

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

As Engrossed: H3/10/17

A Bill

HOUSE BILL 1968

5 By: Representative D. Meeks
6

For An Act To Be Entitled

8 AN ACT TO AMEND THE LAWS CONCERNING THE DIVISION OF
9 CHILDREN AND FAMILY SERVICES; AND FOR OTHER PURPOSES.

Subtitle

12 TO AMEND THE LAWS CONCERNING THE DIVISION
13 OF CHILDREN AND FAMILY SERVICES.
14

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16
17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
18

19 *SECTION 1. Arkansas Code § 9-30-105(a)(4), concerning the duties of*
20 *the State Child Abuse and Neglect Prevention Board, is repealed.*

21 ~~*(4) In cooperation with the Department of Health and the*~~
22 ~~*Department of Human Services, adopt rules to implement a home visitation*~~
23 ~~*program under § 20-78-901 et seq.*~~
24

25 *SECTION 2. Arkansas Code § 20-7-139 is repealed.*

26 ~~*20-7-139. Rules—Home visitation program.*~~

27 ~~*The State Board of Health shall adopt rules to implement a home*~~
28 ~~*visitation program under § 20-78-901 et seq.*~~
29

30 *SECTION 3. Arkansas Code Title 20, Chapter 78, Subchapter 9, is*
31 *repealed.*

32 ~~*Subchapter 9—Home Visitation*~~

33 ~~*20-78-901. Definitions.*~~

34 ~~*As used in this subchapter:*~~

35 ~~*(1) “Evidence based program” means a program based on a clear,*~~
36 ~~*consistent model such as those identified by the Home Visiting Evidence of*~~



1 ~~Effectiveness review authorized by the United States Department of Health and~~
2 ~~Human Services, including a program that:~~

3 ~~(A) Demonstrates strong links to other community based~~
4 ~~services;~~

5 ~~(B) Employs well trained and competent staff and provides~~
6 ~~continual professional development relevant to the specific program model~~
7 ~~being delivered;~~

8 ~~(C) Follows a program manual or design that specifies the~~
9 ~~purpose, outcomes, duration, and frequency of service that constitute the~~
10 ~~program;~~

11 ~~(D) Operates with fidelity to the model;~~

12 ~~(E) Operates within an organization that ensures~~
13 ~~compliance with home visitation standards; and~~

14 ~~(F) Provides research based services grounded in relevant,~~
15 ~~empirically based knowledge;~~

16 ~~(2) "Home visitation" means voluntary family focused services~~
17 ~~that promote appropriate prenatal care to assure healthy births, primarily in~~
18 ~~the home, to an expectant parent or a parent with an infant, toddler, or~~
19 ~~child up to kindergarten entry that address:~~

20 ~~(A) Child development;~~

21 ~~(B) Literacy and school readiness;~~

22 ~~(C) Maternal and child health;~~

23 ~~(D) Positive parenting practices;~~

24 ~~(E) Resource and referral access; and~~

25 ~~(F) Safe home environments;~~

26 ~~(3) "Home visiting program" means the infrastructure and~~
27 ~~programs that support and provide home visitation; and~~

28 ~~(4) "Promising program" means a home visiting program that does~~
29 ~~not meet the criteria of evidenced based programs but:~~

30 ~~(A) Demonstrates strong links to other community based~~
31 ~~services;~~

32 ~~(B) Employs well trained and competent staff and provides~~
33 ~~continual professional development relevant to the specific program model~~
34 ~~being delivered;~~

35 ~~(C) Follows a manual or design that specifies the~~
36 ~~program's purpose, outcomes, duration, and frequency of service;~~

1 ~~(D) Has data or evidence demonstrating that the program is~~
2 ~~effective at achieving positive outcomes for pregnant women, infants,~~
3 ~~children, or their families;~~

4 ~~(E) Operates with fidelity to the program or model; and~~

5 ~~(F) Operates within an organization that ensures~~
6 ~~compliance with home visitation standards.~~

7
8 ~~20-78-902. Home visitation programs—Oversight.~~

9 ~~(a) A home visitation program under this subchapter shall provide~~
10 ~~face-to-face home visits by nurses, social workers, and other early childhood~~
11 ~~and health professionals or trained and supervised lay workers to:~~

12 ~~(1) Build healthy parent and child relationships;~~

13 ~~(2) Empower families to be self-sufficient;~~

14 ~~(3) Enhance social and emotional development;~~

15 ~~(4) Improve maternal, infant, or child health outcomes,~~
16 ~~including reducing preterm births;~~

17 ~~(5) Improve the health of the family;~~

18 ~~(6) Increase school readiness;~~

19 ~~(7) Promote positive parenting practices;~~

20 ~~(8) Support cognitive development of children; or~~

21 ~~(9) Reduce incidences of child maltreatment and injury.~~

22 ~~(b) The State Child Abuse and Neglect Prevention Board, the Department~~
23 ~~of Health, and the Department of Human Services shall cooperate to ensure~~
24 ~~accountability of home visitation.~~

25
26 ~~20-78-903. Evidence-based programs—Promising programs.~~

27 ~~The State Child Abuse and Neglect Prevention Board, the Department of~~
28 ~~Health, and the Department of Human Services shall cooperate to use at least~~
29 ~~ninety percent (90%) of state funds appropriated for home visitation to~~
30 ~~support home visitation programs that are:~~

31 ~~(1) Evidence-based programs that:~~

32 ~~(A) Are linked to program-determined outcomes and~~
33 ~~associated with a national organization, institution of higher education, or~~
34 ~~national or state public health institute;~~

35 ~~(B) Have comprehensive home visitation standards that~~
36 ~~ensure high-quality service delivery and continuous quality improvement;~~

1 ~~(C) Have demonstrated significant, sustained positive~~
2 ~~outcomes; and~~

3 ~~(D) Demonstrate reliability through:~~

4 ~~(i) Past evaluations using rigorous randomized~~
5 ~~controlled research designs, the results of which have been published in a~~
6 ~~peer-reviewed journal; or~~

7 ~~(ii) A basis in quasi-experimental research using~~
8 ~~two (2) or more separate, comparable client samples; or~~

9 ~~(2) Promising programs that have:~~

10 ~~(A) An active evaluation of each promising program; or~~

11 ~~(B)(i) A demonstration of a plan and timeline for an~~
12 ~~active evaluation of each promising program.~~

13 ~~(ii) A timeline under subdivision (2)(B)(i) of this~~
14 ~~section shall include a projected time frame for transition from a promising~~
15 ~~program to an evidence-based program.~~

16
17 ~~20-78-904. Applicability.~~

18 ~~This subchapter does not apply to:~~

19 ~~(1) A program that exclusively provides early intervention~~
20 ~~services under Part B or Part C of the Individuals with Disabilities~~
21 ~~Education Act, 20 U.S.C. §§ 1431—1444;~~

22 ~~(2) A program that provides a one-time home visit or infrequent~~
23 ~~home visits, such as a home visit for a newborn child or a child in~~
24 ~~preschool; or~~

25 ~~(3) A program that provides home visits under a physician's~~
26 ~~order or protocol and has a valid Class A and Class B home health care~~
27 ~~services agency license under § 20-10-801 et seq.~~

28
29 ~~20-78-905. Processes for oversight.~~

30 ~~(a) The State Child Abuse and Neglect Prevention Board, the Department~~
31 ~~of Health, and the Department of Human Services shall cooperate to develop~~
32 ~~interrelated processes that provide for collaborating and sharing relevant~~
33 ~~home visiting program data and information.~~

34 ~~(b) The processes for collaborating and sharing data may include~~
35 ~~without limitation:~~

36 ~~(1) A uniform format for the collection of data relevant to each~~

1 ~~home visiting program model; and~~

2 ~~(2) The development of common contract or grant language related~~
3 ~~to voluntary home visiting programs.~~

4
5 ~~20-78-906. State agency contract and grants.~~

6 ~~A state agency that authorizes funds through payments, contracts, or~~
7 ~~grants that are used for home visitation shall include in its contract or~~
8 ~~funding agreement language regarding home visitation that is consistent with~~
9 ~~this subchapter.~~

10
11 ~~20-78-907. Outcomes measurement Report.~~

12 ~~(a) The State Child Abuse and Neglect Prevention Board, the Department~~
13 ~~of Health, the Department of Human Services, and providers of home visiting~~
14 ~~program services in consultation with one (1) or more research experts shall:~~

15 ~~(1) Develop an outcomes measurement plan to monitor outcomes for~~
16 ~~children and families receiving services through state-funded home visiting~~
17 ~~programs;~~

18 ~~(2) Develop indicators that measure each outcome area under §~~
19 ~~20-78-902; and~~

20 ~~(3) Create a report that documents the collective impact of home~~
21 ~~visiting program outcomes across all indicators selected through the process~~
22 ~~outlined in subdivision (a)(2) of this section, as well as data on cost per~~
23 ~~family served, number of families served, demographic data on families~~
24 ~~served, and outcomes.~~

25 ~~(b)(1) The Department of Health, the Department of Human Services, and~~
26 ~~the board shall complete and submit the outcomes measurement plan required~~
27 ~~under this section by October 1, 2014, to the Legislative Council and the~~
28 ~~Governor.~~

29 ~~(2) The Department of Health, the Department of Human Services,~~
30 ~~and the board shall update the outcomes measurement plan required under this~~
31 ~~section at least one (1) time each five (5) years, and the plan may be~~
32 ~~updated at other times if the board, the Department of Health, and the~~
33 ~~Department of Human Services collaboratively agree to the need for revisions.~~

34 ~~(c) Beginning October 1, 2014, a state-funded home visiting program~~
35 ~~shall follow the outcomes measurement plan and at least annually submit~~
36 ~~indicator data to the board, the Department of Health, and the Department of~~

1 ~~Human Services.~~

2 ~~(d)(1) The board, the Department of Health, and the Department of~~
3 ~~Human Services shall produce collaboratively an outcomes report for the~~
4 ~~Legislative Council and the Governor following the reporting requirements in~~
5 ~~subdivision (a)(3) of this section.~~

6 ~~(2) The report required under subdivision (d)(1) of this section~~
7 ~~may be structured to facilitate the use of existing reporting requirements~~
8 ~~including referencing rather than duplicating reports required for submission~~
9 ~~to the Legislative Council under an existing statute requiring outcome~~
10 ~~reporting for home visitation programs.~~

11 ~~(e) The board, the Department of Health, and the Department of Human~~
12 ~~Services shall explore the value of including home visiting outcome data in a~~
13 ~~health-based, education-based, or child welfare-based statewide longitudinal~~
14 ~~data system for the purpose of monitoring outcomes over time for families~~
15 ~~that participate in home visiting and other state programs.~~

16 ~~(f) The first home visitation outcomes report shall be completed on or~~
17 ~~before October 1, 2016, and shall be submitted to the Legislative Council and~~
18 ~~the Governor on or before October 1 of each even-numbered year.~~

19
20 ~~20-78-908. Parental and guardian rights.~~

21 ~~(a) Due to the nature of home visiting programs, this subchapter does~~
22 ~~not compel a parent's or legal guardian's ability to participate in a home~~
23 ~~visiting program and does not impede a parent's or guardian's ability to~~
24 ~~withdraw from a home visiting program at any time.~~

25 ~~(b) A decision to withdraw from a home visiting program does not~~
26 ~~constitute grounds for an investigation of a parent, legal guardian, or~~
27 ~~member of the family of a minor.~~

28
29 ~~SECTION 4. Arkansas Code § 25-10-142 is repealed.~~

30 ~~25-10-142. Home visitation program.~~

31 ~~In cooperation with the State Child Abuse and Neglect Prevention Board~~
32 ~~and the Department of Health, the Department of Human Services shall adopt~~
33 ~~rules to implement a home visitation program under § 20-78-901 et seq.~~

34
35 /s/D. Meeks

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