

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 1381 of the Regular Session

As Engrossed: H2/23/09 H4/6/09

A Bill

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009

HOUSE BILL 1186

4
5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

8
9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE
11 DEPARTMENT OF HUMAN SERVICES - ADMINISTRATION FOR
12 THE FISCAL YEAR ENDING JUNE 30, 2010; AND FOR
13 OTHER PURPOSES.
14

Subtitle

15
16
17 AN ACT FOR THE DEPARTMENT OF HUMAN
18 SERVICES - ADMINISTRATION APPROPRIATION
19 FOR THE 2009-2010 FISCAL YEAR.
20
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. REGULAR SALARIES - DIRECTOR'S OFFICE - OFFICE OF CHIEF COUNSEL.
25 There is hereby established for the Department of Human Services - Director's
26 Office - Office of Chief Counsel for the 2009-2010 fiscal year, the following
27 maximum number of regular employees whose salaries shall be governed by the
28 provisions of the Uniform Classification and Compensation Act (Arkansas Code
29 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
30 Provided, however, that any position to which a specific maximum annual
31 salary is set out herein in dollars, shall be exempt from the provisions of
32 said Uniform Classification and Compensation Act. All persons occupying
33 positions authorized herein are hereby governed by the provisions of the
34 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
35 or its successor.



				Maximum	Maximum Annual
				No. of	Salary Rate
	Item	Class			Fiscal Year
	No.	Code	Title	Employees	2009-2010
6	(1)	U011U	DHS DIRECTOR	1	\$146,526
7	(2)	L023N	DHS DEPUTY DIRECTOR	1	GRADE N915
8	(3)	L023N	DHS DEPUTY DIRECTOR	1	GRADE N915
9	(4)	G004N	DHS CHIEF ATTORNEY	1	GRADE N908
10	(5)	N128N	DHS ASST DIR QUALITY ASSURANCE	1	GRADE N904
11	(6)	P004N	DHS DIRECTOR OF PUBLIC RELATIONS	1	GRADE N901
12	(7)	N167N	DHS POLICY & RESEARCH DIRECTOR	1	GRADE N901
13	(8)	G027N	DHS RESEARCH ANALYSIS MANAGER	1	GRADE N901
14	(9)	A007C	AUDIT MANAGER	2	GRADE C129
15	(10)	G004C	MANAGING ATTORNEY	3	GRADE C129
16	(11)	G025C	ATTORNEY SUPERVISOR	4	GRADE C127
17	(12)	G024C	DEPARTMENT ADMINISTRATIVE LAW JUDGE	3	GRADE C127
18	(13)	G047C	ATTORNEY SPECIALIST	52	GRADE C126
19	(14)	G042C	DHS ADMINISTRATIVE LAW JUDGE	6	GRADE C126
20	(15)	G073C	ATTORNEY	1	GRADE C124
21	(16)	D030C	INFORMATION SYSTEMS COORDINATOR	2	GRADE C124
22	(17)	A044C	AUDIT COORDINATOR	3	GRADE C122
23	(18)	G124C	OMBUDSMAN	1	GRADE C120
24	(19)	G152C	DHS PROGRAM MANAGER	3	GRADE C119
25	(20)	A066C	INTERNAL AUDITOR	4	GRADE C119
26	(21)	A060C	SENIOR AUDITOR	18	GRADE C119
27	(22)	G170C	DHS ADMINISTRATIVE REVIEW OFFICER	6	GRADE C118
28	(23)	A076C	FINANCE PROGRAM ANALYST	1	GRADE C118
29	(24)	G183C	DHS PROGRAM COORDINATOR	2	GRADE C117
30	(25)	X101C	INTERNAL AFFAIRS INVESTIGATOR	1	GRADE C117
31	(26)	G179C	LEGAL SERVICES SPECIALIST	3	GRADE C117
32	(27)	X125C	FRAUD INVESTIGATOR COORDINATOR	3	GRADE C116
33	(28)	P031C	MEDIA SPECIALIST	1	GRADE C116
34	(29)	G210C	DHS PROGRAM SPECIALIST	3	GRADE C115
35	(30)	X156C	FRAUD INVESTIGATOR	6	GRADE C114
36	(31)	C046C	LEGAL SUPPORT SPECIALIST	37	GRADE C113

1	(32)	C056C	ADMINISTRATIVE SPECIALIST III	13	GRADE C112
2	(33)	C087C	ADMINISTRATIVE SPECIALIST I	<u>2</u>	GRADE C106
3			MAX. NO. OF EMPLOYEES	188	

SECTION 2. REGULAR SALARIES - ADMINISTRATIVE SERVICES. There is hereby established for the Department of Human Services - Division of Administrative Services for the 2009-2010 fiscal year, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its successor.

18				Maximum Annual	
19				Maximum	Salary Rate
20	Item	Class		No. of	Fiscal Year
21	No.	Code	Title	Employees	2009-2010
22	(1)	N016N	DHS DEP DIR ADMINISTRATIVE SVCS	1	GRADE N911
23	(2)	N040N	DHS CHIEF INFORMATION OFFICER	1	GRADE N909
24	(3)	N112N	DHS ASST DEP DIR FIN SUPPORT SYSTEM	1	GRADE N905
25	(4)	N111N	DHS ASST DEP DIR FOR MGR ACCOUNTING	1	GRADE N905
26	(5)	N107N	DHS/OFA ASSISTANT DIR - ACCOUNTING	1	GRADE N905
27	(6)	N109N	DHS/OFA ASSISTANT DIRECTOR	1	GRADE N905
28	(7)	R002N	DHS DIRECTOR OF HUMAN RESOURCES	1	GRADE N904
29	(8)	G004C	MANAGING ATTORNEY	1	GRADE C129
30	(9)	A010C	AGENCY CONTROLLER II	7	GRADE C128
31	(10)	D007C	INFORMATION SYSTEMS MANAGER	4	GRADE C128
32	(11)	A027C	ACCOUNTING OPERATIONS MANAGER	1	GRADE C125
33	(12)	R008C	DHS EMPLOYEE RELATIONS MANAGER	1	GRADE C125
34	(13)	A031C	ASSISTANT CONTROLLER	7	GRADE C124
35	(14)	R013C	AGENCY HUMAN RESOURCES MANAGER	2	GRADE C123
36	(15)	G099C	DHS PROGRAM ADMINISTRATOR	1	GRADE C122

1	(16)	A052C	ACCOUNTING COORDINATOR	4	GRADE C121
2	(17)	A047C	FINANCIAL ANALYST II	1	GRADE C121
3	(18)	G109C	GRANTS MANAGER	2	GRADE C121
4	(19)	R014C	PERSONNEL MANAGER	1	GRADE C121
5	(20)	V004C	PROCUREMENT MANAGER	1	GRADE C121
6	(21)	D052C	SOFTWARE SUPPORT ANALYST	7	GRADE C121
7	(22)	A056C	DHS FINANCIAL SECTION MANAGER	11	GRADE C120
8	(23)	E023C	TRAINING PROJECT MANAGER	1	GRADE C120
9	(24)	R022C	BENEFITS COORDINATOR	1	GRADE C119
10	(25)	R021C	BUDGET ANALYST	1	GRADE C119
11	(26)	D063C	COMPUTER SUPPORT SPECIALIST	8	GRADE C119
12	(27)	R020C	DHS EMPLOYEE RELATIONS/CIVIL RIGHTS	1	GRADE C119
13	(28)	G152C	DHS PROGRAM MANAGER	4	GRADE C119
14	(29)	G147C	GRANTS COORDINATOR	2	GRADE C119
15	(30)	D061C	INFORMATION SYSTEMS COORDINATION SP	5	GRADE C119
16	(31)	A065C	PAYROLL SERVICES COORDINATOR	2	GRADE C119
17	(32)	V007C	PROCUREMENT COORDINATOR	5	GRADE C119
18	(33)	A063C	RESEARCH & STATISTICS SUPERVISOR	1	GRADE C119
19	(34)	R024C	ASST PERSONNEL MANAGER	9	GRADE C118
20	(35)	A075C	FINANCIAL ANALYST I	1	GRADE C118
21	(36)	A074C	FISCAL SUPPORT SUPERVISOR	9	GRADE C118
22	(37)	D064C	WEBSITE DEVELOPER	1	GRADE C118
23	(38)	R027C	BUDGET SPECIALIST	7	GRADE C117
24	(39)	R026C	CIVIL RIGHTS/EMPLOYEE RELATIONS COORD	5	GRADE C117
25	(40)	G183C	DHS PROGRAM COORDINATOR	2	GRADE C117
26	(41)	G180C	GRANTS ANALYST	34	GRADE C117
27	(42)	R025C	HUMAN RESOURCES ANALYST	5	GRADE C117
28	(43)	G178C	POLICY DEVELOPMENT COORDINATOR	2	GRADE C117
29	(44)	B076C	RESEARCH PROJECT ANALYST	1	GRADE C117
30	(45)	E040C	STAFF DEVELOPMENT COORDINATOR	5	GRADE C117
31	(46)	A089C	ACCOUNTANT I	15	GRADE C116
32	(47)	R029C	HUMAN RESOURCES RECRUITER	5	GRADE C116
33	(48)	C037C	ADMINISTRATIVE ANALYST	5	GRADE C115
34	(49)	D079C	COMPUTER SUPPORT TECHNICIAN	2	GRADE C115
35	(50)	G210C	DHS PROGRAM SPECIALIST	4	GRADE C115
36	(51)	A091C	FISCAL SUPPORT ANALYST	15	GRADE C115

1	(52)	D077C	HELP DESK SPECIALIST	1	GRADE C115
2	(53)	A090C	PAYROLL SERVICES SPECIALIST	1	GRADE C115
3	(54)	S032C	PRINT SHOP SUPERVISOR	1	GRADE C115
4	(55)	V015C	PURCHASING SPECIALIST	6	GRADE C115
5	(56)	P041C	COMMERCIAL GRAPHIC ARTIST	1	GRADE C114
6	(57)	G214C	GRANTS SPECIALIST	1	GRADE C114
7	(58)	C040C	LEASING SPECIALIST	1	GRADE C114
8	(59)	A093C	STATISTICIAN	4	GRADE C114
9	(60)	D081C	TELECOMMUNICATIONS SPECIALIST	1	GRADE C114
10	(61)	V018C	WAREHOUSE MANAGER	1	GRADE C114
11	(62)	C050C	ADMINISTRATIVE SUPPORT SUPERVISOR	2	GRADE C113
12	(63)	R036C	HUMAN RESOURCES SPECIALIST	6	GRADE C113
13	(64)	V020C	INVENTORY CONTROL MANAGER	1	GRADE C113
14	(65)	C043C	RECORDS MANAGEMENT ANALYST	7	GRADE C113
15	(66)	C056C	ADMINISTRATIVE SPECIALIST III	21	GRADE C112
16	(67)	A098C	FISCAL SUPPORT SPECIALIST	35	GRADE C112
17	(68)	S054C	PRINTER	4	GRADE C111
18	(69)	R038C	HUMAN RESOURCES ASSISTANT	9	GRADE C110
19	(70)	V025C	WAREHOUSE SPECIALIST	3	GRADE C110
20	(71)	C073C	ADMINISTRATIVE SPECIALIST II	13	GRADE C109
21	(72)	C070C	DUPLICATION ASSISTANT	2	GRADE C109
22	(73)	A102C	FISCAL SUPPORT TECHNICIAN	4	GRADE C108
23	(74)	V027C	INVENTORY CONTROL TECHNICIAN	3	GRADE C108
24	(75)	C083C	MAIL SERVICES COORDINATOR	1	GRADE C107
25	(76)	C087C	ADMINISTRATIVE SPECIALIST I	7	GRADE C106
26	(77)	V028C	WAREHOUSE WORKER	1	GRADE C106
27	(78)	C088C	MAIL SERVICES ASSISTANT	<u>6</u>	GRADE C105
28			MAX. NO. OF EMPLOYEES	359	

29

30 SECTION 3. REGULAR SALARIES - VOLUNTEERISM. There is hereby established
 31 for the Department of Human Services - Division of Volunteerism for the 2009-
 32 2010 fiscal year, the following maximum number of regular employees whose
 33 salaries shall be governed by the provisions of the Uniform Classification
 34 and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor,
 35 and all laws amendatory thereto. Provided, however, that any position to
 36 which a specific maximum annual salary is set out herein in dollars, shall be

1 exempt from the provisions of said Uniform Classification and Compensation
 2 Act. All persons occupying positions authorized herein are hereby governed
 3 by the provisions of the Regular Salaries Procedures and Restrictions Act
 4 (Arkansas Code §21-5-101), or its successor.

5					6	Maximum Annual
7					Maximum	Salary Rate
8	Item	Class			No. of	Fiscal Year
9	No.	Code	Title	Employees	2009-2010	
10	(1)	G057C	DHS DEP DIR OFFICE OF VOL SVCS	1	GRADE C125	
11	(2)	G080C	NATIONAL & COMMUNITY SERVICES EXEC	1	GRADE C123	
12	(3)	G152C	DHS PROGRAM MANAGER	1	GRADE C119	
13	(4)	G150C	DHS/DOV ASST DEP DIR	1	GRADE C119	
14	(5)	G147C	GRANTS COORDINATOR	1	GRADE C119	
15	(6)	M037C	PROGRAM ELIGIBILITY SUPERVISOR	1	GRADE C117	
16	(7)	E040C	STAFF DEVELOPMENT COORDINATOR	1	GRADE C117	
17	(8)	G176C	VOLUNTEER PROGRAM MANAGER	1	GRADE C117	
18	(9)	C022C	BUSINESS OPERATIONS SPECIALIST	1	GRADE C116	
19	(10)	G202C	VOLUNTEER PROGRAM COORDINATOR	8	GRADE C115	
20	(11)	C041C	DHS/DOV AREA COORDINATOR	1	GRADE C114	
21	(12)	G214C	GRANTS SPECIALIST	1	GRADE C114	
22	(13)	C056C	ADMINISTRATIVE SPECIALIST III	2	GRADE C112	
23	(14)	V022C	PURCHASING TECHNICIAN	1	GRADE C112	
24	(15)	C073C	ADMINISTRATIVE SPECIALIST II	<u>2</u>	GRADE C109	
25	MAX. NO. OF EMPLOYEES			24		

26
 27 SECTION 4. EXTRA HELP - DIRECTOR'S OFFICE - OFFICE OF CHIEF COUNSEL.

28 There is hereby authorized, for the Department of Human Services - Director's
 29 Office - Office of Chief Counsel for the 2009-2010 fiscal year, the following
 30 maximum number of part-time or temporary employees, to be known as "Extra
 31 Help", payable from funds appropriated herein for such purposes: ten (10)
 32 temporary or part-time employees, when needed, at rates of pay not to exceed
 33 those provided in the Uniform Classification and Compensation Act, or its
 34 successor, or this act for the appropriate classification.

35
 36 SECTION 5. EXTRA HELP - ADMINISTRATIVE SERVICES. There is hereby

1 authorized, for the Department of Human Services - Division of Administrative
 2 Services for the 2009-2010 fiscal year, the following maximum number of part-
 3 time or temporary employees, to be known as "Extra Help", payable from funds
 4 appropriated herein for such purposes: twenty (20) temporary or part-time
 5 employees, when needed, at rates of pay not to exceed those provided in the
 6 Uniform Classification and Compensation Act, or its successor, or this act
 7 for the appropriate classification.

8
 9 SECTION 6. APPROPRIATION - DIRECTOR'S OFFICE - OFFICE OF CHIEF COUNSEL -
 10 OPERATIONS. There is hereby appropriated, to the Department of Human Services
 11 - Director's Office - Office of Chief Counsel, to be payable from the paying
 12 account as determined by the Chief Fiscal Officer of the State, for personal
 13 services and operating expenses of the Department of Human Services -
 14 Director's Office - Office of Chief Counsel for the fiscal year ending June
 15 30, 2010, the following:

17 ITEM	FISCAL YEAR
18 <u>NO.</u>	<u>2009-2010</u>
19 (01) REGULAR SALARIES	\$ 8,873,167
20 (02) EXTRA HELP	200,348
21 (03) PERSONAL SERVICES MATCHING	2,686,143
22 (04) MAINT. & GEN. OPERATION	
23 (A) OPER. EXPENSE	1,236,112
24 (B) CONF. & TRAVEL	32,472
25 (C) PROF. FEES	11,000
26 (D) CAP. OUTLAY	0
27 (E) DATA PROC.	0
28 (05) DATA PROCESSING SERVICES	<u>12,300</u>
29 TOTAL AMOUNT APPROPRIATED	<u>\$ 13,051,542</u>

30
 31 SECTION 7. APPROPRIATION - ADMINISTRATIVE SERVICES - OPERATIONS. There is
 32 hereby appropriated, to the Department of Human Services - Division of
 33 Administrative Services, to be payable from the paying account as determined
 34 by the Chief Fiscal Officer of the State, for personal services and operating
 35 expenses of the Department of Human Services - Division of Administrative
 36 Services for the fiscal year ending June 30, 2010, the following:

1		
2	ITEM	FISCAL YEAR
3	<u>NO.</u>	<u>2009-2010</u>
4	(01) REGULAR SALARIES	\$ 13,651,100
5	(02) EXTRA HELP	64,480
6	(03) PERSONAL SERVICES MATCHING	4,477,006
7	(04) OVERTIME	10,000
8	(05) MAINT. & GEN. OPERATION	
9	(A) OPER. EXPENSE	2,789,827
10	(B) CONF. & TRAVEL	20,000
11	(C) PROF. FEES	9,075,792
12	(D) CAP. OUTLAY	0
13	(E) DATA PROC.	0
14	(06) DATA PROCESSING SERVICES	<u>1,967,600</u>
15	TOTAL AMOUNT APPROPRIATED	<u>\$ 32,055,805</u>

16

17 SECTION 8. APPROPRIATION - ADMINISTRATIVE SERVICES - CLIENT SPECIFIC

18 EMERGENCY SERVICES - CASH. There is hereby appropriated, to the Department

19 of Human Services - Division of Administrative Services, to be payable from

20 cash funds as defined by Arkansas Code 19-4-801 of the Department of Human

21 Services - Division of Administrative Services, for purchase of services of

22 the Department of Human Services - Division of Administrative Services for

23 the fiscal year ending June 30, 2010, the following:

24		
25	ITEM	FISCAL YEAR
26	<u>NO.</u>	<u>2009-2010</u>
27	(01) PURCHASE OF SERVICES	<u>\$ 120,000</u>

28

29 SECTION 9. APPROPRIATION - ADMINISTRATIVE SERVICES - VARIOUS BUILDING

30 CONSTRUCTION. There is hereby appropriated, to the Department of Human

31 Services - Division of Administrative Services, to be payable from the

32 Department of Human Services Renovation Fund, for construction, renovation,

33 maintenance, equipment and repairs for various buildings operated by the

34 Department of Human Services for the fiscal year ending June 30, 2010, the

35 following:

36

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) CONSTRUCTION	<u>\$ 8,185,200</u>

SECTION 10. APPROPRIATION - ADMINISTRATIVE SERVICES - CONSOLIDATED COST. There is hereby appropriated, to the Department of Human Services - Division of Administrative Services, to be payable from the DHS Consolidated Cost Revolving Fund, for operating expenses of the Department of Human Services - Division of Administrative Services - Consolidated Cost for the fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$ 821,500
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 821,500</u>

SECTION 11. APPROPRIATION - ADMINISTRATIVE SERVICES - SOCIAL SERVICES BLOCK GRANT - FEDERAL. There is hereby appropriated, to the Department of Human Services - Division of Administrative Services, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for purchase of services of the Department of Human Services - Division of Administrative Services for the fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) PURCHASE OF SERVICES	<u>\$ 139,733</u>

SECTION 12. APPROPRIATION - ADMINISTRATIVE SERVICES - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009. There is hereby appropriated, to the Department of Human Services - Division of Administrative Services, to be payable from

1 the paying account as determined by the Chief Fiscal Officer of the State,
 2 for Department of Human Services capital improvements, information
 3 technologies and one-time costs of the Department of Human Services for the
 4 fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009	<u>\$ 179,680,169</u>

9
 10 SECTION 13. APPROPRIATION - ADMINISTRATIVE SERVICES - AMERICAN RECOVERY
 11 AND REINVESTMENT ACT OF 2009. There is hereby appropriated, to the Department
 12 of Human Services - Division of Administrative Services, to be payable from
 13 the paying account as determined by the Chief Fiscal Officer of the State,
 14 for Department of Human Services capital improvements, information
 15 technologies and one-time costs of the Department of Human Services for the
 16 fiscal year ending June 30, 2009, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2008-2009</u>
(01) AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009	<u>\$ 179,680,169</u>

21
 22 SECTION 14. APPROPRIATION - VOLUNTEERISM - OPERATIONS. There is hereby
 23 appropriated, to the Department of Human Services - Division of Volunteerism,
 24 to be payable from the paying account as determined by the Chief Fiscal
 25 Officer of the State, for personal services and operating expenses of the
 26 Department of Human Services - Division of Volunteerism for the fiscal year
 27 ending June 30, 2010, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) REGULAR SALARIES	\$ 891,419
(02) PERSONAL SERVICES MATCHING	294,908
(03) OVERTIME	1,000
(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	295,719
(B) CONF. & TRAVEL	22,000

1	(C) PROF. FEES	15,000
2	(D) CAP. OUTLAY	0
3	(E) DATA PROC.	0
4	(05) DELTA SERVICE CORPS GRANTS	2,564,077
5	(06) DATA PROCESSING SERVICES	8,400
6	(07) AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009	<u>530,000</u>
7	TOTAL AMOUNT APPROPRIATED	<u>\$ 4,622,523</u>

8

9 SECTION 15. APPROPRIATION - VOLUNTEERISM - CASH. There is hereby

10 appropriated, to the Department of Human Services - Division of Volunteerism,

11 to be payable from the cash fund deposited in the State Treasury as

12 determined by the Chief Fiscal Officer of the State, for operating expenses

13 of the Department of Human Services - Division of Volunteerism for the fiscal

14 year ending June 30, 2010, the following:

16	ITEM	FISCAL YEAR
17	<u>NO.</u>	<u>2009-2010</u>
18	(01) MAINT. & GEN. OPERATION	
19	(A) OPER. EXPENSE	\$ 7,703
20	(B) CONF. & TRAVEL	2,865
21	(C) PROF. FEES	1,432
22	(D) CAP. OUTLAY	0
23	(E) DATA PROC.	<u>0</u>
24	TOTAL AMOUNT APPROPRIATED	<u>\$ 12,000</u>

25

26 SECTION 16. APPROPRIATION - OPERATIONS. There is hereby appropriated, to

27 the Department of Human Services - Division of Child Care and Early Childhood

28 Education, to be payable from the paying account as determined by the Chief

29 Fiscal Officer of the State, for personal services and operating expenses of

30 the Department of Human Services - Division of Child Care and Early Childhood

31 Education which shall be supplemental and in addition to those funds

32 appropriated in Section 3 of Act 133 of 2009, the following:

34	ITEM	FISCAL YEAR
35	<u>NO.</u>	<u>2009-2010</u>
36	(01) AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009	<u>\$ 870,000</u>

1
 2 SECTION 17. APPROPRIATION - GRANTS - FEDERAL. There is hereby
 3 appropriated, to the Department of Human Services - Division of Child Care
 4 and Early Childhood Education, to be payable from the federal funds as
 5 designated by the Chief Fiscal Officer of the State, for grant payments of
 6 the Department of Human Services - Division of Child Care and Early Childhood
 7 Education which shall be supplemental and in addition to those funds
 8 appropriated in Section 4 of Act 133 of 2009, the following:

<i>ITEM</i>	<i>FISCAL YEAR</i>
<u><i>NO.</i></u>	<u><i>2009-2010</i></u>
(01) CHILD CARE DEV DISCRETIONARY - ARRA OF 2009	<u>\$ 20,669,700</u>

13
 14 SECTION 18. APPROPRIATION - OPERATIONS. There is hereby appropriated, to
 15 the Department of Human Services - Division of State Services for the Blind,
 16 to be payable from the paying account as determined by the Chief Fiscal
 17 Officer of the State, for personal services and operating expenses of the
 18 Department of Human Services - Division of State Services for the Blind which
 19 shall be supplemental and in addition to those funds appropriated in Section
 20 3 of Act 178 of 2009, the following:

<i>ITEM</i>	<i>FISCAL YEAR</i>
<u><i>NO.</i></u>	<u><i>2009-2010</i></u>
(01) AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009	\$ 838,632
(02) PURCHASE OF SERVICES - ARRA OF 2009	<u>197,070</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 1,035,702</u>

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 28 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 30 DIRECTOR'S OFFICE/OFFICE OF CHIEF COUNSEL - PURCHASE OF EVIDENCE. Upon
 31 approval by the Chief Fiscal Officer of the State, the Chief Counsel for the
 32 Department of Health and Human Services may transfer an amount up to but not
 33 to exceed \$12,000 ~~for the 2007-2009 biennial period~~ and deposit same in a
 34 bank account for the purpose of purchasing evidence in the course of
 35 investigating the illegal use of food stamps/Electronic Benefit Transfer
 36 (EBT) cards. The funds so transferred shall be subject to accounting in a

1 manner substantially similar to that employed by the Arkansas State Police
2 for such transactions; provided however, that information tending to identify
3 participants in such transactions shall be exempt from the Arkansas Freedom
4 of Information Act.

5 The provisions of this section shall be in effect only from July 1, ~~2007~~
6 2009 through June 30, ~~2009~~ 2010.

7

8 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HUMAN
10 SERVICES RENOVATION FUND. Department of Human Services Renovation Fund.

11 (a) There is established on the books of the Treasurer of State, Auditor of
12 State, and the Chief Fiscal Officer of the State a fund to be known as the
13 Department of Human Services Renovation Fund.

14 (b) This fund shall be used for constructing, acquiring, renovating,
15 maintaining, repairing, and equipping facilities of the Department of ~~Health~~
16 ~~and~~ Human Services and for paying disallowances by the federal government.

17 (c) The fund shall consist of:

18 (1) Federal reimbursement received by the Department of ~~Health and~~ Human
19 Services and deposited in the various fund accounts of the department; and

20 (2) General revenues transferred from the Division of Youth Services, the
21 Division of Behavioral Health, and the Division of Developmental Disabilities
22 Services, ~~and the Division of Health~~ for the purposes of repairing,
23 renovating, equipping, acquiring and constructing Department of ~~Health and~~
24 Human Services facilities with an annual maximum of five million dollars
25 (\$5,000,000). The projects for which these transfers are authorized must be
26 projects which were unanticipated during the preceding regular session of the
27 Arkansas General Assembly and must be projects which, if not carried out in
28 the interim period between regular sessions of the Arkansas General Assembly
29 would cause greater harm to the facilities, clients or programs of the
30 Department of ~~Health and~~ Human Services than to wait until the next regular
31 session.

32 (3) Other non-general revenue funds as may be available within the Department
33 of ~~Health and~~ Human Services that can be used for the purposes of this fund.

34 (d)(1) At the request of the Director of the Department of ~~Health and~~ Human
35 Services, and upon certification of the availability of such funds, the Chief
36 Fiscal Officer of the State shall initiate the necessary transfer documents

1 to reflect the transfer on the books of record of the Treasurer of State, the
2 Auditor of State, the Chief Fiscal Officer of the State, and the Department
3 of ~~Health and~~ Human Services.

4 (2) The Director of the Department of ~~Health and~~ Human Services shall submit
5 any transfer plan to and must receive approval of the plan from the Chief
6 Fiscal Officer of the State, the Governor and the Arkansas Legislative
7 Council prior to the effective date of the transfer.

8 (e) Provided, that any non-general revenue funding that may remain in the
9 fund at the end of any fiscal year shall be carried over into the next fiscal
10 year and all obligated general revenue funding that may remain in the fund at
11 the end of any fiscal year shall be carried over into the next fiscal year to
12 satisfy such legal and contractual obligations that have been entered into
13 prior to the end of the fiscal year.

14 (f) Determining the amount of funds appropriated to a state agency is the
15 prerogative of the General Assembly and is usually accomplished by
16 delineating specific line items and by identifying the appropriation and
17 funding attached to that line item. The General Assembly has determined that
18 the Department of ~~Health and~~ Human Services could be operated more
19 efficiently if some flexibility is given to that agency. That flexibility is
20 being accomplished by providing transfer authority in subsection (d) of this
21 section, and since the General Assembly has granted the agency broad powers
22 under the transfer authority concept, it is both necessary and appropriate
23 that the General Assembly maintain oversight of the utilization of the
24 transfer authority by requiring prior approval of the Legislative Council in
25 the utilization of this transfer authority. Therefore, the requirement of
26 approval by the Legislative Council is not a severable part of this section.
27 If the requirement of approval by the Legislative Council is ruled
28 unconstitutional by a court jurisdiction, this entire section is void.

29 The provisions of this section shall be in effect only from July 1, ~~2007~~
30 2009 through June 30, ~~2009~~ 2010.

31
32 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
34 AUTHORITY. The Director of the Department of ~~Health and~~ Human Services shall
35 have transfer authority provided by the following:

36 (a) DEPARTMENT OF HUMAN SERVICES RENOVATION FUND. The Director of the

1 Department of ~~Health and~~ Human Services is authorized to request fund
2 transfers according to the provisions established by Arkansas Code Ann. 19-5-
3 1020, Department of Human Services Renovation Fund, as amended herein; and

4 (b) MATCH TRANSFER. The Director of the Department of ~~Health and~~ Human
5 Services, with the approval of the Chief Fiscal Officer of the State, is
6 authorized to effect inter-agency and inter-divisional fund transfers for the
7 purpose of providing the State's matching share for payments made to that
8 Division or Office or its service providers for services eligible for federal
9 reimbursement under programs administered by the Department of ~~Health and~~
10 Human Services. The Department of ~~Health and~~ Human Services shall report to
11 the Legislative Council or Joint Budget Committee on a quarterly basis all
12 fund transfers made in accordance with the authority granted by this section;
13 and

14 (c) YOUTH SERVICES - HOUSING AND SEPARATION APPROPRIATION PROVISIONS. The
15 Division of Youth Services (DYS) is authorized to fulfill its responsibility
16 to house offenders between the ages of 18 and 21 and to separate juvenile
17 offenders by age and seriousness of offense by either employing additional
18 state employees and providing the corresponding operating expenses or
19 entering into professional services contracts. If the Division of Youth
20 Services determines that the Division needs to employ state employees to
21 fulfill the housing and separation requirements, they may transfer up to the
22 total amount appropriated for the DYS - Residential Services Program
23 appropriation to the appropriate DYS appropriation and line items, upon
24 approval of the Chief Fiscal Officer of the State, and prior review by the
25 Legislative Council; and

26 (d) REALLOCATION OF RESOURCES: (1) The Department of ~~Health and~~ Human
27 Services ~~(DHHS)~~ (DHS) provides hundreds of different services to over 1
28 million Arkansans. The specific mix of service needs and the funding and
29 staffing required to provide them can vary significantly based on many
30 factors, including natural disasters, changing federal mandates and funding
31 sources, demographic shifts, fluctuating court-ordered services, social
32 trends, and job market variations such as nursing shortages. The impact of
33 these factors through the course of a biennium make it very difficult for the
34 Department to accurately predict the exact needs for funding, appropriation
35 and positions in each of its over 100 different appropriations. To ensure
36 that it can respond quickly to changing client needs and make the most

1 effective use of the resources allocated to it, the Department of ~~Health and~~
2 Human Services shall be authorized to utilize the reallocation of resource
3 authority to make the proper adjustments to the budgets within the
4 Department. Therefore, upon determination by the Director of the Department
5 of ~~Health and~~ Human Services that a reallocation of resources within the
6 department is necessary for the efficient and effective operation of the
7 department, the director, with approval of the Governor, shall have the
8 authority to request, from the Chief Fiscal Officer of the State, a transfer
9 of positions, appropriations, line item appropriations, and funds within or
10 between existing and newly created divisions, offices, sections, or units of
11 the department. Provided, however, that no transfer of funds or appropriation
12 that provides direct support or matching support for the Arkansas Medicaid
13 Program shall be made to any other fund account or appropriation that does
14 not directly support the Arkansas Medicaid Program. Further, no positions,
15 funds, or appropriation authorized during the ~~2007-2009 biennial~~ budget
16 process for the Division of Children and Family Services compliance with
17 initiatives established under the Angela R. consent decree shall be
18 transferred to any other division. Nothing in this provision is intended to
19 prevent the one-time transfers of savings in any other program to the
20 Arkansas Medicaid Program, with the exception of the provisions previously
21 cited for the Division of Children and Family Services - Angela R. consent
22 decree. The Division of Developmental Disabilities - Grants to Community
23 Providers line item of the Developmental Disabilities Services - Grants-in-
24 Aid appropriation may not be decreased. The appropriation, funding, and
25 positions provided for the six Human Development Centers shall remain at a
26 level sufficient to ensure quality care for the Centers' residents. The
27 exemptions provided in this subsection whereby certain ~~DHHS~~ DHS Programs and
28 Divisions are protected from appropriation, fund, or position transfers are
29 applicable only to the reallocation or transfer authority granted herein, and
30 not by any reductions which are applicable to all state programs.
31 The Director of the Department of ~~Health and~~ Human Services shall submit any
32 requests for transfers to and must receive approval of the requests for
33 transfers from the Chief Fiscal Officer of the State, the Governor, and the
34 Arkansas Legislative Council prior to the effective date of the transfers.
35 Provided, however, that the Department of ~~Health and~~ Human Services shall be
36 limited to submitting no more than ~~four requests for reallocation of~~

1 ~~resources transfers~~ two reallocation of resources transfer requests during
2 any fiscal year. In each Departmental request no single division will request
3 reallocation for more than one purpose as listed in this section. Transfer
4 authority for unforeseen purposes shall further be limited to no more than 5%
5 of the total appropriation, funding, and positions authorized for the
6 Department. Reallocation of resources transfers may include multiple items
7 but shall be limited to the following purposes:

8 i). Medicaid Program

9 ii). Facilities and institutions costs, including operational expenses and
10 construction/renovation/equipping expenses

11 iii). Departmental grants and contracts

12 iv). Court ordered settlements and payments

13 v). Payment of administrative expenses, including but not limited to,
14 overtime and other costs of personnel for critical services or functions
15 necessary to carry out the mission of the agency

16 vi). Restructuring efforts as deemed necessary to comply with new and/or
17 unanticipated federal or state mandates

18 vii). Redirecting internal resources, both direct and/or indirect, to meet
19 client needs and services

20 Determining the maximum number of employees and the maximum amount of
21 appropriation and general revenue funding for a state agency each fiscal year
22 is the prerogative of the General Assembly. This is usually accomplished by
23 delineating such maximums in the appropriation act(s) for a state agency and
24 the general revenue allocations authorized for each fund and fund account by
25 amendment to the Revenue Stabilization law. Further, the General Assembly has
26 determined that the Department of ~~Health and~~ Human Services may operate more
27 efficiently if some flexibility is provided to the Department of ~~Health and~~
28 Human Services authorizing broad powers under the Reallocation of Resources
29 provisions herein. Therefore, it is both necessary and appropriate that the
30 General Assembly maintain oversight by requiring prior approval of the
31 Legislative Council or Joint Budget Committee as provided by this section.
32 The requirement of approval by the Legislative Council or Joint Budget
33 Committee is not a severable part of this section. If the requirement of
34 approval by the Legislative Council or Joint Budget Committee is ruled
35 unconstitutional by a court of competent jurisdiction, this entire section is
36 void.

1 (2) If it is determined that the requested reallocation of resources
2 transfers should be made, the Chief Fiscal Officer of the State shall then
3 initiate the necessary transfer documents to reflect the transfers upon the
4 fiscal records of the Treasurer of State, the Auditor of State, the Chief
5 Fiscal Officer of the State, and the Department of ~~Health and~~ Human Services.
6 In addition, the Chief Fiscal Officer of the State, together with the Co-
7 Chairpersons of the Legislative Council or Joint Budget Committee, may
8 approve, on an emergency basis, requests for utilization of this Section
9 without prior approval of the Arkansas Legislative Council, with any such
10 actions reported at the next meeting of the Arkansas Legislative Council.

11 The provisions of this section shall be in effect only from July 1, ~~2007~~
12 2009 through June 30, ~~2009~~ 2010.

13
14 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

16 NURSING/DIRECT CARE EDUCATION STIPEND PROGRAM. Special provision for a
17 Nursing/Direct Care Education Stipend Program for the Department of ~~Health~~
18 ~~and~~ Human Services is hereby authorized to pay from State and Federal Funds
19 appropriated in each division Act. This program is for eligible nursing
20 students who are attending accredited nursing institutions to become
21 Registered or Licensed Practical Nurses, as well as Certified Nursing
22 Assistants, Life Skills Trainers and Mental Health Workers.

23 The stipend is \$5,000 per person per year. Any student who is awarded and
24 accepts a stipend is under employment commitment to the respective ~~DHHS~~ DHS
25 Division and is required to work for that division, in a full-time employee
26 status effective immediately upon graduation. The student employment
27 commitment is equal to the number of years the stipend was awarded and
28 accepted. In the event of Employee/Student default of the employment
29 commitment, the Employee/Student will be considered in breach of contract and
30 repayment of the stipend will be required as specified in the Stipend
31 Contract.

32 Each division participating in the Education Stipend Program shall determine
33 on an annual basis, the number of student stipends available.

34 The provisions of this section shall be in effect only from July 1,
35 ~~2007~~ 2009 through June 30, ~~2009~~ 2010.

36

1 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SELL,
 3 LEASE, RENT, CONVEY OR ENCUMBER RAY WINDER FIELD. In no event shall the
 4 Department of ~~Health and~~ Human Services, or any of its governing boards,
 5 sell, lease, rent, convey or encumber the land and facilities of Ray Winder
 6 Field in Little Rock, Arkansas without the prior review and approval of the
 7 Arkansas Legislative Council or Joint Budget Committee.

8
 9 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 11 NURSING/DIRECT CARE RECRUITMENT/RETENTION BONUSES. Special provision to
 12 provide Nursing/Direct Care Recruitment and Retention Bonuses for the
 13 Department of ~~Health and~~ Human Services is hereby authorized to pay from
 14 State and Federal funds appropriated for each respective division.
 15 Nursing/direct care service recruitment/retention bonuses are in addition to
 16 the maximum annual amounts provided in the Regular Salaries Section of the
 17 respective Division Act for Registered Nurse, Licensed Practical Nurse,
 18 Certified Nursing Assistant, Life Skills Trainer and Mental Health Worker.
 19 New hire nurses must be licensed by the Arkansas State Board of Nursing. The
 20 total recruitment/retention bonus payment commitment for eligible nurses
 21 shall not exceed \$4,000 per Registered Nurse and \$2,000 per Licensed
 22 Practical Nurse and \$1,000 per Certified Nursing Assistant, Life Skills
 23 Trainer and Mental Health Worker. The lump sum bonus payments and employment
 24 commitment to the State will be made in partial payments as follows:

25
 26 Registered Nurse Classifications

27 \$1,000 after completing 6 months probationary employment

28 ~~\$1,000-1,500~~ after completing 1st year employment

29 ~~\$1,000-1,500~~ after completing 2nd year employment

30 ~~\$1,000 after completing 3rd year employment~~

31
 32 Licensed Practical Nurse Classifications

33 \$ 500 after completing 6 months probationary employment

34 \$ 500 after completing 1st year employment

35 \$1,000 after completing 2nd year employment

36

1 Certified Nursing Assistant/Life Skills Trainer/Mental Health Worker
2 Classifications

3 \$ 500 after completing 6 month probationary employment

4 \$ 500 after completing 1st year employment

5
6 Any qualified person hired and offered bonus payment described herein will
7 forfeit the balance of the payments if he/she voluntarily resigns or is
8 terminated for cause from employment from the Department of ~~Health and~~ Human
9 Services prior to completing the required employment commitment time periods
10 outlined above.

11 The provisions of this section shall be in effect only from July 1,
12 ~~2007~~ 2009 through June 30, ~~2009~~ 2010.

13
14 *SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*
15 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY*
16 *FORWARD. The balances of general revenue that remain in the Department of*
17 *Human Services General Revenue Fund Accounts on June 30, 2009, due to the*
18 *passage of the American Recovery and Reinvestment Act of 2009 and attributed*
19 *to the federal medical assistance percentage (FMAP) change, shall remain in*
20 *the Department of Human Services General Revenue Fund Accounts. Such general*
21 *revenue balances shall not be subject to the provisions of §19-5-1004 and*
22 *shall carry forward into fiscal year 2010, there to be used solely as*
23 *provided by law. The provisions of this section shall expire on August 15,*
24 *2009.*

25
26 *SECTION 26. COMPLIANCE WITH OTHER LAWS.* Disbursement of funds authorized
27 by this act shall be limited to the appropriation for such agency and funds
28 made available by law for the support of such appropriations; and the
29 restrictions of the State Procurement Law, the General Accounting and
30 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
31 Procedures and Restrictions Act, or their successors, and other fiscal
32 control laws of this State, where applicable, and regulations promulgated by
33 the Department of Finance and Administration, as authorized by law, shall be
34 strictly complied with in disbursement of said funds.

35
36 *SECTION 27. LEGISLATIVE INTENT.* It is the intent of the General Assembly

1 that any funds disbursed under the authority of the appropriations contained
2 in this act shall be in compliance with the stated reasons for which this act
3 was adopted, as evidenced by the Agency Requests, Executive Recommendations
4 and Legislative Recommendations contained in the budget manuals prepared by
5 the Department of Finance and Administration, letters, or summarized oral
6 testimony in the official minutes of the Arkansas Legislative Council or
7 Joint Budget Committee which relate to its passage and adoption.

8
9 SECTION 28. EMERGENCY CLAUSE. It is found and determined by the General
10 Assembly, that the Constitution of the State of Arkansas prohibits the
11 appropriation of funds for more than a one (1) year period; that the
12 effectiveness of this Act on July 1, 2009 is essential to the operation of
13 the agency for which the appropriations in this Act are provided; with the
14 exception that Section 13 in this Act shall be in full force and effect from
15 and after the date of its passage and approval, and that in the event of an
16 extension of the Regular Session, the delay in the effective date of this Act
17 beyond July 1, 2009, with the exception that Section 13 in this Act shall be
18 in full force and effect from and after the date of its passage and approval,
19 could work irreparable harm upon the proper administration and provision of
20 essential governmental programs. Therefore, an emergency is hereby declared
21 to exist and this Act being necessary for the immediate preservation of the
22 public peace, health and safety shall be in full force and effect from and
23 after July 1, 2009; with the exception that Section 13 in this Act shall be
24 in full force and effect from and after the date of its passage and approval.

25
26 /s/ Joint Budget Committee

27
28 **APPROVED: 4/9/2009**