund deposited in the State Treasury as
 7 determined by the Chief Fiscal Officer of the State, for benefits of the
 8 patients of the Department of Human Services - Division of Behavioral Health
 9 for the fiscal year ending June 30, 2010, the following:

10

11 ITEM	FISCAL YEAR
12 <u>NO.</u>	<u>2009-2010</u>
13 (01) PATIENT BENEFIT FUND	\$ <u>75,000</u>

14
 15 SECTION 7. APPROPRIATION - COMMUNITY MENTAL HEALTH CENTERS. There is
 16 hereby appropriated, to the Department of Human Services - Division of
 17 Behavioral Health, to be payable from the Mental Health Services Fund
 18 Account, for state assistance to the Community Mental Health Centers by the
 19 Department of Human Services - Division of Behavioral Health for the fiscal
 20 year ending June 30, 2010, the following:

21

22 ITEM	FISCAL YEAR
23 <u>NO.</u>	<u>2009-2010</u>
24 (01) STATE ASSISTANCE	\$ <u>8,780,603</u>

25
 26 SECTION 8. APPROPRIATION - BLOCK GRANT - FEDERAL. There is hereby
 27 appropriated, to the Department of Human Services - Division of Behavioral
 28 Health, to be payable from the federal funds as designated by the Chief
 29 Fiscal Officer of the State, for grant payments of the Department of Human
 30 Services - Division of Behavioral Health for the fiscal year ending June 30,
 31 2010, the following:

32

33 ITEM	FISCAL YEAR
34 <u>NO.</u>	<u>2009-2010</u>
35 (01) MENTAL HEALTH BLOCK GRANT	\$ <u>6,068,799</u>

36

1 SECTION 9. APPROPRIATION - ACUTE MENTAL HEALTH SERVICES - PER CAPITA.
 2 There is hereby appropriated, to the Department of Human Services - Division
 3 of Behavioral Health, to be payable from the Mental Health Services Fund
 4 Account, for acute mental health services within community-based settings of
 5 the catchment areas served by Community Mental Health Centers licensed and
 6 certified by the Division of Behavioral Health of the Department of Human
 7 Services for the fiscal year ending June 30, 2010, the following:

8

9 ITEM	FISCAL YEAR
10 <u>NO.</u>	<u>2009-2010</u>
11 (01) ACUTE MENTAL HEALTH SERVICES-PER	
12 CAPITA	<u>\$ 5,750,000</u>

13

14 SECTION 10. APPROPRIATION - ALCOHOL AND DRUG ABUSE PREVENTION. There is
 15 hereby appropriated, to the Department of Human Services - Division of
 16 Behavioral Health, to be payable from the Drug Abuse Prevention and Treatment
 17 Fund, for education, drug abuse prevention and treatment services of the
 18 Department of Human Services - Division of Behavioral Health - Alcohol and
 19 Drug Abuse Prevention for the fiscal year ending June 30, 2010, the
 20 following:

21

22 ITEM	FISCAL YEAR
23 <u>NO.</u>	<u>2009-2010</u>
24 (01) EDUCATION/PREVENTION/TREATMENT	<u>\$ 21,324,072</u>

25

26 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 28 BEHAVIORAL HEALTH SERVICES - ALLOCATION RESTRICTIONS. There is hereby
 29 allocated to the Community Mental Health Centers, as set out herein, the
 30 following amounts of the funds appropriated for State Assistance in the
 31 Behavioral Health Services - Community Mental Health Centers appropriation,
 32 to the Department of ~~Health and~~ Human Services - Behavioral Health Services
 33 Division, there to be used as provided by law, for the fiscal year ending
 34 June 30, ~~2009~~ 2010, the following:

35

36 Item	Maximum Allocation Fiscal Year
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1	No. Mental Health Center	2007-08
2		<u>2009-10</u>
3	(01) OZARK GUIDANCE CENTER, INC.	\$1,151,920
4	(02) OZARK COUNSELING SERVICES, INC.	345,992
5	(03) HEALTH RESOURCES OF ARKANSAS, INC.	730,142
6	(04) COUNSELING SERVICES OF EASTERN ARKANSAS	489,381
7	(05) DELTA COUNSELING ASSOCIATES, INC.	279,144
8	(06) SOUTH ARKANSAS REGIONAL HEALTH CENTER	410,327
9	(07) SOUTHEAST ARKANSAS BEHAVIORAL HEALTHCARE	
10	SYS. INC.	474,778
11	(08) SOUTHWEST ARKANSAS COUNSELING	
12	& MENTAL HEALTH CENTER, INC.	381,894
13	(09) COMMUNITY COUNSELING SERVICES, INC.	533,770
14	(10) WESTERN ARK. COUNSELING & GUIDANCE CENTER	787,607
15	(11) COUNSELING ASSOCIATES, INC.	705,982
16	(12) COUNSELING CLINIC, INCORPORATED	274,345
17	(13) PROFESSIONAL COUNSELING ASSOCIATES	798,459
18	(14) LITTLE ROCK CMHC	593,619
19	(15) MID-SOUTH HEALTH SYSTEMS	823,243
20	TOTAL AMOUNT ALLOCATED	\$8,780,603

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

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

31 The provisions of this section shall be in effect only from July 1, ~~2007~~
 32 2009 through June 30, ~~2009~~ 2010.

33
 34 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 36 BEHAVIORAL HEALTH SERVICES - ALLOCATION RESTRICTION AND TRANSFER PROVISION.

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

19 The provisions of this section shall be in effect only from July 1, ~~2007~~
 20 2009 through June 30, ~~2009~~ 2010.

21

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

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

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

1 The provisions of this section shall be in effect only from July 1, ~~2007~~
2 2009 through June 30, ~~2009~~ 2010.

3
4 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
6 BEHAVIORAL HEALTH SERVICES - APPORTIONMENT OF FUNDS. All funds appropriated
7 under the provisions of the State Assistance line item in the Behavioral
8 Health Services - Community Mental Health Centers appropriation in this Act
9 shall be apportioned on the basis of three dollars and six cents (\$3.06) per
10 capita for fiscal year ~~2007-2008~~ 2009-2010 or so much thereof as funds shall
11 become available. Additional funds shall be apportioned on the basis of fifty
12 cents (\$.50) per capita or a one-to-one State/Local funds matching basis for
13 the fiscal year ending June 30, ~~2009~~ 2010. The total \$8,780,603 allocated for
14 FY ~~2007-2008~~ 2009-2010 shall be distributed to the community mental health
15 centers as described in this section.

16 The provisions of this section shall be in effect only from July 1, ~~2007~~
17 2009 through June 30, ~~2009~~ 2010.

18
19 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
21 BEHAVIORAL HEALTH SERVICES - GRANTS-IN-AID CONDITIONS FOR RECEIVING FUNDS.
22 Only locally-operated Centers and Clinics licensed or certified by the
23 Behavioral Health Services Division are eligible to receive funds
24 appropriated for State Assistance in the Behavioral Health Services -
25 Community Mental Health Centers appropriation in this Act, and as a condition
26 of receiving such funds they shall:

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

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

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

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

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

27 The provisions of this section shall be in effect only from July 1, ~~2007~~
28 2009 through June 30, ~~2009~~ 2010.

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30 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
32 BEHAVIORAL HEALTH SERVICES - FEDERAL FUNDS. It is the specific intent of the
33 General Assembly that in the event of the availability of federal funding for
34 the Division of Behavioral Health Services during the fiscal year ending June
35 30, ~~2009~~ 2010, that such funding be utilized to conserve or reduce the
36 expenditure of general revenue except where prohibited by law.

1 The provisions of this section shall be in effect only from July 1, 2007
2 2009 through June 30, ~~2009~~ 2010.

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

- 16 Class
- 17 Code Title
- 18 ~~6610~~ ~~Psychiatric Specialist Supervisor~~
- 19 ~~6617~~L005N Psychiatric Specialist
- 20 ~~6621~~ ~~Psychiatrist~~
- 21 ~~6639~~L009N DHS Behavioral Health General Physician
- 22 ~~6607~~L001C ~~Behavioral Health Services Chief Psychologist~~ Supervisor

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

27 The provisions of this section shall be in effect only from July 1, 2007
28 2009 through June 30, ~~2009~~ 2010.

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30 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
32 BEHAVIORAL HEALTH SERVICES - VOCATIONAL TRAINEES. The Division of Behavioral
33 Health Services of the Department of ~~Health and~~ Human Services is hereby
34 authorized to provide employment opportunities for some of the working
35 residents who are separate from the currently authorized regular vocational
36 trainee positions. The positions authorized herein shall not be incorporated

1 into the present classification system but shall be provided for by each
 2 Community Mental Health Center, or State Hospital, on a cash account basis.
 3 It is the intent of the General Assembly that the authorization of these
 4 positions shall facilitate the Agency's ability to provide for residents who
 5 are not part of a regular vocational training program.

6 The provisions of this section shall be in effect only from July 1, 2007
 7 2009 through June 30, ~~2009~~ 2010.

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

16 The provisions of this section shall be in effect only from July 1, 2007
 17 2009 through June 30, ~~2009~~ 2010.

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

36 If the agency requests continuation of a "Growth Pool" position(s) as

1 established herein, the position(s) must be requested as a new position(s) in
2 the agencies budget request.

3 The provisions of this section shall be in effect only from July 1, ~~2007~~
4 2009 through June 30, ~~2009~~ 2010.

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

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

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

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

34 The provisions of this section shall be in effect only from July 1, ~~2007~~
35 2009 through June 30, ~~2009~~ 2010.

36

1 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA
3 HELP – BEHAVIORAL HEALTH SERVICES. Employees in extra-help positions at the
4 Department of ~~Health and~~ Human Services – Behavioral Health Division may
5 receive an amount not to exceed eighty-five percent (85%) of the maximum
6 annual salary for a comparable position as authorized under § 21-5-201 et
7 seq. during any fiscal year, nor shall such an employee be employed for a
8 period of time to exceed one thousand eight hundred (1,800) hours in any
9 single fiscal year.

10 The provisions of this section shall be in effect only from July 1, ~~2007~~
11 2009 through June 30, ~~2009~~ 2010.

12
13 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
15 BEHAVIORAL HEALTH SERVICES - APPORTIONMENT OF FUNDS. Each Community Mental
16 Health Center shall contract with one or more facilities of its choice
17 (excluding Arkansas State Hospital) to provide the inpatient care for
18 indigent patients which the Community Mental Health Center has determined to
19 be necessary after prompt screening by the Community Mental Health Center.
20 Payment for patients screened and approved by the Community Mental Health
21 Center who receive care at these inpatient facilities shall be provided to
22 the inpatient facilities at the contract rate unless the funds available for
23 this purpose have been exhausted. Available funding as determined by the
24 Director of the Department of ~~Health and~~ Human Services shall be apportioned
25 on a per capita basis up to a maximum of three dollars and forty-eight cents
26 (\$3.48) per capita for fiscal year ~~2007-2008~~ 2009-2010. The 2000 federal
27 population census shall be used in determining the population of each
28 catchment area of the fifteen Community Mental Health Centers. All amounts
29 appropriated under this section shall be used by Community Mental Health
30 Centers for residents of each center's catchment area and such funds shall
31 only be accessed as the payment of last resort.

32
33 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
35 REPORTING. The Division of Behavioral Health Services shall develop an
36 evaluation and monitoring program that will assure all expenditures are made

1 consistent with the intent of these appropriations. As a condition for
 2 receiving funds under this Act, Community Mental Health Centers (CMHCs) shall
 3 report quarterly to the Division of Behavioral Health Services the following
 4 data:

5 (1) The number of involuntary commitments and medically indigent admissions
 6 referred by CMHCs to community-based settings;

7 (2) The number of involuntary commitments and medically indigent admissions
 8 to community-based settings receiving assistance from the acute mental health
 9 services funds;

10 (3) The total number of acute bed days utilized by these involuntary
 11 commitments;

12 (4) The total number of bed days utilized by these medically indigent
 13 admissions;

14 (5) The average length of stay of admissions for these involuntary
 15 commitments per catchment area;

16 (6) The average length of stay of admissions for these medically indigent
 17 admissions per catchment area;

18 (7) The number of medically indigent admissions per catchment area unable to
 19 receive assistance from the acute mental health services funds due to such
 20 funds being depleted by prior admissions;

21 (8) The number of re-admissions per catchment area for involuntary
 22 commitments and medically indigent admissions to community-based settings
 23 receiving assistance from the acute mental health services; and

24 (9) Identify any steps taken by CMHCs to improve access to acute mental
 25 health services.

26 The Department of Human Services - Division of Behavioral Health Services
 27 shall report quarterly the data collected from the CMHCs to the House and
 28 Senate Subcommittees on Public Health.

29
 30 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ACUTE
 32 MENTAL HEALTH SERVICES – PER CAPITA - LEGISLATIVE FINDINGS AND INTENT. The
 33 General Assembly recognizes that the state encouraged the treatment of
 34 mentally ill residents within community-based settings over two decades ago
 35 and has taken various approaches to funding since then. The General Assembly
 36 also recognizes that there are inherent problems within the current public

1 mental health system that create disincentives for proper treatment and care.
2 The purpose of the Acute Mental Health Services – Per Capita appropriation is
3 to provide an appropriation for acute mental health services to be utilized
4 within community-based settings for the treatment and care of medically
5 indigent persons 18 years of age and older and involuntary commitments to the
6 public mental health system. The appropriation for acute mental health
7 services provided in this Act shall only be used for Community Mental Health
8 Centers licensed and certified by the Division of Behavioral Health of the
9 Department of ~~Health and~~ Human Services for use within community-based
10 settings and facilities.

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

34 The provisions of this section shall be in effect only from July 1, 2007
35 2009 through June 30, ~~2009~~ 2010.

36

1 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ACUTE
3 MENTAL HEALTH SERVICES EMERGENCY RESERVE FUND. Of the total amount
4 appropriated for Acute Mental Health Services - Per Capita, two hundred fifty
5 thousand dollars (\$250,000) for the fiscal year ending June 30, 2010 shall
6 first be allocated and made available to the Little Rock Community Mental
7 Health Center for Acute Mental Health Services. The remaining five million
8 five hundred thousand dollars (\$5,500,000) appropriated for the fiscal year
9 shall be allocated and made available to the community mental health centers
10 within community-based settings on a per-capita basis. ~~The Division of~~
11 ~~Behavioral Health shall work with the community mental health centers to~~
12 ~~develop an equitable acute care distribution plan which considers utilization~~
13 ~~of State Hospital beds, clarifying target population, and other pertinent~~
14 ~~demographic factors to ensure maximum equitable utilization of public funds.~~
15 ~~The Division of Behavioral Health shall report this distribution plan to the~~
16 ~~Arkansas Legislative Council or Joint Budget Committee by July 1, 2008.~~

17
18 SECTION 28. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
19 by this act shall be limited to the appropriation for such agency and funds
20 made available by law for the support of such appropriations; and the
21 restrictions of the State Procurement Law, the General Accounting and
22 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
23 Procedures and Restrictions Act, or their successors, and other fiscal
24 control laws of this State, where applicable, and regulations promulgated by
25 the Department of Finance and Administration, as authorized by law, shall be
26 strictly complied with in disbursement of said funds.

27
28 SECTION 29. LEGISLATIVE INTENT. It is the intent of the General Assembly
29 that any funds disbursed under the authority of the appropriations contained
30 in this act shall be in compliance with the stated reasons for which this act
31 was adopted, as evidenced by the Agency Requests, Executive Recommendations
32 and Legislative Recommendations contained in the budget manuals prepared by
33 the Department of Finance and Administration, letters, or summarized oral
34 testimony in the official minutes of the Arkansas Legislative Council or
35 Joint Budget Committee which relate to its passage and adoption.

36

1 SECTION 30. EMERGENCY CLAUSE. It is found and determined by the General
2 Assembly, that the Constitution of the State of Arkansas prohibits the
3 appropriation of funds for more than a one (1) year period; that the
4 effectiveness of this Act on July 1, 2009 is essential to the operation of
5 the agency for which the appropriations in this Act are provided, and that in
6 the event of an extension of the Regular Session, the delay in the effective
7 date of this Act beyond July 1, 2009 could work irreparable harm upon the
8 proper administration and provision of essential governmental programs.
9 Therefore, an emergency is hereby declared to exist and this Act being
10 necessary for the immediate preservation of the public peace, health and
11 safety shall be in full force and effect from and after July 1, 2009.

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