

Stricken language will be deleted and underlined language will be added.
Act 207 of the Fiscal Session

1 State of Arkansas
2 93rd General Assembly
3 Fiscal Session, 2022
4

As Engrossed: S3/2/22

A Bill

SENATE BILL 34

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE DEPARTMENT OF HUMAN
10 SERVICES - DIVISION OF AGING, ADULT, AND BEHAVIORAL
11 HEALTH SERVICES FOR THE FISCAL YEAR ENDING JUNE 30,
12 2023; AND FOR OTHER PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE DEPARTMENT OF HUMAN
16 SERVICES - DIVISION OF AGING, ADULT, AND
17 BEHAVIORAL HEALTH SERVICES APPROPRIATION
18 FOR THE 2022-2023 FISCAL YEAR.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. REGULAR SALARIES - STATE OPERATIONS. There is hereby
25 established for the Department of Human Services - Division of Aging, Adult,
26 and Behavioral Health Services for the 2022-2023 fiscal year, the following
27 maximum number of regular employees.
28

Item	Class		Maximum	Maximum Annual
No.	Code	Title	No. of	Salary Rate
			Employees	Fiscal Year
				2022-2023
33	(1)	N221N ARKANSAS STATE HOSPITAL COO	1	GRADE SE03
34	(2)	N181N DIRECTOR OF MEDICAL SERVICES	1	GRADE SE02
35	(3)	N019N DHS DEP DIR BEHAV HLTH SERVICES	1	GRADE SE01
36	(4)	N027N DHS DEPUTY DIRECTOR ADULT SERVICES	1	GRADE SE01



1	(5)	L005N PSYCHIATRIC SPECIALIST	1	GRADE MP08
2	(6)	L011N DENTIST	1	GRADE MP06
3	(7)	L009N DHS BEHAV HLTH GENERAL PHYSICIAN	4	GRADE MP06
4	(8)	L014N DIRECTOR OF PHARMACY	1	GRADE MP06
5	(9)	L013N GENERAL PHYSICIAN	1	GRADE MP06
6	(10)	L016N REGISTERED PHARMACIST	3	GRADE MP05
7	(11)	L105C AHC NURSING DIRECTOR	1	GRADE MP04
8	(12)	L001C PSYCHOLOGIST SUPERVISOR	1	GRADE MP04
9	(13)	L006C ASSOCIATE DIRECTOR OF NURSING	3	GRADE MP03
10	(14)	L009C NURSE MANAGER	8	GRADE MP03
11	(15)	L003C PSYCHOLOGIST	4	GRADE MP03
12	(16)	L015C CLINICAL SPEECH PATHOLOGIST	1	GRADE MP02
13	(17)	L036C NURSE INSTRUCTOR	1	GRADE MP02
14	(18)	L027C REGISTERED NURSE SUPERVISOR	30	GRADE MP02
15	(19)	L038C REGISTERED NURSE	81	GRADE MP01
16	(20)	L032C REGISTERED NURSE - HOSPITAL	61	GRADE MP01
17	(21)	N103N DHS MENTAL HEALTH CENTER DIRECTOR	1	GRADE GS14
18	(22)	N124N DHS/DYS ASSISTANT DIVISION DIRECTOR	1	GRADE GS14
19	(23)	N128N DHS ASST DIR QUALITY ASSURANCE	1	GRADE GS13
20	(24)	M002C DHS BEHAV HLTH ASSOC DIR, AHC	1	GRADE GS13
21	(25)	G277C DHS PROCESS IMPROVEMENT DIRECTOR	1	GRADE GS13
22	(26)	N127N DHS/DBHS DIR ALCOHOL & DRUG ABUSE PREV	1	GRADE GS13
23	(27)	G004C MANAGING ATTORNEY	1	GRADE GS13
24	(28)	G101C DHS AREA MANAGER	1	GRADE GS12
25	(29)	N152N DHS/DBHS ASSISTANT DIR ADMIN SVCS	1	GRADE GS12
26	(30)	G047C ATTORNEY SPECIALIST	1	GRADE GS11
27	(31)	L011C DHS ALCHL/DRUG ABUSE PREV ASST DEP DIR	2	GRADE GS11
28	(32)	G027N DHS RESEARCH ANALYSIS MANAGER	1	GRADE GS11
29	(33)	N153N DHS/DBHS CLINICAL DIRECTOR	1	GRADE GS11
30	(34)	G076C ADMINISTRATIVE SERVICES MANAGER	1	GRADE GS10
31	(35)	G100C DHS COUNTY ADMINISTRATOR III	1	GRADE GS10
32	(36)	L024C DHS BEHAV HLTH FACILITY ADMIN	1	GRADE GS09
33	(37)	G099C DHS PROGRAM ADMINISTRATOR	10	GRADE GS09
34	(38)	L040C DIETARY SERVICES DIRECTOR	1	GRADE GS09
35	(39)	G109C GRANTS MANAGER	3	GRADE GS09
36	(40)	M009C LICENSED CERTIFIED SOCIAL WORKER	29	GRADE GS09

1	(41) M014C PROGRAM ELIGIBILITY COORDINATOR III	1	GRADE GS09
2	(42) L033C PSYCHOLOGICAL EXAMINER	1	GRADE GS09
3	(43) E035C CERTIFIED MASTERS TEACHER	1	GRADE GS08
4	(44) L050C CERTIFIED RESPIRATORY THERAPY TECH	4	GRADE GS08
5	(45) T031C DHS BEHAV HLTH PUBLIC SAFETY DIR	1	GRADE GS08
6	(46) M016C DHS FIELD MANAGER	5	GRADE GS08
7	(47) G152C DHS PROGRAM MANAGER	7	GRADE GS08
8	(48) G083C DHS/DAAS DIVISION MANAGER	1	GRADE GS08
9	(49) E026C EDUCATION & INSTRUCTION COORDINATOR	1	GRADE GS08
10	(50) M010C FAMILY SERVICE WORKER CLINICAL SPEC	1	GRADE GS08
11	(51) S004C MAINTENANCE MANAGER	1	GRADE GS08
12	(52) E029C SIGN LANGUAGE COORDINATOR	1	GRADE GS08
13	(53) E023C TRAINING PROJECT MANAGER	1	GRADE GS08
14	(54) G131C DHS BEHAV HLTH MED BUS PRACTICES ADMIN	1	GRADE GS07
15	(55) G183C DHS PROGRAM COORDINATOR	25	GRADE GS07
16	(56) G153C DHS/DAAS PROGRAM SUPERVISOR	2	GRADE GS07
17	(57) L055C DIETICIAN	1	GRADE GS07
18	(58) L062C LICENSED PRACTICAL NURSE SUPERVISOR	12	GRADE GS07
19	(59) M026C LICENSED SOCIAL WORKER	5	GRADE GS07
20	(60) M025C PROGRAM ELIGIBILITY COORDINATOR I	1	GRADE GS07
21	(61) L052C REHAB FACILITY SUPERVISOR	2	GRADE GS07
22	(62) A072C RESEARCH & STATISTICS MANAGER	1	GRADE GS07
23	(63) A063C RESEARCH & STATISTICS SUPERVISOR	1	GRADE GS07
24	(64) M049C SENIOR CHAPLAIN	1	GRADE GS07
25	(65) C037C ADMINISTRATIVE ANALYST	9	GRADE GS06
26	(66) M045C ADULT PROTECTIVE SERVICES WORKER	39	GRADE GS06
27	(67) E044C CERTIFIED BACHELORS TEACHER	3	GRADE GS06
28	(68) L044C DHS BEHAV HLTH CASE REVIEW ANALYST	1	GRADE GS06
29	(69) G184C DHS PROGRAM CONSULTANT	2	GRADE GS06
30	(70) G210C DHS PROGRAM SPECIALIST	3	GRADE GS06
31	(71) G198C DHS/DAAS PROGRAM SPECIALIST	3	GRADE GS06
32	(72) T052C DHS/DBHS PUBLIC SAFETY SUPERVISOR	4	GRADE GS06
33	(73) G180C GRANTS ANALYST	3	GRADE GS06
34	(74) X101C INTERNAL AFFAIRS INVESTIGATOR	1	GRADE GS06
35	(75) G179C LEGAL SERVICES SPECIALIST	2	GRADE GS06
36	(76) L069C LICENSED PRACTICAL NURSE	116	GRADE GS06

1	(77)	S033C MAINTENANCE SUPERVISOR	2	GRADE GS06
2	(78)	G124C OMBUDSMAN	1	GRADE GS06
3	(79)	G178C POLICY DEVELOPMENT COORDINATOR	1	GRADE GS06
4	(80)	M066C PROGRAM ELIGIBILITY SPECIALIST	6	GRADE GS06
5	(81)	L103C PSYCHOLOGICAL EVALUATOR	3	GRADE GS06
6	(82)	X136C QUALITY ASSURANCE REVIEWER	2	GRADE GS06
7	(83)	C026C RECORDS/INTAKE SUPERVISOR	2	GRADE GS06
8	(84)	L051C REHABILITATION COUNSELOR	2	GRADE GS06
9	(85)	B076C RESEARCH PROJECT ANALYST	2	GRADE GS06
10	(86)	S022C SKILLED TRADES SUPERVISOR	8	GRADE GS06
11	(87)	G202C VOLUNTEER PROGRAM COORDINATOR	1	GRADE GS06
12	(88)	S021C WATER FILTER/WASTE DISPOSAL PLNT SUPV	1	GRADE GS06
13	(89)	C050C ADMINISTRATIVE SUPPORT SUPERVISOR	1	GRADE GS05
14	(90)	S041C BOILER OPERATOR	4	GRADE GS05
15	(91)	A091C FISCAL SUPPORT ANALYST	1	GRADE GS05
16	(92)	C030C HEALTH RECORDS SPECIALIST	1	GRADE GS05
17	(93)	D077C HELP DESK SPECIALIST	2	GRADE GS05
18	(94)	A090C PAYROLL SERVICES SPECIALIST	1	GRADE GS05
19	(95)	T055C PUBLIC SAFETY OFFICER	20	GRADE GS05
20	(96)	M065C RECREATIONAL ACTIVITY SUPERVISOR	4	GRADE GS05
21	(97)	L066C REHABILITATION INSTRUCTOR	36	GRADE GS05
22	(98)	S031C SKILLED TRADESMAN	25	GRADE GS05
23	(99)	V018C WAREHOUSE MANAGER	1	GRADE GS05
24	(100)	S030C WATER FILTER/WASTE DISPOSAL PLNT OPER	2	GRADE GS05
25	(101)	C056C ADMINISTRATIVE SPECIALIST III	37	GRADE GS04
26	(102)	X167C COMPLAINTS INVESTIGATOR	1	GRADE GS04
27	(103)	L102C DIETETIC SPECIALIST	2	GRADE GS04
28	(104)	S044C FOOD PREPARATION MANAGER	1	GRADE GS04
29	(105)	V020C INVENTORY CONTROL MANAGER	3	GRADE GS04
30	(106)	B111C LABORATORY TECHNICIAN	3	GRADE GS04
31	(107)	C043C RECORDS MANAGEMENT ANALYST	4	GRADE GS04
32	(108)	T072C SECURITY OFFICER SUPERVISOR	1	GRADE GS04
33	(109)	V023C STOREROOM SUPERVISOR	1	GRADE GS04
34	(110)	L074C THERAPY ASSISTANT	3	GRADE GS04
35	(111)	V025C WAREHOUSE SPECIALIST	1	GRADE GS04
36	(112)	C073C ADMINISTRATIVE SPECIALIST II	8	GRADE GS03

1	(113)	M084C BEHAV HLTH AIDE	75	GRADE GS03
2	(114)	L082C CERTIFIED NURSING ASSISTANT	156	GRADE GS03
3	(115)	S056C FOOD PREPARATION SUPERVISOR	8	GRADE GS03
4	(116)	S067C HOUSEKEEPER SUPERVISOR	1	GRADE GS03
5	(117)	V027C INVENTORY CONTROL TECHNICIAN	5	GRADE GS03
6	(118)	C074C MEDICAL RECORDS ASSISTANT	1	GRADE GS03
7	(119)	T084C PUBLIC SAFETY SECURITY OFFICER	59	GRADE GS03
8	(120)	C087C ADMINISTRATIVE SPECIALIST I	5	GRADE GS02
9	(121)	S070C EQUIPMENT TECHNICIAN	4	GRADE GS02
10	(122)	S085C FOOD PREPARATION SPECIALIST	7	GRADE GS02
11	(123)	S084C INSTITUTIONAL SERVICES SUPERVISOR	4	GRADE GS02
12	(124)	M076C RECREATIONAL ACTIVITY LEADER II	25	GRADE GS02
13	(125)	V030C SHIPPING & RECEIVING CLERK	1	GRADE GS02
14	(126)	E056C TEACHER ASSISTANT	4	GRADE GS02
15	(127)	V028C WAREHOUSE WORKER	2	GRADE GS02
16	(128)	S089C FOOD PREPARATION TECHNICIAN	31	GRADE GS01
17	(129)	S087C INSTITUTIONAL SERVICES ASSISTANT	49	GRADE GS01
18	(130)	L086C PHARMACY ASSISTANT	2	GRADE GS01
19	(131)	M082C RECREATIONAL ACTIVITY LEADER I	3	GRADE GS01
20	(132)	N249N DHS DIVISION DIRECTOR	1	GRADE SE02
21	(133)	L010C DHS DMS MEDICAL ASSISTANCE MANAGER	<u>1</u>	GRADE GS10
22		MAX. NO. OF EMPLOYEES	1,163	

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24 SECTION 2. EXTRA HELP - STATE OPERATIONS. There is hereby authorized,
 25 for the Department of Human Services - Division of Aging, Adult, and
 26 Behavioral Health Services for the 2022-2023 fiscal year, the following
 27 maximum number of part-time or temporary employees, to be known as "Extra
 28 Help", payable from funds appropriated herein for such purposes: three
 29 hundred forty-seven (347) temporary or part-time employees, when needed, at
 30 rates of pay not to exceed those provided in the Uniform Classification and
 31 Compensation Act, or its successor, or this act for the appropriate
 32 classification.

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34 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby
 35 appropriated, to the Department of Human Services, to be payable from the
 36 paying account as determined by the Chief Fiscal Officer of the State, for

1 personal services and operating expenses of the Department of Human Services
 2 - Division of Aging, Adult, and Behavioral Health Services for the fiscal
 3 year ending June 30, 2023, the following:

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5 ITEM	FISCAL YEAR
6 <u>NO.</u>	<u>2022-2023</u>
7 (01) REGULAR SALARIES	\$53,948,978
8 (02) EXTRA HELP	5,764,305
9 (03) PERSONAL SERVICES MATCHING	21,049,288
10 (04) OVERTIME	5,712,006
11 (05) MAINT. & GEN. OPERATION	
12 (A) OPER. EXPENSE	27,828,027
13 (B) CONF. & TRAVEL	159,913
14 (C) PROF. FEES	8,431,820
15 (D) CAP. OUTLAY	500,000
16 (E) DATA PROC.	0
17 (06) FOSTER GRANDPARENT PROGRAM	<u>340,135</u>
18 TOTAL AMOUNT APPROPRIATED	<u>\$123,733,932</u>

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20 SECTION 4. APPROPRIATION - AGING AND ADULT SERVICES - OPERATIONS.

21 There is hereby appropriated, to the Department of Human Services, to be
 22 payable from the paying account as determined by the Chief Fiscal Officer of
 23 the State, for operating expenses, grants, and programs for aging and adult
 24 services of the Department of Human Services - Division of Aging, Adult, and
 25 Behavioral Health Services for the fiscal year ending June 30, 2023, the
 26 following:

27

28 ITEM	FISCAL YEAR
29 <u>NO.</u>	<u>2022-2023</u>
30 (01) NURSING HOME CARE ALTERNATIVES	\$4,802,025
31 (02) NUTRITION PROGRAMS	18,929,216
32 (03) OLDER WORKER PROGRAM	1,052,665
33 (04) PROJECT GRANTS	14,491,416
34 (05) RETIRED & SENIOR VOLUNTEER PROGRAM	75,000
35 (06) SENIOR CITIZEN CENTERS	<u>8,000,000</u>
36 TOTAL AMOUNT APPROPRIATED	<u>\$47,350,322</u>

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SECTION 5. APPROPRIATION - COMMUNITY ALCOHOL SAFETY OPERATIONS. There is hereby appropriated, to the Department of Human Services, to be payable from the Highway Safety Special Fund, for grant payments of the Department of Human Services - Division of Aging, Adult, and Behavioral Health Services for the fiscal year ending June 30, 2023, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2022-2023</u>
(01) COMMUNITY ALCOHOL SAFETY GRANTS AND AID	<u>\$2,416,834</u>

SECTION 6. APPROPRIATION - PATIENT BENEFITS - CASH. There is hereby appropriated, to the Department of Human Services, 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 Aging, Adult, and Behavioral Health Services for the fiscal year ending June 30, 2023, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2022-2023</u>
(01) PATIENT BENEFIT FUND	<u>\$34,676</u>

SECTION 7. APPROPRIATION - MENTAL HEALTH GRANTS. There is hereby appropriated, to the Department of Human Services, to be payable from the paying account as determined by the Chief Fiscal Officer of the State, for grant payments of the Department of Human Services - Division of Aging, Adult, and Behavioral Health Services for the fiscal year ending June 30, 2023, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2022-2023</u>
(01) MENTAL HEALTH GRANTS AND AID	<u>\$43,672,554</u>

SECTION 8. APPROPRIATION - ALCOHOL AND DRUG ABUSE PREVENTION. There is hereby appropriated, to the Department of Human Services, to be payable from

1 the Drug Abuse Prevention and Treatment Fund, for education, drug abuse
2 prevention, and treatment services of the Department of Human Services -
3 Division of Aging, Adult, and Behavioral Health Services for the fiscal year
4 ending June 30, 2023, the following:

6 ITEM	FISCAL YEAR
7 <u>NO.</u>	<u>2022-2023</u>
8 (01) EDUCATION/PREVENTION/TREATMENT	<u>\$40,513,788</u>

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10 SECTION 9. APPROPRIATION - COMMUNITY BASED CRISIS INTERVENTION. There
11 is hereby appropriated, to the Department of Human Services, to be payable
12 from the Behavioral Health Services Fund Account, for grants and operating
13 expenses related to crisis intervention of the Department of Human Services -
14 Division of Aging, Adult, and Behavioral Health Services for the fiscal year
15 ending June 30, 2023, the following:

17 ITEM	FISCAL YEAR
18 <u>NO.</u>	<u>2022-2023</u>
19 (01) CRISIS INTERVENTION GRANTS AND AID	<u>\$5,000,000</u>

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21 SECTION 10. APPROPRIATION - VETERANS MENTAL HEALTH GRANT PROGRAM.
22 There is hereby appropriated, to the Department of Human Services, to be
23 payable from the paying account as determined by the Chief Fiscal Officer of
24 the State, for a grant program to veterans service organizations to support
25 veterans and their families by the Department of Human Services - Division of
26 Aging, Adult, and Behavioral Health Services for the fiscal year ending June
27 30, 2023, the following:

29 ITEM	FISCAL YEAR
30 <u>NO.</u>	<u>2022-2023</u>
31 (01) VETERANS MENTAL HEALTH GRANT PROGRAM	<u>\$5,000,000</u>

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33 SECTION 11. APPROPRIATION - MEALS ON WHEELS. There is hereby
34 appropriated, to the Department of Human Services, to be payable from the
35 Aging and Adult Services Fund Account, for the Meals on Wheels Program and
36 transportation services for the elderly of the Department of Human Services -

1 Division of Aging, Adult, and Behavioral Health Services for the fiscal year
2 ending June 30, 2023, the following:

3	4 ITEM	FISCAL YEAR
5	<u>NO.</u>	<u>2022-2023</u>
6	(01) TRANSPORTATION SERVICES	<u>\$2,400,000</u>

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8 SECTION 12. APPROPRIATION - ARKANSAS SENIOR OLYMPICS. There is hereby
9 appropriated, to the Department of Human Services, to be payable from the
10 Behavioral Health Services Fund Account, for matching funds for the Arkansas
11 Senior Olympics of the Department of Human Services - Division of Aging,
12 Adult, and Behavioral Health Services for the fiscal year ending June 30,
13 2023, the following:

14	15 ITEM	FISCAL YEAR
16	<u>NO.</u>	<u>2022-2023</u>
17	(01) STATE MATCH	<u>\$70,000</u>

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19 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
21 BEHAVIORAL HEALTH SERVICES - FEDERAL FUNDS. It is the specific intent of the
22 General Assembly that in the event of the availability of federal funding for
23 the Division of Aging, Adult, and Behavioral Health Services during the
24 fiscal year ending June 30, ~~2022~~ 2023, that such funding be utilized to
25 conserve or reduce the expenditure of general revenue except where prohibited
26 by law.

27 The provisions of this section shall be in effect only from July 1, ~~2021~~
28 2022 through June 30, ~~2022~~ 2023.

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30 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
32 BEHAVIORAL HEALTH SERVICES. Pay rates for physicians and chief psychologists
33 within the Division of Aging, Adult, and Behavioral Health Services may
34 include the special allowances available to UAMS physicians and professional
35 faculty as described in the special language of the UAMS appropriation. Part
36 of the salaries of such staff will come from the receipt of professional

1 income in the care of patients and/or funds received from federal agencies,
 2 foundations and other private sponsors in the support of research. Provided
 3 that any such allowance shall not exceed, for any employee, an amount equal
 4 to two and one half times the salary authorized by the General Assembly. The
 5 specific Division of Aging, Adult, and Behavioral Health Services
 6 classifications covered by this language are:

7 Class
 8 Code Title
 9 L005N Psychiatric Specialist
 10 L009N DHS Behavioral Health General Physician
 11 L001C Psychologist Supervisor

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

16 The provisions of this section shall be in effect only from July 1, ~~2021~~
 17 2022 through June 30, ~~2022~~ 2023.

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

31 The provisions of this section shall be in effect only from July 1, ~~2021~~
 32 2022 through June 30, ~~2022~~ 2023.

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34 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

36 BEHAVIORAL HEALTH SERVICES - JOB SHARE. The Division of Aging, Adult, and

1 Behavioral Health Services can utilize job share for positions within the
2 nursing classification (RN, LPN/LPTN, BHA/CNA) for up to 24 hours per week
3 per individual. This will allow the Division to offer weekend option shifts
4 to nursing personnel without increasing the number of positions.

5 The provisions of this section shall be in effect only from July 1, ~~2021~~
6 2022 through June 30, ~~2022~~ 2023.

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8 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

10 BEHAVIORAL HEALTH SERVICES - STATE HOSPITAL CONTINGENCY POSITIONS. If the
11 Department of Human Services determines, and after prior review by the
12 Legislative Council or Joint Budget Committee, it shall be determined that it
13 is in the best interest of the State of Arkansas to discontinue a management
14 contract with a private provider and it is deemed necessary to utilize
15 Department staff to provide the required services, the Secretary of the
16 Department of Human Services may request the Department of Transformation and
17 Shared Services to approve the establishment of one or more additional
18 positions at salary rates not to exceed the maximum salaries established for
19 comparable positions in the Uniform Classification and Compensation Act, the
20 Department of Human Services' Appropriation Act, and the University of
21 Arkansas for Medical Sciences' Appropriation Act. Upon approval by the
22 Department of Transformation and Shared Services and after review by the
23 Legislative Council or Joint Budget Committee, the Department of Human
24 Services - Division of Aging, Adult, and Behavioral Health Services may
25 establish such positions.

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

29 The provisions of this section shall be in effect only from July 1, ~~2021~~
30 2022 through June 30, ~~2022~~ 2023.

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32 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS
34 HEALTH CENTER. (A) The Department of Human Services shall not close the
35 Arkansas Health Center that provides skilled nursing through specialized
36 services and programs.

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

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

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

24 The provisions of this section shall be in effect only from July 1, ~~2021~~
25 2022 through June 30, ~~2022~~ 2023.

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27 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA
29 HELP – BEHAVIORAL HEALTH SERVICES. Employees in extra-help positions at the
30 Department of Human Services – Division of Aging, Adult, and Behavioral
31 Health Services may receive an amount not to exceed eighty-five percent (85%)
32 of the maximum annual salary for a comparable position as authorized under §
33 21-5-201 et seq. during any fiscal year, nor shall such an employee be
34 employed for a period of time to exceed one thousand eight hundred (1,800)
35 hours in any single fiscal year.

36 The provisions of this section shall be in effect only from July 1, ~~2021~~

1 2022 through June 30, ~~2022~~ 2023.

2

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

27 The provisions of this section shall be in effect only from July 1, ~~2021~~
28 2022 through June 30, ~~2022~~ 2023.

29

30 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL
32 RATES OF PAY AND EMPLOYMENT WORK DAYS. For employees hired on or after July
33 1, 2013, at the Arkansas State Hospital in the classifications listed below,
34 the Division of Aging, Adult, and Behavioral Health Services Director shall
35 implement salary adjustments utilizing the approved pay grid for teachers
36 employed by the Arkansas Schools for the Blind and Deaf.

1 To achieve the salary adjustments, the Division of Aging, Adult, and
 2 Behavioral Health Services is authorized to pay special rates of pay for
 3 classifications at the Arkansas State Hospital listed below:

4 Classification	Title	Grade
5 E035C	Certified Masters Teacher	GS08
6 E044C	Certified Bachelors Teacher	GS06

7 Funding for the minimum compensation provided for in this section that
 8 is supported in whole or in part from general revenues, shall, if required,
 9 be provided by a transfer from the Performance Fund to the proper fund or
 10 fund account and in such amounts as determined by the Chief Fiscal Officer of
 11 the State. The Division of Aging, Adult, and Behavioral Health Services
 12 shall in addition to the funds provided in this Act for Annual Career Service
 13 Recognition Payments from the Performance Fund, make available any funding
 14 generated from agency salary savings for such purposes from the funds or fund
 15 accounts as provided by law.

16 For employees hired on or after July 1, 2013, at the Arkansas State
 17 Hospital in the classifications listed above, the Division of Aging, Adult,
 18 and Behavioral Health Services Director shall set the number of work days for
 19 the employment year to equal the number of days worked by those employed in
 20 the same classifications at the Arkansas Schools for the Blind and Deaf. The
 21 accrual, use, and carryover of sick days, personal days, and holidays of the
 22 employees at the Arkansas State Hospital that are hired on or after July 1,
 23 2013, or current employees choosing to adopt this plan, shall be treated in
 24 the same manner as those employed in the same classifications at the Arkansas
 25 Schools for the Blind and Deaf.

26 Those currently employed at the Arkansas State Hospital in the
 27 classifications listed above as of June 30, 2013, have the one-time option of
 28 adopting this language or continuing to operate under the same salary, leave
 29 and benefit plans they are currently receiving. Employees must make their
 30 decision by June 30, 2013.

31 Accrued annual and holiday leave, up to 240 hours, as of June 30,
 32 2013, will be paid out to current employees choosing to adopt this plan. Any
 33 additional accrued annual and holiday leave will be forfeited. Accrued sick
 34 leave, as of June 30, 2013, shall be retained on file and shall be exhausted
 35 before any newly accrued sick leave may be taken.

36 All employees affected by this section shall be eligible to receive

1 hazardous duty pay for time worked in eligible areas.

2 The provisions of this section shall be in effect only from July 1, ~~2021~~
3 2022 through June 30, ~~2022~~ 2023.

4
5 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
7 FORWARD - COMMUNITY BASED CRISIS INTERVENTION. Any unexpended balance of
8 funds allocated for Community Based Crisis Intervention in the Department of
9 Human Services - Division of Aging, Adult, and Behavioral Health Services
10 from the Behavioral Health Services Fund Account which remains at the close
11 of each state fiscal year shall be carried forward to the next state fiscal
12 year to be used for the same intent and purposes as set forth in law. Any
13 carry forward of unexpended balance of funding as authorized herein may be
14 carried forward under the following conditions:

15 (1) Prior to June 30, ~~2021~~ 2022, the Agency shall, by written
16 statement, set forth its reason(s) for the need to carry forward said funding
17 to the Department of Finance and Administration Office of Budget;

18 (2) The Department of Finance and Administration Office of Budget shall
19 report to the Arkansas Legislative Council all amounts carried forward by the
20 September Arkansas Legislative Council or Joint Budget Committee meeting
21 which report shall include the name of the Agency, Board, Commission or
22 Institution and the amount of the funding carried forward, the program name
23 or line item, the funding source of that appropriation and a copy of the
24 written request set forth in (1) above;

25 (3) Each Agency, Board, Commission or Institution shall provide a
26 written report to the Arkansas Legislative Council or Joint Budget Committee
27 containing all information set forth in item (2) above, along with a written
28 statement as to the current status of the project, contract, purpose etc. for
29 which the carry forward was originally requested no later than thirty (30)
30 days prior to the time the Agency, Board, Commission or Institution presents
31 its budget request to the Arkansas Legislative Council/Joint Budget
32 Committee; and

33 (4) Thereupon, the Department of Finance and Administration shall
34 include all information obtained in item (3) above in the budget manuals
35 and/or a statement of non-compliance by the Agency, Board, Commission or
36 Institution.

1 The provisions of this section shall be in effect only from July 1,
2 ~~2021~~ 2022 through June 30, ~~2022~~ 2023.

3
4 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND
6 ADULT SERVICES - MATCHING FUNDS. The funds appropriated for state match for
7 the Arkansas Senior Olympics Program in this Act shall be paid on a two-to-
8 one state/local matching basis. The Senior Arkansas Sports Organization must
9 certify its portion of the match to the Division of Aging, Adult, and
10 Behavioral Health Services before any funds appropriated for state match for
11 the Arkansas Senior Olympics Program in this Act are disbursed.

12 The provisions of this section shall be in effect only from July 1, ~~2021~~
13 2022 through June 30, ~~2022~~ 2023.

14
15 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND
17 ADULT SERVICES - STATE MATCH AUTHORIZED. The Secretary of the Department of
18 Human Services is authorized to use State funds appropriated in this Act to
19 match Federal funds available under Title III and Title V of the Older
20 Americans Act, Social Services Block Grant, or such other federal funds as
21 may become available.

22 The provisions of this section shall be in effect only from July 1, ~~2021~~
23 2022 through June 30, ~~2022~~ 2023.

24
25 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND
27 ADULT SERVICES - GRANT/CONTRACT DISBURSEMENT GUIDELINES. All appropriations
28 for state and federal funding contained herein for Aging and Adult Services
29 and that are distributed under grant or contract methodologies may be
30 disbursed by the Department of Human Services in the same manner as
31 authorized under federal regulations for the disbursement of Title III Older
32 Americans Act funds. Otherwise, all disbursements shall comply with the
33 provisions of this Act.

34 The provisions of this section shall be in effect only from July 1, ~~2021~~
35 2022 through June 30, ~~2022~~ 2023.

36

1 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND
3 ADULT SERVICES - NURSING HOME CARE ALTERNATIVES. Funding for "Nursing Home
4 Care Alternatives", as it appears in the Aging and Adult Services -
5 Operations appropriation may be used for home delivered meals, adult day
6 care, homemaker/chore, respite care, personal care, health promotion, and
7 other community-based activities. These funds may also be used to match
8 Medicaid community-based programs.

9 The provisions of this section shall be in effect only from July 1, ~~2021~~
10 2022 through June 30, ~~2022~~ 2023.

11
12 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SENIOR
14 CITIZEN CENTERS. The appropriation in this act for Senior Citizen Centers
15 shall be distributed in the same manner as the funding formula requirements
16 set out in the federal Older Americans Act funding law. The additional
17 funding provided by this provision shall supplement and not supplant any
18 monies currently funding services for Senior Citizen Centers.

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

25 The provisions of this section shall be in effect only from July 1, ~~2021~~
26 2022 through June 30, ~~2022~~ 2023.

27
28 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
30 FORWARD OF UNOBLIGATED GENERAL REVENUE FUNDS FOR SENIOR CITIZEN CENTERS. (a)
31 On June 30, 2019, or as soon as is practicable to determine funds available
32 as authorized in this Section, and each fiscal year thereafter the Chief
33 Fiscal Officer of the State shall cause to be transferred on his or her books
34 and those of the State Treasurer and Auditor of State the balance of
35 unobligated general revenue funds, excluding funds carried forward for other
36 purposes, remaining in the Fund or Fund Accounts and the corresponding paying

1 accounts as determined by the Chief Fiscal Officer of the State, as set out
2 in subsection (b) herein, to the Department of Human Services - Division of
3 Aging, Adult, and Behavioral Health Services paying account to be used
4 exclusively for the disbursement of funds for Senior Citizen Centers in the
5 amount of recouped and recovered general revenue not to exceed five hundred
6 thousand dollars (\$500,000).

7 (b) Any unobligated general revenue, excluding funds carried forward for
8 other purposes, remaining in the following Fund or Fund Accounts and the
9 corresponding paying accounts at the end of the Fiscal Year that would
10 normally be transferred into the General Revenue Allotment Reserve Fund as
11 recouped or recovered General Revenue shall be transferred as authorized in
12 subsection (a) herein:

- 13 (1) Department of Human Services Administration Fund Account;
- 14 (2) Children and Family Services Fund Account;
- 15 (3) Child Care and Early Childhood Education Fund Account;
- 16 (4) Youth Services Fund Account;
- 17 (5) Developmental Disabilities Services Fund Account;
- 18 (6) Medical Services Fund Account;
- 19 (7) Behavioral Health Services Fund Account;
- 20 (8) County Operations Fund Account; and
- 21 (9) Provider Services and Quality Assurance Fund Account.

22 (c)(1) Any general revenue recouped or recovered as authorized in
23 subsections (a) and (b) herein shall be carried forward to the following
24 fiscal year for Senior Citizen Centers and shall be distributed in the same
25 manner as the funding formula requirements set out in the federal Older
26 Americans Act funding law.

27 (2) The additional funding provided by this provision shall supplement
28 and not supplant any monies currently funding services for Senior Citizen
29 Centers.

30 (d) Should additional funding provided for in subsections (a) and (b)
31 herein be insufficient to provide for the full five hundred thousand dollars
32 (\$500,000) authorized, the increases shall be provided to the extent that
33 general revenue is recouped and carried forward.

34 (e)(1) The Department of Human Services shall provide a written report to
35 the Department of Finance and Administration Budget Office, the Arkansas
36 Legislative Council or Joint Budget Committee the total amount of general

1 revenue carried forward and distributed as set forth in this section no later
2 than thirty (30) days prior to the time the Department presents its budget
3 request to the Legislative Council or Joint Budget Committee.

4 (2) The Department of Finance and Administration shall include all
5 information obtained in subsection (e)(1) herein in the budget manual
6 submitted to the Arkansas Legislative Council or Joint Budget Committee for
7 the Department.

8
9 SECTION 29. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
10 authorized by this act shall be limited to the appropriation for such agency
11 and funds made available by law for the support of such appropriations; and
12 the restrictions of the State Procurement Law, the General Accounting and
13 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
14 Procedures and Restrictions Act, or their successors, and other fiscal
15 control laws of this State, where applicable, and regulations promulgated by
16 the Department of Finance and Administration, as authorized by law, shall be
17 strictly complied with in disbursement of said funds.

18
19 SECTION 30. LEGISLATIVE INTENT. It is the intent of the General
20 Assembly that any funds disbursed under the authority of the appropriations
21 contained in this act shall be in compliance with the stated reasons for
22 which this act was adopted, as evidenced by the Agency Requests, Executive
23 Recommendations and Legislative Recommendations contained in the budget
24 manuals prepared by the Department of Finance and Administration, letters, or
25 summarized oral testimony in the official minutes of the Arkansas Legislative
26 Council or Joint Budget Committee which relate to its passage and adoption.

27
28 SECTION 31. EFFECTIVE DATE. This act is effective on and after July 1,
29 2022.

30
31 */s/ Joint Budget Committee*

32
33
34 **APPROVED: 3/8/22**