

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas  
92nd General Assembly  
Regular Session, 2019

As Engrossed: S4/8/19  
**A Bill**

SENATE BILL 519

By: Senators K. Hammer, T. Garner

By: Representatives Breaux, Brown, Evans, C. Fite, V. Flowers, McCullough, Scott, S. Smith

### **For An Act To Be Entitled**

AN ACT TO AMEND THE LAWS CONCERNING FUNDING FOR  
COMMUNITY MENTAL HEALTH CENTERS; AND FOR OTHER  
PURPOSES.

### **Subtitle**

TO AMEND THE LAWS CONCERNING FUNDING FOR  
COMMUNITY MENTAL HEALTH CENTERS.

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

SECTION 1. Arkansas Code § 20-46-302, as amended by Acts 2019, Nos. 315, and § 20-46-303 are amended to read as follows:

20-46-302. Department of Human Services – Power to regulate – Funding.

(a) The Arkansas State Hospital shall have the power to establish *guidelines and rules* in the administration of this section.

(b)(1) The Arkansas State Hospital through the Department of Human Services is authorized and empowered to assist community mental health centers and clinics in providing funds for medication required for the treatment of mental illness for medically indigent patients at a rate not to exceed five cents (5¢) per capita of the geographical area served by those community mental health centers or clinics.

(2) The most recent federal census will be used in determining the per capita of the area on which an allocation is made.

~~(c)(1) Disbursement of funds authorized by this section shall be limited to the appropriations for the department and funds made available by law for the support of the appropriations.~~



~~(2) The restrictions of the Arkansas Procurement Law, § 19-11-201 et seq.; the General Accounting and Budgetary Procedures Law, § 19-4-101 et seq.; the Revenue Stabilization Law, § 19-5-101 et seq.; and other fiscal control laws of the state, where applicable, and rules promulgated by the Department of Finance and Administration, as authorized by law, shall be strictly complied with in disbursement of the funds.~~

(c)(1) A community mental health center shall be funded by a combination of funds from the mental health block grants, social services block grants, and state general revenue.

(2) The Division of Aging, Adult, and Behavioral Health Services of the Department of Human Services shall meet with community mental health centers annually to determine appropriate changes in funding for each fiscal year.

(3)(A) A community mental health center shall report quarterly on the adequacy of funding for fiscal year 2020 and fiscal year 2021 to:

(i) The Senate Committee on Public Health, Welfare, and Labor; and

(ii) The House Committee on Public Health, Welfare, and Labor.

(B) The report shall include an annual audit of the community mental health center that is performed by an independent certified public accountant and meets generally accepted accounting principles.

(d) If the Division of Aging, Adult, and Behavioral Health Services of the Department of Human Services intends to enter into a new professional or consultant service contract with a community mental health center in an amount that exceeds twenty-five thousand dollars (\$25,000), the contract shall be filed for review with the Legislative Council, or the Joint Budget Committee if the General Assembly is in session, at least thirty (30) days before the execution date of the contract.

(e) Before a professional or consultant service contract with a community mental health center is modified or amended, the division shall:

(1) Notify the community mental health center of the proposed contract modification or amendment at least forty-five (45) days before the contract modification or amendment is executed, unless notice is waived by the community mental health center in writing;

(2) Post a notification of the proposed contract modification or

amendment on the section of the department website related to procurement at least forty-five (45) days before the execution date of the contract;

(3) Provide the community mental health center an opportunity to comment on the proposed contract modification or amendment; and

(4) File the proposed contract modification or amendment and all community mental health center comments submitted in response to the proposed contract modification or amendment with the Legislative Council, or the Joint Budget Committee if the General Assembly is in session, at least thirty (30) days before the contract modification or amendment is executed.

20-46-303. Standards generally.

In approving or rejecting community mental health clinics for the purpose of mental health services, the Director of the Department of Human Services shall consider the following factors:

(1) Adequacy of mental health services provided by the clinic, including mental health outpatient diagnostic and treatment services;

(2) Rehabilitative services for patients suffering from mental or emotional disorders;

(3) Collaborative and cooperative services with public health and other state, county, city, and private groups for programs of prevention and treatment of mental illness and other psychiatric, psychological, and social disabilities;

(4) Consultative services to schools, to courts, and to health and welfare agencies, both public and private;

(5) Informational and educational services to the general public and to lay and professional groups; ~~and~~

(6) Study and training activities in the field of mental health;

(7) Demonstrated experience providing outpatient behavioral health services in the State of Arkansas, specifically those behavioral health services providing emergency screenings twenty-four (24) hours per day, seven (7) days per week; and

(8) The full array of outpatient services for the community provided, including psychiatry services.

/s/K. Hammer