

State of Arkansas
88th General Assembly
Fiscal Session, 2012

A Bill

SENATE BILL 91

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE DEPARTMENT OF HUMAN SERVICES - DIVISION OF BEHAVIORAL HEALTH FOR THE FISCAL YEAR ENDING JUNE 30, 2013; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF HUMAN SERVICES - DIVISION OF BEHAVIORAL HEALTH APPROPRIATION FOR THE 2012-2013 FISCAL YEAR.

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

SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for the Department of Human Services - Division of Behavioral Health for the 2012-2013 fiscal year, the following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2012-2013
(1)	L005N	PSYCHIATRIC SPECIALIST	2	GRADE N919
(2)	L007N	REHAB MED DIR ALCOHOL REHAB CTR-BEN	2	GRADE N918
(3)	L009N	DHS BEHAV HLTH GENERAL PHYSICIAN	6	GRADE N917
(4)	L011N	DENTIST	1	GRADE N916
(5)	L014N	DIRECTOR OF PHARMACY	1	GRADE N914



(6)	L016N	REGISTERED PHARMACIST	2	GRADE N911
(7)	N019N	DHS DEP DIR BEHAV HLTH SERVICES	2	GRADE N910
(8)	N053N	DHS ASH CHIEF EXECUTIVE OFFICER	1	GRADE N908
(9)	N088N	DHS AHC DIRECTOR OF NURSING	1	GRADE N906
(10)	N087N	DHS BEHAV HLTH DIR HOSPITAL OPS	1	GRADE N906
(11)	N103N	DHS MENTAL HEALTH CENTER DIRECTOR	1	GRADE N906
(12)	N123N	DHS/DBHS ASST DIR FOR FINANCE	1	GRADE N904
(13)	N127N	DHS/DBHS DIR ALCOHOL & DRUG ABUSE PREV	1	GRADE N904
(14)	N135N	DHS AHC NURSING HOME ADMINISTRATOR	1	GRADE N903
(15)	N156N	BEHAV HLTH ASST DIR CHILDRENS SVS	1	GRADE N901
(16)	N152N	DHS/DBHS ASSISTANT DIR ADMIN SVCS	1	GRADE N901
(17)	N153N	DHS/DBHS CLINICAL DIRECTOR	1	GRADE N901
(18)	L022N	OCCUPATIONAL THERAPIST	3	GRADE N901
(19)	L021N	PHYSICAL THERAPIST	1	GRADE N901
(20)	N162N	STATE DRUG PREVENTION DIRECTOR	1	GRADE N901
(21)	L001C	PSYCHOLOGIST SUPERVISOR	2	GRADE C129
(22)	M002C	DHS BEHAV HLTH ASSOC DIR, AHC	1	GRADE C127
(23)	M003C	DHS BEHAV HLTH CHILDRENS SYSTEM CARE	1	GRADE C127
(24)	L003C	PSYCHOLOGIST	7	GRADE C127
(25)	L006C	ASSOCIATE DIRECTOR OF NURSING	4	GRADE C126
(26)	L011C	DHS ALCOHOL/DRUG ABUSE PREV ASST DEP	1	GRADE C125
(27)	A024C	DHS DIVISION CHIEF FISCAL OFFICER	1	GRADE C125
(28)	L009C	NURSE MANAGER	8	GRADE C125
(29)	M004C	RESIDENTIAL OPERATIONS MANAGER	1	GRADE C125
(30)	L015C	CLINICAL SPEECH PATHOLOGIST	2	GRADE C124
(31)	L024C	DHS BEHAV HLTH FACILITY ADMIN	2	GRADE C123
(32)	L021C	NURSING HOME ASSISTANT ADMINISTRATOR	1	GRADE C123
(33)	G099C	DHS PROGRAM ADMINISTRATOR	5	GRADE C122
(34)	A041C	PROGRAM FISCAL MANAGER	1	GRADE C122
(35)	L027C	REGISTERED NURSE SUPERVISOR	19	GRADE C122
(36)	A052C	ACCOUNTING COORDINATOR	1	GRADE C121
(37)	M009C	LICENSED CERTIFIED SOCIAL WORKER	30	GRADE C121
(38)	S004C	MAINTENANCE MANAGER	2	GRADE C121
(39)	L036C	NURSE INSTRUCTOR	1	GRADE C121
(40)	R014C	PERSONNEL MANAGER	3	GRADE C121
(41)	L033C	PSYCHOLOGICAL EXAMINER	1	GRADE C121

(42)	L032C	REGISTERED NURSE - HOSPITAL	61	GRADE C121
(43)	G131C	DHS BEHAV HLTH MED BUS PRACTICES ADM	1	GRADE C120
(44)	T031C	DHS BEHAV HLTH PUBLIC SAFETY DIR	2	GRADE C120
(45)	L040C	DIETARY SERVICES DIRECTOR	2	GRADE C120
(46)	D057C	INFORMATION TECHNOLOGY MANAGER	1	GRADE C120
(47)	G124C	OMBUDSMAN	1	GRADE C120
(48)	L038C	REGISTERED NURSE	8	GRADE C120
(49)	E023C	TRAINING PROJECT MANAGER	1	GRADE C120
(50)	V008C	BUYER SUPERVISOR	1	GRADE C119
(51)	D062C	DATABASE ANALYST	2	GRADE C119
(52)	L044C	DHS BEHAV HLTH CASE REVIEW ANALYST	1	GRADE C119
(53)	G152C	DHS PROGRAM MANAGER	6	GRADE C119
(54)	G147C	GRANTS COORDINATOR	1	GRADE C119
(55)	M020C	LICENSED PROFESSIONAL COUNSELOR	1	GRADE C119
(56)	X062C	QUALITY ASSURANCE COORDINATOR	1	GRADE C119
(57)	A063C	RESEARCH & STATISTICS SUPERVISOR	1	GRADE C119
(58)	A060C	SENIOR AUDITOR	1	GRADE C119
(59)	R024C	ASSISTANT PERSONNEL MANAGER	1	GRADE C118
(60)	L050C	CERTIFIED RESPIRATORY THERAPY TECHN	4	GRADE C118
(61)	A074C	FISCAL SUPPORT SUPERVISOR	3	GRADE C118
(62)	M026C	LICENSED SOCIAL WORKER	5	GRADE C118
(63)	M045C	ADULT PROTECTIVE SERVICES WORKER	1	GRADE C117
(64)	E044C	CERTIFIED BACHELORS TEACHER	6	GRADE C117
(65)	L056C	DHS BEHAV HLTH REGISTRAR	1	GRADE C117
(66)	G184C	DHS PROGRAM CONSULTANT	4	GRADE C117
(67)	G183C	DHS PROGRAM COORDINATOR	21	GRADE C117
(68)	T052C	DHS/DBHS PUBLIC SAFETY SUPERVISOR	7	GRADE C117
(69)	L055C	DIETICIAN	1	GRADE C117
(70)	G180C	GRANTS ANALYST	5	GRADE C117
(71)	R025C	HUMAN RESOURCES ANALYST	1	GRADE C117
(72)	S017C	MAINTENANCE COORDINATOR	1	GRADE C117
(73)	L051C	REHABILITATION COUNSELOR	3	GRADE C117
(74)	B076C	RESEARCH PROJECT ANALYST	4	GRADE C117
(75)	C022C	BUSINESS OPERATIONS SPECIALIST	1	GRADE C116
(76)	V014C	BUYER	1	GRADE C116
(77)	E048C	EDUCATION & INSTRUCTION SPECIALIST	1	GRADE C116

(78)	A084C	PROGRAM/FIELD AUDIT SPECIALIST	1	GRADE C116
(79)	T055C	PUBLIC SAFETY OFFICER	27	GRADE C116
(80)	S022C	SKILLED TRADES SUPERVISOR	7	GRADE C116
(81)	S021C	WATER FILTER/WASTE DISPOSAL PLNT SUPV	1	GRADE C116
(82)	C037C	ADMINISTRATIVE ANALYST	10	GRADE C115
(83)	D079C	COMPUTER SUPPORT TECHNICIAN	2	GRADE C115
(84)	A091C	FISCAL SUPPORT ANALYST	1	GRADE C115
(85)	D077C	HELP DESK SPECIALIST	1	GRADE C115
(86)	L062C	LICENSED PRACTICAL NURSE SUPERVISOR	15	GRADE C115
(87)	S033C	MAINTENANCE SUPERVISOR	2	GRADE C115
(88)	C028C	MEDICAL RECORDS SUPERVISOR	1	GRADE C115
(89)	A090C	PAYROLL SERVICES SPECIALIST	2	GRADE C115
(90)	G204C	PLANNING SPECIALIST	2	GRADE C115
(91)	V015C	PURCHASING SPECIALIST	1	GRADE C115
(92)	X136C	QUALITY ASSURANCE REVIEWER	1	GRADE C115
(93)	S031C	SKILLED TRADESMAN	24	GRADE C115
(94)	S030C	WATER FILTER/WASTE DISPOSAL PLNT OPER	2	GRADE C115
(95)	S041C	BOILER OPERATOR	4	GRADE C114
(96)	S044C	FOOD PREPARATION MANAGER	2	GRADE C114
(97)	M066C	PROGRAM ELIGIBILITY SPECIALIST	4	GRADE C114
(98)	L064C	RADIOLOGY TECHNICIAN	1	GRADE C114
(99)	M065C	RECREATIONAL ACTIVITY SUPERVISOR	3	GRADE C114
(100)	E051C	STAFF DEVELOPMENT SPECIALIST	1	GRADE C114
(101)	V018C	WAREHOUSE MANAGER	1	GRADE C114
(102)	C050C	ADMINISTRATIVE SUPPORT SUPERVISOR	1	GRADE C113
(103)	R036C	HUMAN RESOURCES SPECIALIST	5	GRADE C113
(104)	V020C	INVENTORY CONTROL MANAGER	4	GRADE C113
(105)	L069C	LICENSED PRACTICAL NURSE	128	GRADE C113
(106)	S046C	MAINTENANCE TECHNICIAN	4	GRADE C113
(107)	L067C	PSYCHOLOGICAL INTERN	3	GRADE C113
(108)	C043C	RECORDS MANAGEMENT ANALYST	6	GRADE C113
(109)	L066C	REHABILITATION INSTRUCTOR	32	GRADE C113
(110)	T072C	SECURITY OFFICER SUPERVISOR	1	GRADE C113
(111)	C056C	ADMINISTRATIVE SPECIALIST III	51	GRADE C112
(112)	R037C	BENEFITS TECHNICIAN	3	GRADE C112
(113)	A098C	FISCAL SUPPORT SPECIALIST	5	GRADE C112

(114)	A097C	PAYROLL TECHNICIAN	2	GRADE C112
(115)	V022C	PURCHASING TECHNICIAN	1	GRADE C112
(116)	S056C	FOOD PREPARATION SUPERVISOR	11	GRADE C111
(117)	M076C	RECREATIONAL ACTIVITY LEADER II	30	GRADE C111
(118)	V023C	STOREROOM SUPERVISOR	2	GRADE C111
(119)	B111C	LABORATORY TECHNICIAN	2	GRADE C110
(120)	T084C	PUBLIC SAFETY SECURITY OFFICER	36	GRADE C110
(121)	L074C	THERAPY ASSISTANT	3	GRADE C110
(122)	V025C	WAREHOUSE SPECIALIST	1	GRADE C110
(123)	C073C	ADMINISTRATIVE SPECIALIST II	20	GRADE C109
(124)	L082C	CERTIFIED NURSING ASSISTANT	159	GRADE C109
(125)	L080C	DIETETIC TECHNICIAN	2	GRADE C109
(126)	M082C	RECREATIONAL ACTIVITY LEADER I	4	GRADE C109
(127)	E056C	TEACHER ASSISTANT	3	GRADE C109
(128)	M084C	BEHAV HLTH AIDE	85	GRADE C108
(129)	C078C	CASHIER	2	GRADE C108
(130)	A102C	FISCAL SUPPORT TECHNICIAN	1	GRADE C108
(131)	V027C	INVENTORY CONTROL TECHNICIAN	7	GRADE C108
(132)	M083C	RESIDENTIAL CARE TECHNICIAN	5	GRADE C108
(133)	S070C	EQUIPMENT TECHNICIAN	8	GRADE C107
(134)	C087C	ADMINISTRATIVE SPECIALIST I	7	GRADE C106
(135)	L086C	PHARMACY ASSISTANT	2	GRADE C106
(136)	V028C	WAREHOUSE WORKER	2	GRADE C106
(137)	C088C	MAIL SERVICES ASSISTANT	1	GRADE C105
(138)	V030C	SHIPPING & RECEIVING CLERK	3	GRADE C105
(139)	S086C	COOK	1	GRADE C104
(140)	S085C	FOOD PREPARATION SPECIALIST	8	GRADE C104
(141)	S084C	INSTITUTIONAL SERVICES SUPERVISOR	4	GRADE C104
(142)	S087C	INSTITUTIONAL SERVICES ASSISTANT	53	GRADE C103
(143)	S089C	FOOD PREPARATION TECHNICIAN	44	GRADE C102
(144)	V031C	STOCK CLERK	<u>2</u>	GRADE C102
		MAX. NO. OF EMPLOYEES	1,158	

SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for the Department of Human Services - Division of Behavioral Health for the 2012-2013 fiscal year, the following maximum number of part-time or temporary

employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: three hundred thirty-six (336) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated, to the Department of Human Services - Division of Behavioral Health, to be payable from the Mental Health Services Fund Account, for personal services and operating expenses of the Department of Human Services - Division of Behavioral Health - State Operations for the fiscal year ending June 30, 2013, the following:

ITEM NO.	FISCAL YEAR 2012-2013
(01) REGULAR SALARIES	\$43,912,490
(02) EXTRA HELP	5,768,889
(03) PERSONAL SERVICES MATCHING	15,912,792
(04) OVERTIME	3,586,342
(05) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	24,917,115
(B) CONF. & TRAVEL	105,515
(C) PROF. FEES	9,630,261
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(06) GRANTS/PATIENT SERVICES	24,396,104
(07) MENTAL HEALTH CTR TRANSFER	<u>2,599,383</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$130,828,891</u></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, 2013, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2012-2013</u>
(01) REGULAR SALARIES	\$103,129
(02) PERSONAL SERVICES MATCHING	35,725
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	95,195
(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>3,395,445</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$3,637,792</u></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, 2013, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2012-2013</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$174,048
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$174,048</u></u>

SECTION 6. APPROPRIATION - PATIENT BENEFITS - 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 benefits of the patients of the Department of Human Services - Division of Behavioral Health for the fiscal year ending June 30, 2013, the following:

ITEM NO.	FISCAL YEAR 2012-2013
(01) PATIENT BENEFIT FUND	<u>\$75,000</u>

SECTION 7. APPROPRIATION - COMMUNITY MENTAL HEALTH CENTERS. There is hereby appropriated, to the Department of Human Services - Division of Behavioral Health, to be payable from the Mental Health Services Fund Account, for state assistance to the Community Mental Health Centers by the Department of Human Services - Division of Behavioral Health for the fiscal year ending June 30, 2013, the following:

ITEM NO.	FISCAL YEAR 2012-2013
(01) STATE ASSISTANCE	<u>\$8,780,603</u>

SECTION 8. APPROPRIATION - BLOCK GRANT - FEDERAL. There is hereby appropriated, to the Department of Human Services - Division of Behavioral Health, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for grant payments of the Department of Human Services - Division of Behavioral Health for the fiscal year ending June 30, 2013, the following:

ITEM NO.	FISCAL YEAR 2012-2013
(01) MENTAL HEALTH BLOCK GRANT	<u>\$6,068,799</u>

SECTION 9. APPROPRIATION - ACUTE MENTAL HEALTH SERVICES - PER CAPITA. There is hereby appropriated, to the Department of Human Services - Division of Behavioral Health, to be payable from the Mental Health Services Fund Account, for acute mental health services within community-based settings of the catchment areas served by Community Mental Health Centers licensed and certified by the Division of Behavioral Health of the Department of Human Services for the fiscal year ending June 30, 2013, the following:

ITEM	FISCAL YEAR
------	-------------

NO.	2012-2013
(01) ACUTE MENTAL HEALTH SERVICES-PER CAPITA	<u>\$5,633,293</u>

SECTION 10. APPROPRIATION - ALCOHOL AND DRUG ABUSE PREVENTION. There is hereby appropriated, to the Department of 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 Human Services - Division of Behavioral Health - Alcohol and Drug Abuse Prevention for the fiscal year ending June 30, 2013, the following:

ITEM NO.	FISCAL YEAR 2012-2013
(01) EDUCATION/PREVENTION/TREATMENT	<u>\$21,114,814</u>

SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BEHAVIORAL HEALTH SERVICES - ALLOCATION RESTRICTIONS. There is hereby allocated to the Community Mental Health Centers, as set out herein, the following amounts of the funds appropriated for State Assistance in the Behavioral Health Services - Community Mental Health Centers appropriation, to the Department of Human Services – Behavioral Health Services Division, there to be used as provided by law, for the fiscal year ending June 30, ~~2011~~ 2013, the following:

Item No.	Maximum Allocation Fiscal Year <u>2012-13</u>
(01) OZARK GUIDANCE CENTER, INC.	\$1,151,920
(02) HEALTH RESOURCES OF ARKANSAS, INC\OCS	1,076,134
(03) DELTA COUNSELING ASSOCIATES, INC.	279,144
(04) SOUTH ARKANSAS REGIONAL HEALTH CENTER	410,327
(05) SOUTHEAST ARKANSAS BEHAVIORAL HEALTHCARE SYS. INC.	474,778
(06) SOUTHWEST ARKANSAS COUNSELING & MENTAL HEALTH CENTER, INC.	381,894
(07) COMMUNITY COUNSELING SERVICES, INC.	533,770

(08) WESTERN ARK. COUNSELING & GUIDANCE CENTER	787,607
(09) COUNSELING ASSOCIATES, INC.	705,982
(10) COUNSELING CLINIC, INCORPORATED	274,345
(11) PROFESSIONAL COUNSELING ASSOCIATES	798,459
(12) LITTLE ROCK CMHC	593,619
(13) MID-SOUTH HEALTH SYSTEMS	1,312,624
TOTAL AMOUNT ALLOCATED	\$8,780,603

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

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

The provisions of this section shall be in effect only from July 1, ~~2010~~ 2012 through June 30, ~~2011~~ 2013.

SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BEHAVIORAL HEALTH SERVICES - ALLOCATION RESTRICTION AND TRANSFER PROVISION. Of the amounts allocated in the BEHAVIORAL HEALTH SERVICES - ALLOCATION RESTRICTIONS section above, it is the intent of the General Assembly that such amounts are to be the maximum expended in the applicable fiscal year from the funds as appropriated for State Assistance in the Behavioral Health Services - Community Mental Health Centers appropriation for the benefit of the appropriate program so enumerated. Provided, however, in the event that unforeseen circumstances occur in the fiscal year which would necessitate a transfer of the maximum allocation provided the BEHAVIORAL HEALTH SERVICES - ALLOCATION RESTRICTIONS section above from one or more programs to another program or programs as enumerated in the BEHAVIORAL HEALTH SERVICES - ALLOCATION RESTRICTIONS section above, the Behavioral Health Services Division with the approval of the Director of the Department of Human Services shall make its request known, and the reasons thereof, to the Office

of Budget, Department of Finance and Administration in such form and detail as may be required by the Chief Fiscal Officer of the State. If approved, such transfer approval shall be transmitted to the Bureau of Legislative Research who shall make a report of the transfer and the reasons thereof to the Arkansas Legislative Council at least quarterly.

The provisions of this section shall be in effect only from July 1, ~~2010~~ 2012 through June 30, ~~2011~~ 2013.

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

BEHAVIORAL HEALTH SERVICES - LEGISLATIVE AUDIT OF MENTAL HEALTH CENTERS.

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

The provisions of this section shall be in effect only from July 1, ~~2010~~ 2012 through June 30, ~~2011~~ 2013.

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

BEHAVIORAL HEALTH SERVICES - APPORTIONMENT OF FUNDS. All funds appropriated under the provisions of the State Assistance line item in the Behavioral Health Services - Community Mental Health Centers appropriation in this Act shall be apportioned on the basis of three dollars and six cents (\$3.06) per capita for fiscal year 2012-2013 or so much thereof as funds shall become available. Additional funds shall be apportioned on the basis of fifty cents (\$.50) per capita or a one-to-one State/Local funds matching basis for the fiscal year ending June 30, 2013. The total \$8,780,603 allocated for FY 2012-

2013 shall be distributed to the community mental health centers as described in this section.

The provisions of this section shall be in effect only from July 1, ~~2010~~ 2012 through June 30, ~~2011~~ 2013.

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

BEHAVIORAL HEALTH SERVICES - GRANTS-IN-AID CONDITIONS FOR RECEIVING FUNDS.

Only locally-operated Centers and Clinics licensed or certified by the Behavioral Health Services Division are eligible to receive funds appropriated for State Assistance in the Behavioral Health Services - Community Mental Health Centers appropriation in this Act, and as a condition of receiving such funds they shall:

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

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

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

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

services, case management, crisis intervention, psychiatric treatment including medication services and supervision, counseling and psychotherapy, activities of daily living, housing, protection and advocacy, and psychosocial rehabilitation which may include services provided by day treatment programs.

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

The provisions of this section shall be in effect only from July 1, ~~2010~~ 2012 through June 30, ~~2011~~ 2013.

SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BEHAVIORAL HEALTH SERVICES - FEDERAL FUNDS. It is the specific intent of the General Assembly that in the event of the availability of federal funding for the Division of Behavioral Health Services during the fiscal year ending June 30, 2013, that such funding be utilized to conserve or reduce the expenditure of general revenue except where prohibited by law.

The provisions of this section shall be in effect only from July 1, ~~2010~~ 2012 through June 30, ~~2011~~ 2013.

SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BEHAVIORAL HEALTH SERVICES. Pay rates for physicians and chief psychologists within the Division of Behavioral Health Services may include the special allowances available to UAMS physicians and professional faculty as described in the special language of the UAMS appropriation. Part of the salaries of such staff will come from the receipt of professional income in the care of patients and/or funds received from federal agencies, foundations and other private sponsors in the support of research. Provided that any such allowance shall not exceed, for any employee, an amount equal to two and one half times

the salary authorized by the General Assembly. The specific Division of Behavioral Health classifications covered by this language are:

Class

Code Title

L005N Psychiatric Specialist

L009N DHS Behavioral Health General Physician

L001C Psychologist Supervisor

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

The provisions of this section shall be in effect only from July 1, ~~2010~~ 2012 through June 30, ~~2011~~ 2013.

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

BEHAVIORAL HEALTH SERVICES - VOCATIONAL TRAINEES. The Division of Behavioral Health Services of the Department of Human Services is hereby authorized to provide employment opportunities for some of the working residents who are separate from the currently authorized regular vocational trainee positions. The positions authorized herein shall not be incorporated into the present classification system but shall be provided for by each Community Mental Health Center, or State Hospital, on a cash account basis. It is the intent of the General Assembly that the authorization of these positions shall facilitate the Agency's ability to provide for residents who are not part of a regular vocational training program.

The provisions of this section shall be in effect only from July 1, ~~2010~~ 2012 through June 30, ~~2011~~ 2013.

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

BEHAVIORAL HEALTH SERVICES - JOB SHARE. The Division of Behavioral Health Services can utilize job share for positions within the nursing classification (RN, LPN/LPTN, BHA/CNA) for up to 24 hours per week per individual. This will allow the Division to offer weekend option shifts to nursing personnel without increasing the number of positions.

The provisions of this section shall be in effect only from July 1, ~~2010~~ 2012 through June 30, ~~2011~~ 2013.

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

If the agency requests continuation of a "Growth Pool" position(s) as established herein, the position(s) must be requested as a new position(s) in the agency's budget request.

The provisions of this section shall be in effect only from July 1, ~~2010~~ 2012 through June 30, ~~2011~~ 2013.

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

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

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

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

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

The provisions of this section shall be in effect only from July 1, ~~2010~~ 2012 through June 30, ~~2011~~ 2013.

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

The provisions of this section shall be in effect only from July 1, ~~2010~~ 2012 through June 30, ~~2011~~ 2013.

SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BEHAVIORAL HEALTH SERVICES - APPORTIONMENT OF FUNDS. Each Community Mental Health Center shall contract with one or more facilities of its choice

(excluding Arkansas State Hospital) to provide the inpatient care for indigent patients which the Community Mental Health Center has determined to be necessary after prompt screening by the Community Mental Health Center. Payment for patients screened and approved by the Community Mental Health Center who receive care at these inpatient facilities shall be provided to the inpatient facilities at the contract rate unless the funds available for this purpose have been exhausted. Available funding as determined by the Director of the Department of Human Services shall be apportioned on a per capita basis up to a maximum of three dollars and forty-eight cents (\$3.48) per capita for fiscal year 2012-2013. The most recently available federal population census shall be used in determining the population of each catchment area of the thirteen Community Mental Health Centers. All amounts appropriated under this section shall be used by Community Mental Health Centers for residents of each center's catchment area and such funds shall only be accessed as the payment of last resort.

SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REPORTING. The Division of Behavioral Health Services shall develop an evaluation and monitoring program that will assure all expenditures are made consistent with the intent of these appropriations. As a condition for receiving funds under this Act, Community Mental Health Centers (CMHCs) shall report quarterly to the Division of Behavioral Health Services the following data:

- (1) The number of involuntary commitments and medically indigent admissions referred by CMHCs to community-based settings;
- (2) The number of involuntary commitments and medically indigent admissions to community-based settings receiving assistance from the acute mental health services funds;
- (3) The total number of acute bed days utilized by these involuntary commitments;
- (4) The total number of bed days utilized by these medically indigent admissions;
- (5) The average length of stay of admissions for these involuntary commitments per catchment area;
- (6) The average length of stay of admissions for these medically

indigent admissions per catchment area;

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

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

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

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

SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ACUTE MENTAL HEALTH SERVICES – PER CAPITA - LEGISLATIVE FINDINGS AND INTENT. The General Assembly recognizes that the state encouraged the treatment of mentally ill residents within community-based settings over two decades ago and has taken various approaches to funding since then. The General Assembly also recognizes that there are inherent problems within the current public mental health system that create disincentives for proper treatment and care. The purpose of the Acute Mental Health Services – Per Capita appropriation is to provide an appropriation for acute mental health services to be utilized within community-based settings for the treatment and care of medically indigent persons 18 years of age and older and involuntary commitments to the public mental health system. The appropriation for acute mental health services provided in this Act shall only be used for Community Mental Health Centers licensed and certified by the Division of Behavioral Health of the Department of Human Services for use within community-based settings and facilities.

SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BEHAVIORAL HEALTH SERVICES - PROCEEDS FOR SALES OF TIMBER AND HAY - CAPITAL IMPROVEMENTS AND EQUIPMENT. The Division of Behavioral Health Services is authorized to use administrative operating account for capital improvements

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

The provisions of this section shall be in effect only from July 1, ~~2010~~ 2012 through June 30, ~~2011~~ 2013.

SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ACUTE MENTAL HEALTH SERVICES EMERGENCY RESERVE FUND. Of the total amount appropriated for Acute Mental Health Services - Per Capita, two hundred fifty thousand dollars (\$250,000) for the fiscal year ending June 30, 2013 shall first be allocated and made available to the Little Rock Community Mental Health Center for Acute Mental Health Services. The remaining balance appropriated for the fiscal year shall be allocated and made available to the community mental health centers within community-based settings on a per-capita basis.

SECTION 28. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by this act shall be limited to the appropriation for such agency and funds made available by law for the support of such appropriations; and the restrictions of the State Procurement Law, the General Accounting and Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary

Procedures and Restrictions Act, or their successors, and other fiscal control laws of this State, where applicable, and regulations promulgated by the Department of Finance and Administration, as authorized by law, shall be strictly complied with in disbursement of said funds.

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

SECTION 30. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2012 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2012 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2012.