

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 H4/6/09*

# 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



1				Maximum Annual	
2				Salary Rate	
3	Item	Class	No. of	Fiscal Year	
4	No.	Code	Title	Employees	2009-2010
5	(1)	U011U	DHS DIRECTOR	1	\$146,526
6	(2)	L023N	DHS DEPUTY DIRECTOR	1	GRADE N915
7	(3)	L023N	DHS DEPUTY DIRECTOR	1	GRADE N915
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	200,348
20 (03) PERSONAL SERVICES MATCHING	2,686,143
21 (04) MAINT. & GEN. OPERATION	
22 (A) OPER. EXPENSE	1,236,112
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>\$ 13,051,542</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 - ADMINISTRATIVE SERVICES - AMERICAN RECOVERY  
 34 AND REINVESTMENT ACT OF 2009. There is hereby appropriated, to the Department  
 35 of Human Services - Division of Administrative Services, to be payable from  
 36 the paying account as determined by the Chief Fiscal Officer of the State,

1 for Department of Human Services capital improvements, information  
 2 technologies and one-time costs of the Department of Human Services for the  
 3 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 SECTION 13. APPROPRIATION - ADMINISTRATIVE SERVICES - AMERICAN RECOVERY  
 10 AND REINVESTMENT ACT OF 2009. There is hereby appropriated, to the Department  
 11 of Human Services - Division of Administrative Services, to be payable from  
 12 the paying account as determined by the Chief Fiscal Officer of the State,  
 13 for Department of Human Services capital improvements, information  
 14 technologies and one-time costs of the Department of Human Services for the  
 15 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 SECTION 14. APPROPRIATION - VOLUNTEERISM - OPERATIONS. There is hereby  
 22 appropriated, to the Department of Human Services - Division of Volunteerism,  
 23 to be payable from the paying account as determined by the Chief Fiscal  
 24 Officer of the State, for personal services and operating expenses of the  
 25 Department of Human Services - Division of Volunteerism for the fiscal year  
 26 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
(C) PROF. FEES	15,000

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

7

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

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

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

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

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

13 year ending June 30, 2010, the following:

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

24

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

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

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

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

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

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

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

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

36

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

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

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

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</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>

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

1 for such transactions; provided however, that information tending to identify  
2 participants in such transactions shall be exempt from the Arkansas Freedom  
3 of Information Act.

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

6  
7 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HUMAN  
9 SERVICES RENOVATION FUND. Department of Human Services Renovation Fund.

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

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

16 (c) The fund shall consist of:

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

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

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

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

1 Auditor of State, the Chief Fiscal Officer of the State, and the Department  
2 of ~~Health and~~ Human Services.

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

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

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

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

30  
31 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
33 AUTHORITY. The Director of the Department of ~~Health and~~ Human Services shall  
34 have transfer authority provided by the following:

35 (a) DEPARTMENT OF HUMAN SERVICES RENOVATION FUND. The Director of the  
36 Department of ~~Health and~~ Human Services is authorized to request fund

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

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

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

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

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



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

7 i). Medicaid Program

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

10 iii). Departmental grants and contracts

11 iv). Court ordered settlements and payments

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

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

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

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

36 (2) If it is determined that the requested reallocation of resources

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

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

12  
13 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

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

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

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

35  
36 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SELL,  
 2 LEASE, RENT, CONVEY OR ENCUMBER RAY WINDER FIELD. In no event shall the  
 3 Department of ~~Health and~~ Human Services, or any of its governing boards,  
 4 sell, lease, rent, convey or encumber the land and facilities of Ray Winder  
 5 Field in Little Rock, Arkansas without the prior review and approval of the  
 6 Arkansas Legislative Council or Joint Budget Committee.

7

8 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

10 NURSING/DIRECT CARE RECRUITMENT/RETENTION BONUSES. Special provision to  
 11 provide Nursing/Direct Care Recruitment and Retention Bonuses for the  
 12 Department of ~~Health and~~ Human Services is hereby authorized to pay from  
 13 State and Federal funds appropriated for each respective division.  
 14 Nursing/direct care service recruitment/retention bonuses are in addition to  
 15 the maximum annual amounts provided in the Regular Salaries Section of the  
 16 respective Division Act for Registered Nurse, Licensed Practical Nurse,  
 17 Certified Nursing Assistant, Life Skills Trainer and Mental Health Worker.  
 18 New hire nurses must be licensed by the Arkansas State Board of Nursing. The  
 19 total recruitment/retention bonus payment commitment for eligible nurses  
 20 shall not exceed \$4,000 per Registered Nurse and \$2,000 per Licensed  
 21 Practical Nurse and \$1,000 per Certified Nursing Assistant, Life Skills  
 22 Trainer and Mental Health Worker. The lump sum bonus payments and employment  
 23 commitment to the State will be made in partial payments as follows:

24

25 Registered Nurse Classifications

26 \$1,000 after completing 6 months probationary employment

27 ~~\$1,000~~ 1,500 after completing 1st year employment

28 ~~\$1,000~~ 1,500 after completing 2nd year employment

29 ~~\$1,000 after completing 3rd year employment~~

30

31 Licensed Practical Nurse Classifications

32 \$ 500 after completing 6 months probationary employment

33 \$ 500 after completing 1st year employment

34 \$1,000 after completing 2nd year employment

35

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

1 Classifications

2 \$ 500 after completing 6 month probationary employment

3 \$ 500 after completing 1st year employment

4  
5 Any qualified person hired and offered bonus payment described herein will  
6 forfeit the balance of the payments if he/she voluntarily resigns or is  
7 terminated for cause from employment from the Department of ~~Health and~~ Human  
8 Services prior to completing the required employment commitment time periods  
9 outlined above.

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

12  
13 *SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*  
14 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY*  
15 *FORWARD. The balances of general revenue that remain in the Department of*  
16 *Human Services General Revenue Fund Accounts on June 30, 2009, due to the*  
17 *passage of the American Recovery and Reinvestment Act of 2009 and attributed*  
18 *to the federal medical assistance percentage (FMAP) change, shall remain in*  
19 *the Department of Human Services General Revenue Fund Accounts. Such general*  
20 *revenue balances shall not be subject to the provisions of §19-5-1004 and*  
21 *shall carry forward into fiscal year 2010, there to be used solely as*  
22 *provided by law. The provisions of this section shall expire on August 15,*  
23 *2009.*

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

34  
35 *SECTION 27. LEGISLATIVE INTENT.* It is the intent of the General Assembly  
36 that any funds disbursed under the authority of the appropriations contained

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

7  
8 SECTION 28. EMERGENCY CLAUSE. It is found and determined by the General  
9 Assembly, that the Constitution of the State of Arkansas prohibits the  
10 appropriation of funds for more than a one (1) year period; that the  
11 effectiveness of this Act on July 1, 2009 is essential to the operation of  
12 the agency for which the appropriations in this Act are provided; with the  
13 exception that Section 13 in this Act shall be in full force and effect from  
14 and after the date of its passage and approval, and that in the event of an  
15 extension of the Regular Session, the delay in the effective date of this Act  
16 beyond July 1, 2009, with the exception that Section 13 in this Act shall be  
17 in full force and effect from and after the date of its passage and approval,  
18 could work irreparable harm upon the proper administration and provision of  
19 essential governmental programs. Therefore, an emergency is hereby declared  
20 to exist and this Act being necessary for the immediate preservation of the  
21 public peace, health and safety shall be in full force and effect from and  
22 after July 1, 2009; with the exception that Section 13 in this Act shall be  
23 in full force and effect from and after the date of its passage and approval.

24  
25 /s/ Joint Budget Committee  
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