

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.

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

# A Bill

HOUSE BILL 1186

4  
5 By: Joint Budget Committee  
6  
7

## For An Act To Be Entitled

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 AN ACT FOR THE DEPARTMENT OF HUMAN  
17 SERVICES - ADMINISTRATION APPROPRIATION  
18 FOR THE 2009-2010 FISCAL YEAR.  
19  
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.  
36



Item	Class		Maximum	Maximum Annual
No.	Code	Title	No. of	Salary Rate
			Employees	Fiscal Year
				2009-2010
5	(1) U011U	DHS DIRECTOR	1	\$146,526
6	(2) U074U	DHS DEPUTY DIRECTOR	1	\$118,700
7	(3) U041U	DHS DEPUTY DIRECTOR	1	\$118,700
8	(4) G004N	DHS CHIEF ATTORNEY	1	GRADE N908
9	(5) N128N	DHS ASST DIR QUALITY ASSURANCE	1	GRADE N904
10	(6) P004N	DHS DIRECTOR OF PUBLIC RELATIONS	1	GRADE N901
11	(7) N167N	DHS POLICY & RESEARCH DIRECTOR	1	GRADE N901
12	(8) G027N	DHS RESEARCH ANALYSIS MANAGER	1	GRADE N901
13	(9) A007C	AUDIT MANAGER	2	GRADE C129
14	(10) G004C	MANAGING ATTORNEY	3	GRADE C129
15	(11) G025C	ATTORNEY SUPERVISOR	4	GRADE C127
16	(12) G024C	DEPARTMENT ADMINISTRATIVE LAW JUDGE	3	GRADE C127
17	(13) G047C	ATTORNEY SPECIALIST	52	GRADE C126
18	(14) G042C	DHS ADMINISTRATIVE LAW JUDGE	6	GRADE C126
19	(15) G073C	ATTORNEY	1	GRADE C124
20	(16) D030C	INFORMATION SYSTEMS COORDINATOR	2	GRADE C124
21	(17) A044C	AUDIT COORDINATOR	3	GRADE C122
22	(18) G124C	OMBUDSMAN	1	GRADE C120
23	(19) G152C	DHS PROGRAM MANAGER	3	GRADE C119
24	(20) A066C	INTERNAL AUDITOR	4	GRADE C119
25	(21) A060C	SENIOR AUDITOR	18	GRADE C119
26	(22) G170C	DHS ADMINISTRATIVE REVIEW OFFICER	6	GRADE C118
27	(23) A076C	FINANCE PROGRAM ANALYST	1	GRADE C118
28	(24) G183C	DHS PROGRAM COORDINATOR	2	GRADE C117
29	(25) X101C	INTERNAL AFFAIRS INVESTIGATOR	1	GRADE C117
30	(26) G179C	LEGAL SERVICES SPECIALIST	3	GRADE C117
31	(27) X125C	FRAUD INVESTIGATOR COORDINATOR	3	GRADE C116
32	(28) P031C	MEDIA SPECIALIST	1	GRADE C116
33	(29) G210C	DHS PROGRAM SPECIALIST	3	GRADE C115
34	(30) X156C	FRAUD INVESTIGATOR	6	GRADE C114
35	(31) C046C	LEGAL SUPPORT SPECIALIST	37	GRADE C113
36	(32) C056C	ADMINISTRATIVE SPECIALIST III	13	GRADE C112

1 (33) C087C ADMINISTRATIVE SPECIALIST I 2 GRADE C106  
 2 MAX. NO. OF EMPLOYEES 188  
 3

4 SECTION 2. REGULAR SALARIES - ADMINISTRATIVE SERVICES. There is hereby  
 5 established for the Department of Human Services - Division of Administrative  
 6 Services for the 2009-2010 fiscal year, the following maximum number of  
 7 regular employees whose salaries shall be governed by the provisions of the  
 8 Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et  
 9 seq.), or its successor, and all laws amendatory thereto. Provided, however,  
 10 that any position to which a specific maximum annual salary is set out herein  
 11 in dollars, shall be exempt from the provisions of said Uniform  
 12 Classification and Compensation Act. All persons occupying positions  
 13 authorized herein are hereby governed by the provisions of the Regular  
 14 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its  
 15 successor.  
 16

17				Maximum Annual
18				Salary Rate
19	Item	Class	Maximum	Fiscal Year
20	No.	Code Title	No. of	2009-2010
			Employees	
21	(1)	N016N DHS DEP DIR ADMINISTRATIVE SVCS	1	GRADE N911
22	(2)	N040N DHS CHIEF INFORMATION OFFICER	1	GRADE N909
23	(3)	N112N DHS ASST DEP DIR FIN SUPPORT SYSTEM	1	GRADE N905
24	(4)	N111N DHS ASST DEP DIR FOR MGR ACCOUNTING	1	GRADE N905
25	(5)	N107N DHS/OFA ASSISTANT DIR - ACCOUNTING	1	GRADE N905
26	(6)	N109N DHS/OFA ASSISTANT DIRECTOR	1	GRADE N905
27	(7)	R002N DHS DIRECTOR OF HUMAN RESOURCES	1	GRADE N904
28	(8)	G004C MANAGING ATTORNEY	1	GRADE C129
29	(9)	A010C AGENCY CONTROLLER II	7	GRADE C128
30	(10)	D007C INFORMATION SYSTEMS MANAGER	4	GRADE C128
31	(11)	A027C ACCOUNTING OPERATIONS MANAGER	1	GRADE C125
32	(12)	R008C DHS EMPLOYEE RELATIONS MANAGER	1	GRADE C125
33	(13)	A031C ASSISTANT CONTROLLER	7	GRADE C124
34	(14)	R013C AGENCY HUMAN RESOURCES MANAGER	2	GRADE C123
35	(15)	G099C DHS PROGRAM ADMINISTRATOR	1	GRADE C122
36	(16)	A052C ACCOUNTING COORDINATOR	4	GRADE C121

1	(17)	A047C	FINANCIAL ANALYST II	1	GRADE C121
2	(18)	G109C	GRANTS MANAGER	2	GRADE C121
3	(19)	R014C	PERSONNEL MANAGER	1	GRADE C121
4	(20)	V004C	PROCUREMENT MANAGER	1	GRADE C121
5	(21)	D052C	SOFTWARE SUPPORT ANALYST	7	GRADE C121
6	(22)	A056C	DHS FINANCIAL SECTION MANAGER	11	GRADE C120
7	(23)	E023C	TRAINING PROJECT MANAGER	1	GRADE C120
8	(24)	R022C	BENEFITS COORDINATOR	1	GRADE C119
9	(25)	R021C	BUDGET ANALYST	1	GRADE C119
10	(26)	D063C	COMPUTER SUPPORT SPECIALIST	8	GRADE C119
11	(27)	R020C	DHS EMPLOYEE RELATIONS/CIVIL RIGHTS	1	GRADE C119
12	(28)	G152C	DHS PROGRAM MANAGER	4	GRADE C119
13	(29)	G147C	GRANTS COORDINATOR	2	GRADE C119
14	(30)	D061C	INFORMATION SYSTEMS COORDINATION SP	5	GRADE C119
15	(31)	A065C	PAYROLL SERVICES COORDINATOR	2	GRADE C119
16	(32)	V007C	PROCUREMENT COORDINATOR	5	GRADE C119
17	(33)	A063C	RESEARCH & STATISTICS SUPERVISOR	1	GRADE C119
18	(34)	R024C	ASST PERSONNEL MANAGER	9	GRADE C118
19	(35)	A075C	FINANCIAL ANALYST I	1	GRADE C118
20	(36)	A074C	FISCAL SUPPORT SUPERVISOR	9	GRADE C118
21	(37)	D064C	WEBSITE DEVELOPER	1	GRADE C118
22	(38)	R027C	BUDGET SPECIALIST	7	GRADE C117
23	(39)	R026C	CIVIL RIGHTS/EMPLOYEE RELATIONS COORD	5	GRADE C117
24	(40)	G183C	DHS PROGRAM COORDINATOR	2	GRADE C117
25	(41)	G180C	GRANTS ANALYST	34	GRADE C117
26	(42)	R025C	HUMAN RESOURCES ANALYST	5	GRADE C117
27	(43)	G178C	POLICY DEVELOPMENT COORDINATOR	2	GRADE C117
28	(44)	B076C	RESEARCH PROJECT ANALYST	1	GRADE C117
29	(45)	E040C	STAFF DEVELOPMENT COORDINATOR	5	GRADE C117
30	(46)	A089C	ACCOUNTANT I	15	GRADE C116
31	(47)	R029C	HUMAN RESOURCES RECRUITER	5	GRADE C116
32	(48)	C037C	ADMINISTRATIVE ANALYST	5	GRADE C115
33	(49)	D079C	COMPUTER SUPPORT TECHNICIAN	2	GRADE C115
34	(50)	G210C	DHS PROGRAM SPECIALIST	4	GRADE C115
35	(51)	A091C	FISCAL SUPPORT ANALYST	15	GRADE C115
36	(52)	D077C	HELP DESK SPECIALIST	1	GRADE C115

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

28

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

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

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

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

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

35 SECTION 5. EXTRA HELP - ADMINISTRATIVE SERVICES. There is hereby  
 36 authorized, for the Department of Human Services - Division of Administrative

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

7

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

15

16 ITEM	FISCAL YEAR
17 <u>NO.</u>	<u>2009-2010</u>
18 (01) REGULAR SALARIES	\$ 8,873,167
19 (02) EXTRA HELP	142,580
20 (03) PERSONAL SERVICES MATCHING	2,686,143
21 (04) MAINT. & GEN. OPERATION	
22 (A) OPER. EXPENSE	1,176,112
23 (B) CONF. & TRAVEL	32,472
24 (C) PROF. FEES	11,000
25 (D) CAP. OUTLAY	0
26 (E) DATA PROC.	0
27 (05) DATA PROCESSING SERVICES	<u>12,300</u>
28 TOTAL AMOUNT APPROPRIATED	<u>\$ 12,933,774</u>

29

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

36

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

15

16 SECTION 8. APPROPRIATION - ADMINISTRATIVE SERVICES - CLIENT SPECIFIC  
 17 EMERGENCY SERVICES - CASH. There is hereby appropriated, to the Department  
 18 of Human Services - Division of Administrative Services, to be payable from  
 19 cash funds as defined by Arkansas Code 19-4-801 of the Department of Human  
 20 Services - Division of Administrative Services, for purchase of services of  
 21 the Department of Human Services - Division of Administrative Services for  
 22 the fiscal year ending June 30, 2010, the following:

23

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

27

28 SECTION 9. APPROPRIATION - ADMINISTRATIVE SERVICES - VARIOUS BUILDING  
 29 CONSTRUCTION. There is hereby appropriated, to the Department of Human  
 30 Services - Division of Administrative Services, to be payable from the  
 31 Department of Human Services Renovation Fund, for construction, renovation,  
 32 maintenance, equipment and repairs for various buildings operated by the  
 33 Department of Human Services for the fiscal year ending June 30, 2010, the  
 34 following:

35

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

3

4 SECTION 10. APPROPRIATION - ADMINISTRATIVE SERVICES - CONSOLIDATED COST.

5 There is hereby appropriated, to the Department of Human Services - Division

6 of Administrative Services, to be payable from the DHS Consolidated Cost

7 Revolving Fund, for operating expenses of the Department of Human Services -

8 Division of Administrative Services - Consolidated Cost for the fiscal year

9 ending June 30, 2010, the following:

10		
11	ITEM	FISCAL YEAR
12	<u>NO.</u>	<u>2009-2010</u>
13	(01) MAINT. & GEN. OPERATION	
14	(A) OPER. EXPENSE	\$ 821,500
15	(B) CONF. & TRAVEL	0
16	(C) PROF. FEES	0
17	(D) CAP. OUTLAY	0
18	(E) DATA PROC.	<u>0</u>
19	TOTAL AMOUNT APPROPRIATED	<u>\$ 821,500</u>

20

21 SECTION 11. APPROPRIATION - ADMINISTRATIVE SERVICES - SOCIAL SERVICES

22 BLOCK GRANT - FEDERAL. There is hereby appropriated, to the Department of

23 Human Services - Division of Administrative Services, to be payable from the

24 federal funds as designated by the Chief Fiscal Officer of the State, for

25 purchase of services of the Department of Human Services - Division of

26 Administrative Services for the fiscal year ending June 30, 2010, the

27 following:

28		
29	ITEM	FISCAL YEAR
30	<u>NO.</u>	<u>2009-2010</u>
31	(01) PURCHASE OF SERVICES	<u>\$ 139,733</u>

32

33 SECTION 12. APPROPRIATION - VOLUNTEERISM - OPERATIONS. There is hereby

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

35 to be payable from the paying account as determined by the Chief Fiscal

36 Officer of the State, for personal services and operating expenses of the

1 Department of Human Services - Division of Volunteerism for the fiscal year  
 2 ending June 30, 2010, the following:

4 ITEM	FISCAL YEAR
5 <u>NO.</u>	<u>2009-2010</u>
6 (01) REGULAR SALARIES	\$ 891,419
7 (02) PERSONAL SERVICES MATCHING	294,908
8 (03) OVERTIME	1,000
9 (04) MAINT. & GEN. OPERATION	
10 (A) OPER. EXPENSE	295,719
11 (B) CONF. & TRAVEL	22,000
12 (C) PROF. FEES	15,000
13 (D) CAP. OUTLAY	0
14 (E) DATA PROC.	0
15 (05) DELTA SERVICE CORPS GRANTS	2,564,077
16 (06) DATA PROCESSING SERVICES	<u>8,400</u>
17 TOTAL AMOUNT APPROPRIATED	<u>\$ 4,092,523</u>

18  
 19 SECTION 13. APPROPRIATION - VOLUNTEERISM - CASH. There is hereby  
 20 appropriated, to the Department of Human Services - Division of Volunteerism,  
 21 to be payable from the cash fund deposited in the State Treasury as  
 22 determined by the Chief Fiscal Officer of the State, for operating expenses  
 23 of the Department of Human Services - Division of Volunteerism for the fiscal  
 24 year ending June 30, 2010, the following:

26 ITEM	FISCAL YEAR
27 <u>NO.</u>	<u>2009-2010</u>
28 (01) MAINT. & GEN. OPERATION	
29 (A) OPER. EXPENSE	\$ 7,703
30 (B) CONF. & TRAVEL	2,865
31 (C) PROF. FEES	1,432
32 (D) CAP. OUTLAY	0
33 (E) DATA PROC.	<u>0</u>
34 TOTAL AMOUNT APPROPRIATED	<u>\$ 12,000</u>

35  
 36 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
 2 DIRECTOR'S OFFICE/OFFICE OF CHIEF COUNSEL - PURCHASE OF EVIDENCE. Upon  
 3 approval by the Chief Fiscal Officer of the State, the Chief Counsel for the  
 4 Department of ~~Health and~~ Human Services may transfer an amount up to but not  
 5 to exceed \$12,000 ~~for the 2007-2009 biennial period~~ and deposit same in a  
 6 bank account for the purpose of purchasing evidence in the course of  
 7 investigating the illegal use of food stamps/Electronic Benefit Transfer  
 8 (EBT) cards. The funds so transferred shall be subject to accounting in a  
 9 manner substantially similar to that employed by the Arkansas State Police  
 10 for such transactions; provided however, that information tending to identify  
 11 participants in such transactions shall be exempt from the Arkansas Freedom  
 12 of Information Act.

13 The provisions of this section shall be in effect only from July 1, ~~2007~~  
 14 2009 through June 30, ~~2009~~ 2010.

15  
 16 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HUMAN  
 18 SERVICES RENOVATION FUND. Department of Human Services Renovation Fund.

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

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

25 (c) The fund shall consist of:

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

28 (2) General revenues transferred from the Division of Youth Services, the  
 29 Division of Behavioral Health, and the Division of Developmental Disabilities  
 30 Services, ~~and the Division of Health~~ for the purposes of repairing,

31 renovating, equipping, acquiring and constructing Department of ~~Health and~~  
 32 Human Services facilities with an annual maximum of five million dollars  
 33 (\$5,000,000). The projects for which these transfers are authorized must be  
 34 projects which were unanticipated during the preceding regular session of the  
 35 Arkansas General Assembly and must be projects which, if not carried out in  
 36 the interim period between regular sessions of the Arkansas General Assembly

1 would cause greater harm to the facilities, clients or programs of the  
 2 Department of ~~Health and~~ Human Services than to wait until the next regular  
 3 session.

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

6 (d)(1) At the request of the Director of the Department of ~~Health and~~ Human  
 7 Services, and upon certification of the availability of such funds, the Chief  
 8 Fiscal Officer of the State shall initiate the necessary transfer documents  
 9 to reflect the transfer on the books of record of the Treasurer of State, the  
 10 Auditor of State, the Chief Fiscal Officer of the State, and the Department  
 11 of ~~Health and~~ Human Services.

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

16 (e) Provided, that any non-general revenue funding that may remain in the  
 17 fund at the end of any fiscal year shall be carried over into the next fiscal  
 18 year and all obligated general revenue funding that may remain in the fund at  
 19 the end of any fiscal year shall be carried over into the next fiscal year to  
 20 satisfy such legal and contractual obligations that have been entered into  
 21 prior to the end of the fiscal year.

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

1 The provisions of this section shall be in effect only from July 1, 2007  
 2 2009 through June 30, ~~2009~~ 2010.

3  
 4 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
 6 AUTHORITY. The Director of the Department of ~~Health and~~ Human Services shall  
 7 have transfer authority provided by the following:

8 (a) DEPARTMENT OF HUMAN SERVICES RENOVATION FUND. The Director of the  
 9 Department of ~~Health and~~ Human Services is authorized to request fund  
 10 transfers according to the provisions established by Arkansas Code Ann. 19-5-  
 11 1020, Department of Human Services Renovation Fund, as amended herein; and

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

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

34 (d) REALLOCATION OF RESOURCES: (1) The Department of ~~Health and~~ Human  
 35 Services ~~(DHHS)~~ (DHS) provides hundreds of different services to over 1  
 36 million Arkansans. The specific mix of service needs and the funding and

1 staffing required to provide them can vary significantly based on many  
 2 factors, including natural disasters, changing federal mandates and funding  
 3 sources, demographic shifts, fluctuating court-ordered services, social  
 4 trends, and job market variations such as nursing shortages. The impact of  
 5 these factors through the course of a biennium make it very difficult for the  
 6 Department to accurately predict the exact needs for funding, appropriation  
 7 and positions in each of its over 100 different appropriations. To ensure  
 8 that it can respond quickly to changing client needs and make the most  
 9 effective use of the resources allocated to it, the Department of ~~Health and~~  
 10 Human Services shall be authorized to utilize the reallocation of resource  
 11 authority to make the proper adjustments to the budgets within the  
 12 Department. Therefore, upon determination by the Director of the Department  
 13 of ~~Health and~~ Human Services that a reallocation of resources within the  
 14 department is necessary for the efficient and effective operation of the  
 15 department, the director, with approval of the Governor, shall have the  
 16 authority to request, from the Chief Fiscal Officer of the State, a transfer  
 17 of positions, appropriations, line item appropriations, and funds within or  
 18 between existing and newly created divisions, offices, sections, or units of  
 19 the department. Provided, however, that no transfer of funds or appropriation  
 20 that provides direct support or matching support for the Arkansas Medicaid  
 21 Program shall be made to any other fund account or appropriation that does  
 22 not directly support the Arkansas Medicaid Program. Further, no positions,  
 23 funds, or appropriation authorized during the ~~2007-2009 biennial~~ budget  
 24 process for the Division of Children and Family Services compliance with  
 25 initiatives established under the Angela R. consent decree shall be  
 26 transferred to any other division. Nothing in this provision is intended to  
 27 prevent the one-time transfers of savings in any other program to the  
 28 Arkansas Medicaid Program, with the exception of the provisions previously  
 29 cited for the Division of Children and Family Services - Angela R. consent  
 30 decree. The Division of Developmental Disabilities - Grants to Community  
 31 Providers line item of the Developmental Disabilities Services - Grants-in-  
 32 Aid appropriation may not be decreased. The appropriation, funding, and  
 33 positions provided for the six Human Development Centers shall remain at a  
 34 level sufficient to ensure quality care for the Centers' residents. The  
 35 exemptions provided in this subsection whereby certain ~~DHHS~~ DHS Programs and  
 36 Divisions are protected from appropriation, fund, or position transfers are

1 applicable only to the reallocation or transfer authority granted herein, and  
 2 not by any reductions which are applicable to all state programs.

3 The Director of the Department of ~~Health and~~ Human Services shall submit any  
 4 requests for transfers to and must receive approval of the requests for  
 5 transfers from the Chief Fiscal Officer of the State, the Governor, and the  
 6 Arkansas Legislative Council prior to the effective date of the transfers.

7 Provided, however, that the Department of ~~Health and~~ Human Services shall be  
 8 limited to submitting no more than ~~four requests for reallocation of~~  
 9 ~~resources transfers~~ one reallocation of resources transfer request during any  
 10 fiscal year. In each Departmental request no single division will request  
 11 reallocation for more than one purpose as listed in this section. Transfer  
 12 authority for unforeseen purposes shall further be limited to no more than 5%  
 13 of the total appropriation, funding, and positions authorized for the  
 14 Department. Reallocation of resources transfers may include multiple items  
 15 but shall be limited to the following purposes:

- 16 i). Medicaid Program
- 17 ii). Facilities and institutions costs, including operational expenses and  
 18 construction/renovation/equipping expenses
- 19 iii). Departmental grants and contracts
- 20 iv). Court ordered settlements and payments
- 21 v). Payment of administrative expenses, including but not limited to,  
 22 overtime and other costs of personnel for critical services or functions  
 23 necessary to carry out the mission of the agency
- 24 vi). Restructuring efforts as deemed necessary to comply with new and/or  
 25 unanticipated federal or state mandates
- 26 vii). Redirecting internal resources, both direct and/or indirect, to meet  
 27 client needs and services

28 Determining the maximum number of employees and the maximum amount of  
 29 appropriation and general revenue funding for a state agency each fiscal year  
 30 is the prerogative of the General Assembly. This is usually accomplished by  
 31 delineating such maximums in the appropriation act(s) for a state agency and  
 32 the general revenue allocations authorized for each fund and fund account by  
 33 amendment to the Revenue Stabilization law. Further, the General Assembly has  
 34 determined that the Department of ~~Health and~~ Human Services may operate more  
 35 efficiently if some flexibility is provided to the Department of ~~Health and~~  
 36 Human Services authorizing broad powers under the Reallocation of Resources

1 provisions herein. Therefore, it is both necessary and appropriate that the  
 2 General Assembly maintain oversight by requiring prior approval of the  
 3 Legislative Council or Joint Budget Committee as provided by this section.  
 4 The requirement of approval by the Legislative Council or Joint Budget  
 5 Committee is not a severable part of this section. If the requirement of  
 6 approval by the Legislative Council or Joint Budget Committee is ruled  
 7 unconstitutional by a court of competent jurisdiction, this entire section is  
 8 void.

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

19 The provisions of this section shall be in effect only from July 1, ~~2007~~  
 20 2009 through June 30, ~~2009~~ 2010.

21

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

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

31 The stipend is \$5,000 per person per year. Any student who is awarded and  
 32 accepts a stipend is under employment commitment to the respective ~~DHHS~~ DHS  
 33 Division and is required to work for that division, in a full-time employee  
 34 status effective immediately upon graduation. The student employment  
 35 commitment is equal to the number of years the stipend was awarded and  
 36 accepted. In the event of Employee/Student default of the employment



1 commitment, the Employee/Student will be considered in breach of contract and  
 2 repayment of the stipend will be required as specified in the Stipend  
 3 Contract.

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

6 The provisions of this section shall be in effect only from July 1,  
 7 ~~2007~~ 2009 through June 30, ~~2009~~ 2010.

8

9 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SELL,  
 11 LEASE, RENT, CONVEY OR ENCUMBER RAY WINDER FIELD. In no event shall the  
 12 Department of ~~Health and~~ Human Services, or any of its governing boards,  
 13 sell, lease, rent, convey or encumber the land and facilities of Ray Winder  
 14 Field in Little Rock, Arkansas without the prior review and approval of the  
 15 Arkansas Legislative Council or Joint Budget Committee.

16

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

19 NURSING/DIRECT CARE RECRUITMENT/RETENTION BONUSES. Special provision to  
 20 provide Nursing/Direct Care Recruitment and Retention Bonuses for the  
 21 Department of ~~Health and~~ Human Services is hereby authorized to pay from  
 22 State and Federal funds appropriated for each respective division.

23 Nursing/direct care service recruitment/retention bonuses are in addition to  
 24 the maximum annual amounts provided in the Regular Salaries Section of the  
 25 respective Division Act for Registered Nurse, Licensed Practical Nurse,  
 26 Certified Nursing Assistant, Life Skills Trainer and Mental Health Worker.  
 27 New hire nurses must be licensed by the Arkansas State Board of Nursing. The  
 28 total recruitment/retention bonus payment commitment for eligible nurses  
 29 shall not exceed \$4,000 per Registered Nurse and \$2,000 per Licensed  
 30 Practical Nurse and \$1,000 per Certified Nursing Assistant, Life Skills  
 31 Trainer and Mental Health Worker. The lump sum bonus payments and employment  
 32 commitment to the State will be made in partial payments as follows:

33

- 34 Registered Nurse Classifications
- 35 \$1,000 after completing 6 months probationary employment
- 36 ~~\$1,000~~ 1,500 after completing 1st year employment

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

2       ~~\$1,000 after completing 3rd year employment~~

3

4       Licensed Practical Nurse Classifications

5       \$ 500 after completing 6 months probationary employment

6       \$ 500 after completing 1st year employment

7       \$1,000 after completing 2nd year employment

8

9       Certified Nursing Assistant/Life Skills Trainer/Mental Health Worker

10      Classifications

11      \$ 500 after completing 6 month probationary employment

12      \$ 500 after completing 1st year employment

13

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

19      The provisions of this section shall be in effect only from July 1,  
20      ~~2007~~ 2009 through June 30, ~~2009~~ 2010.

21

22      SECTION 20. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
23      by this act shall be limited to the appropriation for such agency and funds  
24      made available by law for the support of such appropriations; and the  
25      restrictions of the State Procurement Law, the General Accounting and  
26      Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
27      Procedures and Restrictions Act, or their successors, and other fiscal  
28      control laws of this State, where applicable, and regulations promulgated by  
29      the Department of Finance and Administration, as authorized by law, shall be  
30      strictly complied with in disbursement of said funds.

31

32      SECTION 21. LEGISLATIVE INTENT. It is the intent of the General Assembly  
33      that any funds disbursed under the authority of the appropriations contained  
34      in this act shall be in compliance with the stated reasons for which this act  
35      was adopted, as evidenced by the Agency Requests, Executive Recommendations  
36      and Legislative Recommendations contained in the budget manuals prepared by

1 the Department of Finance and Administration, letters, or summarized oral  
2 testimony in the official minutes of the Arkansas Legislative Council or  
3 Joint Budget Committee which relate to its passage and adoption.

4  
5 SECTION 22. EMERGENCY CLAUSE. It is found and determined by the General  
6 Assembly, that the Constitution of the State of Arkansas prohibits the  
7 appropriation of funds for more than a one (1) year period; that the  
8 effectiveness of this Act on July 1, 2009 is essential to the operation of  
9 the agency for which the appropriations in this Act are provided, and that in  
10 the event of an extension of the Regular Session, the delay in the effective  
11 date of this Act beyond July 1, 2009 could work irreparable harm upon the  
12 proper administration and provision of essential governmental programs.  
13 Therefore, an emergency is hereby declared to exist and this Act being  
14 necessary for the immediate preservation of the public peace, health and  
15 safety shall be in full force and effect from and after July 1, 2009.