

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
4

As Engrossed: H2/23/09
A Bill

HOUSE BILL 1186

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



				Maximum	Maximum Annual
				No. of	Salary Rate
	Item	Class		Employees	Fiscal Year
	No.	Code	Title		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.

4					Maximum Annual
5					Salary Rate
6					Fiscal Year
7	Item	Class		No. of	
8	No.	Code	Title	Employees	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	

25
 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.

34
 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:

3	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:

25

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~~ two reallocation of resources transfer requests during
10 any 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.

16
17 */s/ Joint Budget Committee*
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