

State of Arkansas
92nd General Assembly
Regular Session, 2019

As Engrossed: H3/13/19

A Bill

HOUSE BILL 1548

By: Representative Gonzales

By: Senator B. Ballinger

For An Act To Be Entitled

AN ACT CONCERNING THE COST OF A MENTAL HEALTH
EXAMINATION OF A CRIMINAL DEFENDANT; AND FOR OTHER
PURPOSES.

Subtitle

CONCERNING THE COST OF A MENTAL HEALTH
EXAMINATION OF A CRIMINAL DEFENDANT.

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

SECTION 1. Arkansas Code Title 5, Chapter 2, Subchapter 3, is amended to add an additional section to read as follows:

5-2-331. Cost of mental health services, examination, and treatment of defendant.

(a) A person or entity that provides treatment or other mental health services under this subchapter may impose a charge for the cost of the treatment or other mental health services rendered.

(b) A charge for the cost of treatment or other mental health services under this section may not exceed the actual cost of the treatment or other mental health services provided.

(c)(1) The Division of Aging, Adult, and Behavioral Health Services of the Department of Human Services shall promulgate rules establishing reasonable charges for the cost of treatment or other mental health services under this section.

(2) Rules establishing reasonable charges for the cost of treatment or other mental health services under this section shall provide



for waiving or postponing the collection of the charges based on:

(A) Clinical considerations;

(B) The defendant's inability to pay; or

(C) A court determination that the defendant is wholly or partly indigent and qualifies for the appointment of an attorney under § 16-87-213.

/s/Gonzales

APPROVED: 3/27/19