

Stricken language will be deleted and underlined language will be added.
Act 214 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 57

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 YOUTH SERVICES FOR THE FISCAL
11 YEAR ENDING JUNE 30, 2023; AND FOR OTHER PURPOSES.
12
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Subtitle

14 AN ACT FOR THE DEPARTMENT OF HUMAN
15 SERVICES - DIVISION OF YOUTH SERVICES
16 APPROPRIATION FOR THE 2022-2023 FISCAL
17 YEAR.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established
24 for the Department of Human Services - Division of Youth Services for the
25 2022-2023 fiscal year, the following maximum number of regular employees.
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Item	Class		Maximum	Maximum Annual
No.	Code	Title	No. of	Salary Rate
			Employees	Fiscal Year
				2022-2023
(1)	N026N	DHS DEPUTY DIRECTOR OF DYS	1	GRADE SE01
(2)	L001C	PSYCHOLOGIST SUPERVISOR	1	GRADE MP04
(3)	L038C	REGISTERED NURSE	2	GRADE MP01
(4)	N080N	DHS/DMS ASSISTANT DIRECTOR - FISCAL	1	GRADE GS14
(5)	N128N	DHS ASST DIR QUALITY ASSURANCE	1	GRADE GS13
(6)	G004C	MANAGING ATTORNEY	1	GRADE GS13



1	(7)	N156N BEHAV HLTH ASST DIR CHILDRENS SVS	1	GRADE GS12
2	(8)	G027N DHS RESEARCH ANALYSIS MANAGER	2	GRADE GS11
3	(9)	G255C DYS ACADEMIC ADMINISTRATOR	1	GRADE GS11
4	(10)	L010C DHS DMS MEDICAL ASSISTANCE MANAGER	1	GRADE GS10
5	(11)	G099C DHS PROGRAM ADMINISTRATOR	6	GRADE GS09
6	(12)	E015C SPECIAL EDUCATION SUPERVISOR	1	GRADE GS09
7	(13)	M008C YOUTH PROGRAM DIRECTOR	1	GRADE GS09
8	(14)	G152C DHS PROGRAM MANAGER	10	GRADE GS08
9	(15)	X062C QUALITY ASSURANCE COORDINATOR	2	GRADE GS08
10	(16)	M012C YOUTH PROGRAM MANAGER	2	GRADE GS08
11	(17)	G183C DHS PROGRAM COORDINATOR	5	GRADE GS07
12	(18)	G082C DHS/DYS ADMISSIONS EVALUATOR	1	GRADE GS07
13	(19)	E048C EDUCATION & INSTRUCTION SPECIALIST	4	GRADE GS07
14	(20)	E040C STAFF DEVELOPMENT COORDINATOR	3	GRADE GS07
15	(21)	C037C ADMINISTRATIVE ANALYST	1	GRADE GS06
16	(22)	E044C CERTIFIED BACHELORS TEACHER	4	GRADE GS06
17	(23)	G210C DHS PROGRAM SPECIALIST	6	GRADE GS06
18	(24)	A074C FISCAL SUPPORT SUPERVISOR	1	GRADE GS06
19	(25)	G180C GRANTS ANALYST	2	GRADE GS06
20	(26)	G214C GRANTS SPECIALIST	1	GRADE GS06
21	(27)	X101C INTERNAL AFFAIRS INVESTIGATOR	1	GRADE GS06
22	(28)	G166C MILITARY PROGRAM COORDINATOR	3	GRADE GS06
23	(29)	B076C RESEARCH PROJECT ANALYST	1	GRADE GS06
24	(30)	M047C YOUTH SERVICES ADVISOR	10	GRADE GS06
25	(31)	M060C YOUTH PROGRAM COORDINATOR	6	GRADE GS05
26	(32)	C056C ADMINISTRATIVE SPECIALIST III	4	GRADE GS04
27	(33)	V020C INVENTORY CONTROL MANAGER	1	GRADE GS04
28	(34)	T072C SECURITY OFFICER SUPERVISOR	1	GRADE GS04
29	(35)	T084C PUBLIC SAFETY SECURITY OFFICER	7	GRADE GS03
30	(36)	M070C YOUTH PROGRAM SPECIALIST	6	GRADE GS03
31	(37)	N249N DHS DIVISION DIRECTOR	<u>1</u>	GRADE SE02
32		MAX. NO. OF EMPLOYEES	99	

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34 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for
 35 the Department of Human Services - Division of Youth Services for the 2022-
 36 2023 fiscal year, the following maximum number of part-time or temporary

1 employees, to be known as "Extra Help", payable from funds appropriated
 2 herein for such purposes: thirty-six (36) temporary or part-time employees,
 3 when needed, at rates of pay not to exceed those provided in the Uniform
 4 Classification and Compensation Act, or its successor, or this act for the
 5 appropriate classification.

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7 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated,
 8 to the Department of Human Services, to be payable from the paying account as
 9 determined by the Chief Fiscal Officer of the State, for personal services
 10 and operating expenses of the Department of Human Services - Division of
 11 Youth Services for the fiscal year ending June 30, 2023, the following:

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13	ITEM	FISCAL YEAR
14	<u>NO.</u>	<u>2022-2023</u>
15	(01) REGULAR SALARIES	\$4,988,813
16	(02) EXTRA HELP	41,903
17	(03) PERSONAL SERVICES MATCHING	1,770,258
18	(04) OVERTIME	8,699
19	(05) MAINT. & GEN. OPERATION	
20	(A) OPER. EXPENSE	5,112,099
21	(B) CONF. & TRAVEL	91,144
22	(C) PROF. FEES	359,050
23	(D) CAP. OUTLAY	105,000
24	(E) DATA PROC.	<u>0</u>
25	TOTAL AMOUNT APPROPRIATED	<u>\$12,476,966</u>

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27 SECTION 4. APPROPRIATION - COMMUNITY BASED SANCTIONS. There is hereby
 28 appropriated, to the Department of Human Services - Division of Youth
 29 Services, to be payable from the Youth Services Fund Account, for grants and
 30 aid for graduated community based sanctions for juveniles adjudicated
 31 delinquent for the fiscal year ending June 30, 2023, the following:

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33	ITEM	FISCAL YEAR
34	<u>NO.</u>	<u>2022-2023</u>
35	(01) COMMUNITY BASED SANCTIONS	<u>\$2,480,444</u>

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1 SECTION 5. APPROPRIATION - COMMUNITY SERVICES. There is hereby
 2 appropriated, to the Department of Human Services, to be payable from the
 3 Youth Services Fund Account, for purchase of services from community based
 4 providers by the Department of Human Services - Division of Youth Services
 5 for the fiscal year ending June 30, 2023, the following:

6	7 ITEM	FISCAL YEAR
8	<u>NO.</u>	<u>2022-2023</u>
9	(01) COMMUNITY SERVICES	<u>\$18,821,100</u>

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 11 SECTION 6. APPROPRIATION - FEDERAL CHILD AND YOUTH SERVICE GRANTS.
 12 There is hereby appropriated, to the Department of Human Services, to be
 13 payable from the federal funds as designated by the Chief Fiscal Officer of
 14 the State, for federally funded grants of the Department of Human Services
 15 for the fiscal year ending June 30, 2023, the following:

16	17 ITEM	FISCAL YEAR
18	<u>NO.</u>	<u>2022-2023</u>
19	(01) FEDERAL CHILD AND YOUTH SERVICE GRANTS	<u>\$8,832,942</u>

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 21 SECTION 7. APPROPRIATION - RESIDENTIAL SERVICES. There is hereby
 22 appropriated, to the Department of Human Services, to be payable from the
 23 Youth Services Fund Account, for the purchase and operation of residential
 24 services by the Department of Human Services - Division of Youth Services for
 25 the fiscal year ending June 30, 2023, the following:

26	27 ITEM	FISCAL YEAR
28	<u>NO.</u>	<u>2022-2023</u>
29	(01) RESIDENTIAL SERVICES	<u>\$28,012,244</u>

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 31 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
 33 OF FUNDS FOR THE JUVENILE OMBUDSMAN PROGRAM. The Department of Human
 34 Services shall provide funding in an amount not to exceed \$240,000 for the
 35 fiscal year ending June 30, ~~2022~~ 2023 for the Juvenile Ombudsman Program
 36 described in ACA 16-87-216. Upon request by the Executive Director of the

1 Arkansas Public Defender Commission, the Chief Fiscal Officer of the State
2 shall transfer an amount not to exceed \$240,000 for the fiscal year ending
3 June 30, ~~2022~~ 2023 from an account designated by the Secretary of the
4 Department of Human Services to the State Central Services Fund as a direct
5 revenue to fund the Juvenile Ombudsman Program.

6 The provisions of this section shall be in effect only from July 1, ~~2021~~
7 2022 through June 30, ~~2022~~ 2023.

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9 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
11 OF FUNDS FOR LOCAL JUVENILE DETENTION FACILITIES. The Chief Fiscal Officer
12 of the State shall transfer funds in an amount of \$400,000 for the fiscal
13 year ending June 30, ~~2022~~ 2023 from the Department of Human Services – Youth
14 Services Fund Account to the Juvenile Detention Facilities Operating Fund to
15 fund the appropriation to the Department of Finance and Administration –
16 Disbursing Officer for grants for operating expenses of local juvenile
17 detention facilities.

18 The amount of the funds transferred in the fiscal year ending June 30,
19 ~~2022~~ 2023 may be adjusted upon request of the Secretary of the Department of
20 Human Services on a pro-rata basis with any reductions provided in the
21 Revenue Stabilization Law from the July 1 Official Forecast of general
22 revenue funding for the Division of Youth Services.

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

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26 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. YOUTH
28 SERVICES - TIMBER SALES PROCEEDS - CAPITAL IMPROVEMENTS AND EQUIPMENT. The
29 Division of Youth Services is authorized to use the administrative operating
30 account for capital improvements to the physical plant and for the purchase
31 of capital equipment by the Mansfield Youth Services Facility operated by the
32 Department of Human Services, Division of Youth Services. The funds shall be
33 held by the Department of Human Services, Division of Youth Services from the
34 proceeds of the sale of timber that may be harvested from land owned by the
35 Division of Youth Services. All funds deposited and all expenses shall be
36 tracked separately. The harvesting of timber is specifically authorized to

1 provide funds to finance capital improvements to the physical plant and for
2 the purchase of major capital equipment by the Mansfield Facility from which
3 the timber is sold.

4 The Division of Youth Services shall report all income derived from the
5 sale of timber to the Chief Fiscal Officer of the State and the Arkansas
6 Legislative Council or Joint Budget Committee. Any contracts initiated for
7 the harvesting and sale of timber shall be submitted to the Review
8 Subcommittee of the Arkansas Legislative Council or Joint Budget Committee
9 for prior review. All expenditures of funds derived from the sale of timber
10 will be expended in accordance with relevant state purchasing laws.

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

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14 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
16 RESIDENTIAL SERVICES CONTINGENCY. If it has been determined that the
17 Department of Human Services - Division of Youth Services cannot continue to
18 contract with private provider(s) for residential juvenile services,
19 educational services, therapeutic services, and/or medical services and deems
20 it necessary to utilize Department staff to provide all or parts of the
21 required services above, the Department is authorized to seek the approval of
22 the Chief Fiscal Officer of the State, the Governor and the Arkansas
23 Legislative Council or Joint Budget Committee to utilize the contingent
24 residential services positions contained in this Act and to make the
25 appropriate transfers from any line item authorized in the RESIDENTIAL
26 SERVICES appropriation of this Act to any line item authorized in the
27 OPERATIONS appropriation of this Act. If it has been determined that the
28 Department of Human Services - Division of Youth Services cannot continue to
29 operate one or more of the various service components of a Residential
30 Facility for residential juvenile services, educational services, therapeutic
31 services, and/or medical services and deems it necessary to utilize a
32 contract with private provider(s), the Department is authorized to seek the
33 approval of the Chief Fiscal Officer of the State, the Governor and the
34 Arkansas Legislative Council or Joint Budget Committee to make the
35 appropriate transfers from any line item authorized in the OPERATIONS
36 appropriation of this Act to any line item authorized in the RESIDENTIAL

1 SERVICES appropriation of this Act.

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

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5 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA
7 HELP SALARIES - CONTINGENT RESIDENTIAL SERVICES POSITIONS. There is hereby
8 established for the Department of Human Services - Division of Youth Services
9 - Contingent Residential Services Positions, the following maximum number of
10 positions whose salaries shall be governed by the provisions of the Uniform
11 Classification and Compensation Act (Arkansas Code § 21-5-201 et seq.), or
12 its successor, and all laws amendatory thereto. Requests to use positions
13 will be based upon the non-contracted services for residential juvenile
14 services, educational services, therapeutic services, and/or medical
15 services. If at such time a category(s) of services are contracted with
16 private provider(s), identified positions associated with such service(s)
17 shall be returned to the contingency pool. In order to ensure required
18 staffing levels, Extra Help positions authorized herein are specifically
19 exempt from limitation of hours, either by Act or regulation.

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21 CONTINGENT POSITIONS - RESIDENTIAL SERVICES

			MAXIMUM
ITEM	CLASS	TITLE	NO. OF
NO.	CODE		EMPLOYEES
(01)	9999	EXTRA HELP	<u>320</u>
GRAND TOTAL CONTINGENT POSITIONS			320

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28 The provisions of this section shall be in effect through June 30, ~~2022~~
29 2023.

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31 SECTION 13. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
32 authorized by this act shall be limited to the appropriation for such agency
33 and funds made available by law for the support of such appropriations; and
34 the restrictions of the State Procurement Law, the General Accounting and
35 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
36 Procedures and Restrictions Act, or their successors, and other fiscal

1 control laws of this State, where applicable, and regulations promulgated by
2 the Department of Finance and Administration, as authorized by law, shall be
3 strictly complied with in disbursement of said funds.

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5 SECTION 14. LEGISLATIVE INTENT. It is the intent of the General
6 Assembly that any funds disbursed under the authority of the appropriations
7 contained in this act shall be in compliance with the stated reasons for
8 which this act was adopted, as evidenced by the Agency Requests, Executive
9 Recommendations and Legislative Recommendations contained in the budget
10 manuals prepared by the Department of Finance and Administration, letters, or
11 summarized oral testimony in the official minutes of the Arkansas Legislative
12 Council or Joint Budget Committee which relate to its passage and adoption.

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14 SECTION 15. EFFECTIVE DATE. This act is effective on and after July 1,
15 2022.

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17 */s/ Joint Budget Committee*

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20 **APPROVED: 3/8/22**