

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 1288

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 HEALTH FOR THE FISCAL YEAR ENDING  
12 JUNE 30, 2010; AND FOR OTHER PURPOSES.  
13

## Subtitle

14  
15 AN ACT FOR THE DEPARTMENT OF HEALTH  
16 APPROPRIATION FOR THE 2009-2010 FISCAL  
17 YEAR.  
18

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20  
21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for  
24 the Department of Health for the 2009-2010 fiscal year, the following maximum  
25 number of regular employees whose salaries shall be governed by the  
26 provisions of the Uniform Classification and Compensation Act (Arkansas Code  
27 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.  
28 Provided, however, that any position to which a specific maximum annual  
29 salary is set out herein in dollars, shall be exempt from the provisions of  
30 said Uniform Classification and Compensation Act. All persons occupying  
31 positions authorized herein are hereby governed by the provisions of the  
32 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),  
33 or its successor.  
34

35 Maximum Annual  
36 Maximum Salary Rate



1	Item	Class		No. of	Fiscal Year
2	No.	Code	Title	Employees	2009-2010
3	(1)	U026U	ADH DIRECTOR	2	\$200,164
4	(2)	L003N	CHIEF PHYSICIAN SPECIALIST	4	GRADE N921
5	(3)	L002N	DEPUTY STATE HEALTH OFFICER	1	GRADE N921
6	(4)	L008N	PHYSICIAN SPECIALIST	6	GRADE N917
7	(5)	L011N	DENTIST	2	GRADE N916
8	(6)	L014N	DIRECTOR OF PHARMACY	1	GRADE N914
9	(7)	N007N	ADH DEPUTY DIRECTOR ADMIN	1	GRADE N912
10	(8)	B001N	ADH SENIOR SCIENTIST	3	GRADE N912
11	(9)	L016N	REGISTERED PHARMACIST	7	GRADE N911
12	(10)	N017N	ADH CHIEF INFORMATION OFFICER	1	GRADE N910
13	(11)	N064N	ADH CENTER DIR-LOCAL PUBLIC HEALTH	1	GRADE N908
14	(12)	N065N	ADH CENTER DIR-HEALTH PROTECTION	1	GRADE N908
15	(13)	N063N	ADH EPIDEMIOLOGY OFFICER	2	GRADE N908
16	(14)	B005N	VETERINARIAN	1	GRADE N907
17	(15)	N097N	ADH CHIEF FINANCIAL OFFICER	1	GRADE N906
18	(16)	G009N	ADH CHIEF LEGAL COUNSEL	1	GRADE N906
19	(17)	R001N	ADH CHIEF HUMAN RESOURCES OFFICER	1	GRADE N905
20	(18)	N104N	ADH DIRECTOR STATISTICS & VITAL REC	1	GRADE N905
21	(19)	B011N	ADH DIR ENGINEERING	1	GRADE N904
22	(20)	N118N	ADH DIR IN-HOME SERVICES	1	GRADE N904
23	(21)	L018N	NURSE PRACTITIONER	40	GRADE N904
24	(22)	L019N	ADH CHIEF EPIDEMIOLOGIST	1	GRADE N903
25	(23)	P002N	ADH DIRECTOR OF COMMUNICATIONS	1	GRADE N903
26	(24)	N148N	ADH GOVERNMENTAL AFFAIRS POLICY DIR	1	GRADE N902
27	(25)	N139N	MINORITY HLTH & HLTH DISPARITIES DIR	1	GRADE N902
28	(26)	A010C	AGENCY CONTROLLER II	1	GRADE C128
29	(27)	D007C	INFORMATION SYSTEMS MANAGER	1	GRADE C128
30	(28)	L002C	NURSING DIRECTOR	2	GRADE C128
31	(29)	G026C	ADH ASSOC CENTER DIR-MGMT & OPS	5	GRADE C127
32	(30)	B011C	ADH CHIEF ENGINEER	2	GRADE C127
33	(31)	A014C	FISCAL DIVISION MANAGER	1	GRADE C127
34	(32)	G049C	ADH REGIONAL DIRECTOR	6	GRADE C126
35	(33)	G047C	ATTORNEY SPECIALIST	3	GRADE C126
36	(34)	B015C	ENGINEER SUPERVISOR	8	GRADE C126

1	(35)	L013C	ADH BRANCH MANAGER	2	GRADE C125
2	(36)	X013C	ENVIRONMENTAL HEALTH MANAGER	4	GRADE C125
3	(37)	L009C	NURSE MANAGER	3	GRADE C125
4	(38)	L017C	ADH AREA NURSING DIRECTOR	9	GRADE C124
5	(39)	L016C	ADH PUBLIC HEALTH ADMINISTRATOR	20	GRADE C124
6	(40)	D035C	COMPUTER SUPPORT MANAGER	1	GRADE C124
7	(41)	B023C	ENGINEER, P.E.	6	GRADE C124
8	(42)	L014C	HIPAA PROGRAM CONSULTANT	1	GRADE C124
9	(43)	D030C	INFORMATION SYSTEMS COORDINATOR	4	GRADE C124
10	(44)	L026C	ADH NURSING PROGRAM COORD	21	GRADE C123
11	(45)	L025C	ADH PUBLIC HEALTH SECTION CHIEF III	14	GRADE C123
12	(46)	M006C	ADH SOC SVC PROGRAM DIRECTOR	1	GRADE C123
13	(47)	R013C	AGENCY HUMAN RESOURCES MANAGER	2	GRADE C123
14	(48)	D040C	GIS ANALYST	1	GRADE C123
15	(49)	L023C	HEALTH FACILITIES SUPERVISOR	2	GRADE C123
16	(50)	D039C	NETWORK SUPPORT SPECIALIST	5	GRADE C123
17	(51)	L022C	NURSING CLINIC COORDINATOR	66	GRADE C123
18	(52)	L019C	REGISTERED NURSE COORDINATOR	7	GRADE C123
19	(53)	L030C	ADH DISTRICT MANAGER	18	GRADE C122
20	(54)	L029C	ADH PUBLIC HEALTH SECTION CHIEF II	5	GRADE C122
21	(55)	A044C	AUDIT COORDINATOR	1	GRADE C122
22	(56)	L028C	EPIDEMIOLOGIST	14	GRADE C122
23	(57)	B035C	GEOLOGY SUPERVISOR	1	GRADE C122
24	(58)	B034C	MICROBIOLOGIST SUPERVISOR	1	GRADE C122
25	(59)	A052C	ACCOUNTING COORDINATOR	8	GRADE C121
26	(60)	X044C	ADH DIR PLUMBING INSPECTIONS	1	GRADE C121
27	(61)	X043C	ADH ENVIRONMENTAL SUPV	12	GRADE C121
28	(62)	B047C	ADH LABORATORY MANAGER	12	GRADE C121
29	(63)	L091C	ADH PUBLIC HEALTH SECTION CHIEF I	19	GRADE C121
30	(64)	D054C	COMPUTER SUPPORT COORDINATOR	1	GRADE C121
31	(65)	X039C	DIRECTOR OF COSMETOLOGY BOARD	1	GRADE C121
32	(66)	B042C	ENGINEER	13	GRADE C121
33	(67)	G109C	GRANTS MANAGER	1	GRADE C121
34	(68)	B044C	HEALTH PHYSICIST SUPERVISOR	2	GRADE C121
35	(69)	M009C	LICENSED CERTIFIED SOCIAL WORKER	5	GRADE C121
36	(70)	G116C	LOCAL HEALTH UNIT ADMINISTRATOR II	20	GRADE C121

1	(71)	L035C	NUTRITIONIST CONSULTANT	13	GRADE C121
2	(72)	L034C	NUTRITIONIST SUPERVISOR	7	GRADE C121
3	(73)	V004C	PROCUREMENT MANAGER	1	GRADE C121
4	(74)	D052C	SOFTWARE SUPPORT ANALYST	31	GRADE C121
5	(75)	B051C	GEOLOGIST	2	GRADE C120
6	(76)	G143C	LOCAL HEALTH UNIT ADMINISTRATOR I	56	GRADE C120
7	(77)	L039C	NUTRITIONIST	37	GRADE C120
8	(78)	L038C	REGISTERED NURSE	599	GRADE C120
9	(79)	R021C	BUDGET ANALYST	26	GRADE C119
10	(80)	D063C	COMPUTER SUPPORT SPECIALIST	3	GRADE C119
11	(81)	S007C	DIRECTOR HVACR SECTION	1	GRADE C119
12	(82)	G147C	GRANTS COORDINATOR	1	GRADE C119
13	(83)	X067C	HEALTH FACILITIES SURVEYOR	14	GRADE C119
14	(84)	B063C	HEALTH PHYSICIST	15	GRADE C119
15	(85)	L043C	HEALTH PROGRAM SPECIALIST III	53	GRADE C119
16	(86)	A065C	PAYROLL SERVICES COORDINATOR	1	GRADE C119
17	(87)	X062C	QUALITY ASSURANCE COORDINATOR	5	GRADE C119
18	(88)	A060C	SENIOR AUDITOR	2	GRADE C119
19	(89)	X060C	SENIOR ENVIRONMENTAL HEALTH SPECIAL	21	GRADE C119
20	(90)	L049C	DISEASE INTERVENTION SPEC SUPV	5	GRADE C118
21	(91)	A076C	FINANCE PROGRAM ANALYST	1	GRADE C118
22	(92)	A074C	FISCAL SUPPORT SUPERVISOR	14	GRADE C118
23	(93)	L048C	HEALTH PROGRAM SPECIALIST II	45	GRADE C118
24	(94)	M026C	LICENSED SOCIAL WORKER	8	GRADE C118
25	(95)	D065C	NETWORK SUPPORT ANALYST	1	GRADE C118
26	(96)	X081C	PLUMBING/HVACR INSPECTOR SUPERVISOR	2	GRADE C118
27	(97)	A082C	ACCOUNTANT II	1	GRADE C117
28	(98)	R027C	BUDGET SPECIALIST	8	GRADE C117
29	(99)	V013C	CENTRAL WAREHOUSE OPERATIONS MGR	1	GRADE C117
30	(100)	B081C	CHEMIST	30	GRADE C117
31	(101)	D071C	COMPUTER SUPPORT ANALYST	13	GRADE C117
32	(102)	L054C	EMERGENCY MEDICAL SERVICES SUPV	2	GRADE C117
33	(103)	X102C	ENVIRONMENTAL HEALTH SPECIALIST	132	GRADE C117
34	(104)	G180C	GRANTS ANALYST	8	GRADE C117
35	(105)	C017C	HEALTH ADMINISTRATIVE COORDINATOR	6	GRADE C117
36	(106)	B079C	HEALTH FACILITY LABORATORY SURVEYOR	3	GRADE C117

1	(107)	L053C	HEALTH PROGRAM SPECIALIST I	96	GRADE C117
2	(108)	R025C	HUMAN RESOURCES ANALYST	7	GRADE C117
3	(109)	S018C	HVACR MECHANICAL INSPECTOR	11	GRADE C117
4	(110)	B077C	MICROBIOLOGIST	41	GRADE C117
5	(111)	X096C	PLUMBING INSPECTOR	11	GRADE C117
6	(112)	E042C	PUBLIC HEALTH EDUCATOR SUPERVISOR	5	GRADE C117
7	(113)	B076C	RESEARCH PROJECT ANALYST	8	GRADE C117
8	(114)	E040C	STAFF DEVELOPMENT COORDINATOR	1	GRADE C117
9	(115)	C022C	BUSINESS OPERATIONS SPECIALIST	1	GRADE C116
10	(116)	V014C	BUYER	1	GRADE C116
11	(117)	L058C	DISEASE INTERVENTION SPECIALIST	17	GRADE C116
12	(118)	E048C	EDUCATION & INSTRUCTION SPECIALIST	1	GRADE C116
13	(119)	B090C	ENGINEER TECHNICIAN	6	GRADE C116
14	(120)	P031C	MEDIA SPECIALIST	1	GRADE C116
15	(121)	A084C	PROGRAM/FIELD AUDIT SPECIALIST	1	GRADE C116
16	(122)	E047C	PUBLIC HEALTH EDUCATOR	20	GRADE C116
17	(123)	S022C	SKILLED TRADES SUPERVISOR	1	GRADE C116
18	(124)	C037C	ADMINISTRATIVE ANALYST	18	GRADE C115
19	(125)	D079C	COMPUTER SUPPORT TECHNICIAN	5	GRADE C115
20	(126)	L063C	FAMILY CONSUMER SCIENCE SPECIALIST	37	GRADE C115
21	(127)	A091C	FISCAL SUPPORT ANALYST	10	GRADE C115
22	(128)	C030C	HEALTH RECORDS SPECIALIST	8	GRADE C115
23	(129)	R032C	HUMAN RESOURCES PROGRAM REP	8	GRADE C115
24	(130)	S033C	MAINTENANCE SUPERVISOR	1	GRADE C115
25	(131)	A090C	PAYROLL SERVICES SPECIALIST	4	GRADE C115
26	(132)	V015C	PURCHASING SPECIALIST	8	GRADE C115
27	(133)	S031C	SKILLED TRADESMAN	3	GRADE C115
28	(134)	G202C	VOLUNTEER PROGRAM COORDINATOR	5	GRADE C115
29	(135)	S041C	BOILER OPERATOR	6	GRADE C114
30	(136)	S040C	CALIBRATION TECHNICIAN	3	GRADE C114
31	(137)	L065C	EMERGENCY MEDICAL SERVICES SPEC	6	GRADE C114
32	(138)	R036C	HUMAN RESOURCES SPECIALIST	6	GRADE C113
33	(139)	V020C	INVENTORY CONTROL MANAGER	7	GRADE C113
34	(140)	L069C	LICENSED PRACTICAL NURSE	195	GRADE C113
35	(141)	S046C	MAINTENANCE TECHNICIAN	1	GRADE C113
36	(142)	C044C	MEDICAL BILLING SPECIALIST	8	GRADE C113

1	(143)	C043C	RECORDS MANAGEMENT ANALYST	2	GRADE C113
2	(144)	C056C	ADMINISTRATIVE SPECIALIST III	165	GRADE C112
3	(145)	X174C	COSMETOLOGY INSPECTOR	5	GRADE C112
4	(146)	D088C	EMERGENCY COMMUNICATION SPECIALIST	7	GRADE C112
5	(147)	A098C	FISCAL SUPPORT SPECIALIST	14	GRADE C112
6	(148)	L073C	LACTATION CONSULTANT	7	GRADE C111
7	(149)	M078C	VOLUNTEER SERVICES COORDINATOR	3	GRADE C111
8	(150)	R039C	BENEFITS SPECIALIST	3	GRADE C110
9	(151)	L077C	HEALTH SERVICES SPECIALIST II	514	GRADE C110
10	(152)	R038C	HUMAN RESOURCES ASSISTANT	2	GRADE C110
11	(153)	B111C	LABORATORY TECHNICIAN	25	GRADE C110
12	(154)	A100C	PAYROLL OFFICER	4	GRADE C110
13	(155)	V025C	WAREHOUSE SPECIALIST	7	GRADE C110
14	(156)	C073C	ADMINISTRATIVE SPECIALIST II	90	GRADE C109
15	(157)	C070C	DUPLICATION ASSISTANT	3	GRADE C109
16	(158)	C066C	PATIENT ACCOUNT SPECIALIST	34	GRADE C109
17	(159)	A102C	FISCAL SUPPORT TECHNICIAN	1	GRADE C108
18	(160)	L083C	HEALTH SERVICES SPECIALIST I	44	GRADE C108
19	(161)	V027C	INVENTORY CONTROL TECHNICIAN	1	GRADE C108
20	(162)	S065C	MAINTENANCE ASSISTANT	1	GRADE C108
21	(163)	C087C	ADMINISTRATIVE SPECIALIST I	36	GRADE C106
22	(164)	V028C	WAREHOUSE WORKER	4	GRADE C106
23	(165)	S081C	APPRENTICE TRADESMAN	1	GRADE C105
24	(166)	V030C	SHIPPING & RECEIVING CLERK	<u>3</u>	GRADE C105
25			MAX. NO. OF EMPLOYEES	3,128	

26

27 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for the  
 28 Department of Health for the 2009-2010 fiscal year, the following maximum  
 29 number of part-time or temporary employees, to be known as "Extra Help",  
 30 payable from funds appropriated herein for such purposes: two hundred  
 31 thirty-three (233) temporary or part-time employees, when needed, at rates of  
 32 pay not to exceed those provided in the Uniform Classification and  
 33 Compensation Act, or its successor, or this act for the appropriate  
 34 classification.

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36 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated, to

1 the Department of Health, to be payable from the paying account as determined  
 2 by the Chief Fiscal Officer of the State, for personal services and operating  
 3 expenses of the Department of Health - Operations for the fiscal year ending  
 4 June 30, 2010, the following:

5

6 ITEM	FISCAL YEAR
7 <u>NO.</u>	<u>2009-2010</u>
8 (01) REGULAR SALARIES	\$ 126,529,458
9 (02) EXTRA HELP	1,046,737
10 (03) PERSONAL SERVICES MATCHING	40,151,461
11 (04) OVERTIME	150,400
12 (05) MAINT. & GEN. OPERATION	
13 (A) OPER. EXPENSE	58,960,047
14 (B) CONF. & TRAVEL	1,357,189
15 (C) PROF. FEES	39,168,039
16 (D) CAP. OUTLAY	230,000
17 (E) DATA PROC.	0
18 (06) REFUNDS/REIMBURSEMENTS	11,613
19 (07) CONTINGENCY APPROPRIATION	<u>2,200,000</u>
20 TOTAL AMOUNT APPROPRIATED	<u>\$ 269,804,944</u>

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22 SECTION 4. APPROPRIATION - GRANTS TO SERVICE PROVIDERS. There is hereby  
 23 appropriated, to the Department of Health, to be payable from the paying  
 24 account as determined by the Chief Fiscal Officer of the State, for grants to  
 25 service providers by the Department of Health - Grants to Service Providers  
 26 for the fiscal year ending June 30, 2010, the following:

27

28 ITEM	FISCAL YEAR
29 <u>NO.</u>	<u>2009-2010</u>
30 (01) GRANTS TO SERVICE PROVIDERS	\$ 12,995,984
31 (02) CONTINGENCY APPROPRIATION	<u>8,000,000</u>
32 TOTAL AMOUNT APPROPRIATED	<u>\$ 20,995,984</u>

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34 SECTION 5. APPROPRIATION - HEALTH BUILDING AND LOCAL HEALTH GRANT TRUST.  
 35 There is hereby appropriated, to the Department of Health, to be payable from  
 36 the State Health Building and Local Grant Trust Fund, for acquisition,

1 construction and improvement of the State Health Building and grants to local  
2 health units for construction, expansion, and renovation by the Department of  
3 Health - Health Building and Local Health Grant Trust for the fiscal year  
4 ending June 30, 2010, the following:

5	6 ITEM	FISCAL YEAR
7	<u>NO.</u>	<u>2009-2010</u>
8	(01) HEALTH BUILDING ACQUISITION,	
9	CONSTRUCTION & RENOVATION & GRANTS TO	
10	LOCAL HEALTH UNITS	<u>\$ 1,318,000</u>

11  
12 SECTION 6. APPROPRIATION - EMERGENCY MEDICAL SERVICES AND TRAUMA. There is  
13 hereby appropriated, to the Department of Health, to be payable from the EMS  
14 Enhancement Revolving Fund, for grants to licensed Emergency Medical  
15 Services, administrative costs of administering the grant program, staff  
16 training, education, equipment and supplies, upgrading and instituting  
17 educational EMS training programs, special projects, instituting and  
18 maintaining a Trauma System and Registry, inspection and licensure of  
19 ambulance services, registering EMS vehicles and for other purposes as  
20 provided by law of the Department of Health - Emergency Medical Services and  
21 Trauma for the fiscal year ending June 30, 2010, the following:

22	23 ITEM	FISCAL YEAR
24	<u>NO.</u>	<u>2009-2010</u>
25	(01) EMERGENCY MEDICAL SERVICES & TRAUMA	
26	SYSTEMS EXPENSES	<u>\$ 9,728</u>

27  
28 SECTION 7. APPROPRIATION - INFORMATION TECHNOLOGY INITIATIVES. There is  
29 hereby appropriated, to the Department of Health, to be payable from the  
30 Health Department Technology Fund, for Information Technology Initiative  
31 activities of the Department of Health - Information Technology Initiatives  
32 for the fiscal year ending June 30, 2010, the following:

33	34 ITEM	FISCAL YEAR
35	<u>NO.</u>	<u>2009-2010</u>
36	(01) INFORMATION TECHNOLOGY INITIATIVES	<u>\$ 1,196,640</u>



SECTION 8. APPROPRIATION - NUCLEAR PLANNING GRANTS. There is hereby appropriated, to the Department of Health, to be payable from the Arkansas Nuclear Planning and Response Fund, for grants and aid for Nuclear Planning by the Department of Health - Nuclear Planning Grants for the fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) GRANTS FOR NUCLEAR PLANNING	\$ <u>375,000</u>

SECTION 9. APPROPRIATION - RURAL HEALTH FACILITIES. There is hereby appropriated, to the Department of Health, to be payable from the Rural Health Services Revolving Fund, for grants and aid for Rural Health Facilities by the Department of Health - Rural Health Facilities for the fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) RURAL HEALTH FACILITIES GRANTS AND AID	\$ <u>1,551,558</u>

SECTION 10. APPROPRIATION - EMERGENCY MEDICAL SERVICES. There is hereby appropriated, to the Department of Health, to be payable from the Emergency Medical Services Revolving Fund, for Emergency Medical Services operating expenses of the Department of Health - Emergency Medical Services for the fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$ 42,000
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	\$ <u>42,000</u>

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SECTION 11. APPROPRIATION - RURAL PHYSICIAN INCENTIVES. There is hereby appropriated, to the Department of Health, to be payable from the Rural Physician Incentive Revolving Fund, for grants and aid for Rural Physician Incentives by the Department of Health - Rural Physician Incentives for the fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) RURAL PHYSICIAN INCENTIVE GRANTS AND AID	<u>\$ 990,000</u>

SECTION 12. APPROPRIATION - WIC FOOD INSTRUMENTS - CASH. There is hereby appropriated, to the Department of Health, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Department of Health, for Women, Infant, Children's Food Instruments of the Department of Health - WIC Food Instruments - Cash for the fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) WIC FOOD INSTRUMENTS	<u>\$ 82,274,497</u>

SECTION 13. APPROPRIATION - BREAST CANCER - CASH. There is hereby appropriated, to the Department of Health, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Department of Health, for the Breast Care Program of the Department of Health - Breast Cancer - Cash for the fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) ADH BREAST CANCER	<u>\$ 50,000</u>

SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TECHNOLOGY REVIEW. The Arkansas Department of Health ~~and Human Services~~ ~~Division of Health~~ shall seek approval of the state Chief Information Officer

1 and the review and advice of the Joint Committee on Advanced Communications  
 2 and Information Technology ~~and the Chief Information Officer Council~~ prior to  
 3 entering into any technology contract or technology project regarding the  
 4 appropriation for Information Technology Initiatives.

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

7  
 8 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PATIENT  
 10 CARE PROVIDERS - COMPENSATION, REQUIRED WITHHOLDING, FRINGE BENEFITS. The  
 11 Arkansas Department of Health ~~and Human Services — Division of Health~~, at its  
 12 discretion, is authorized to contract with intermittent Patient Care  
 13 Providers in order to provide services in the home. For all purposes, these  
 14 Patient Care Providers shall be considered independent contractors. The  
 15 Department is authorized to pay compensation which may include state  
 16 withholding, federal withholding, required matching, and other fringe  
 17 benefits to contract Patient Care Providers. However, compensation shall not  
 18 include state retirement or health benefits. The compensation shall be made  
 19 from the appropriation for Professional Fees and Services.

20 The provisions of this section shall be in effect only from July 1, ~~2007~~  
 21 2009 through June 30, ~~2009~~ 2010.

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 23 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
 25 OF FUNDS – HOME HEALTH. The Disbursing Officer for the Arkansas Department of  
 26 Health ~~and Human Services — Division of Health~~ is hereby authorized to  
 27 transfer all unexpended funds relative to the Home Health Services that  
 28 pertain to reimbursement, as certified by the Chief Fiscal Officer of the  
 29 State as provided in this Act on June 30, ~~2007~~ 2009, to be carried forward  
 30 and made available for expenditures for the same purpose for the fiscal years  
 31 ending June 30, ~~2008~~ 2010, and June 30, ~~2009~~ 2011. It is the intent of the  
 32 General Assembly that with approval of the Arkansas Legislative Council or  
 33 Joint Budget Committee that the Arkansas Department of Health ~~and Human~~  
 34 ~~Services — Division of Health~~ shall have the authority to transfer funds from  
 35 the fund balance of the Home Health appropriation.

36 Any carry forward of unexpended balance of ~~appropriation and/or~~ funding as

1 authorized herein, may be carried forward under the following conditions:

2 (1) Prior to June 30, ~~2008~~ 2010 the Agency shall by written statement set  
 3 forth its reason(s) for the need to carry forward said ~~appropriation and/or~~  
 4 funding to the Department of Finance and Administration Office of Budget;

5 (2) The Department of Finance and Administration Office of Budget shall  
 6 report to the Arkansas Legislative Council all amounts carried forward ~~from~~  
 7 ~~the first fiscal year of the biennium to the second fiscal year of the~~  
 8 ~~biennium~~ by the September Arkansas Legislative Council or Joint Budget  
 9 Committee meeting ~~in the second fiscal year of the biennial period~~ which  
 10 report shall include the name of the Agency, Board, Commission or Institution  
 11 and the amount of the ~~appropriation and/or~~ funding carried forward ~~from the~~  
 12 ~~first fiscal year to the second fiscal year~~, the program name or line item,  
 13 the funding source ~~of that appropriation~~ and a copy of the written request  
 14 set forth in (1) above;

15 (3) Each Agency, Board, Commission or Institution shall provide a written  
 16 report to the Arkansas Legislative Council or Joint Budget Committee  
 17 containing all information set forth in item (2) above, along with a written  
 18 statement as to the current status of the project, contract, purpose etc. for  
 19 which the carry forward was originally requested no later than thirty (30)  
 20 days prior to the time the Agency, Board, Commission or Institution presents  
 21 its budget request to the Arkansas Legislative Council/Joint Budget  
 22 Committee; and

23 (4) Thereupon, the Department of Finance and Administration shall include all  
 24 information obtained in item (3) above in the ~~biennial~~ budget manuals and/or  
 25 a statement of non-compliance by the Agency, Board, Commission or  
 26 Institution.

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

1 by requiring prior approval of the Legislative Council or Joint Budget  
 2 Committee as provided by this section. The requirement of approval by the  
 3 Legislative Council or Joint Budget Committee is not a severable part of this  
 4 section. If the requirement of approval by the Legislative Council or Joint  
 5 Budget Committee is ruled unconstitutional by a court of competent  
 6 jurisdiction, this entire section is void.

7  
 8 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HOME  
 10 HEALTH POSITION POOL. As need for services increase and additional services  
 11 are implemented to better provide for the in-home health care needs of the  
 12 citizens of the State of Arkansas, the Director of the Arkansas Department of  
 13 Health ~~and Human Services—Division of Health~~ may request the Department of  
 14 Finance and Administration to approve the establishment of additional  
 15 positions at salary rates not to exceed the maximum salaries established for  
 16 comparable positions in the Uniform Classification and Compensation Act. Upon  
 17 approval of the Legislative Council, the Arkansas Department of Health ~~and~~  
 18 ~~Human Services—Division of Health--~~ Section of In-Home Services may  
 19 establish such positions.

20 (a) The following maximum number of such additional positions are hereby  
 21 established for the Section of In-Home Services:

22 Maximum number of positions: 250

23 (b) In the event that new classifications are deemed necessary for any of  
 24 these additional positions, the Department of Finance and Administration -  
 25 Office of Personnel Management shall assign the appropriate title and grade  
 26 after review by the Arkansas Legislative Council.

27 (c) If the agency requests continuation of a "Growth Pool" position(s) as  
 28 established herein, the position(s) must be requested as a new position(s) in  
 29 the agencies budget request.

30 The provisions of this section shall be in effect only from July 1, ~~2007~~  
 31 2009 through June 30, ~~2009~~ 2010.

32  
 33 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HOME  
 35 HEALTH ON-CALL AND VISIT PAY. The Arkansas Department of Health ~~and Human~~  
 36 ~~Services—Division of Health~~ is hereby authorized to compensate the

1 following personnel responsible for providing in-home health care as  
 2 necessary to maintain continuity of care outside routine working hours on  
 3 weekdays and on weekends or holidays:

4 Area Nursing Director

5 ~~R055 Hlth Public Hlth Nursing Prog Coord~~ Program Coordinator

6 ~~L082~~ Nursing Services Specialist

7 Registered Nurse

8 ~~L033~~ Home Health Nurse I

9 ~~L034~~ Home Health Nurse II

10 ~~L138~~ Speech Pathologist I

11 ~~L140~~ Speech Pathologist II

12 ~~L142~~ Speech Pathologist Supervisor

13 ~~L102~~ Physical Therapist I

14 ~~L104~~ Physical Therapist II

15 ~~L106~~ Physical Therapy Supervisor

16 Licensed Social Worker

17 ~~M086~~ Social Worker I

18 ~~M088~~ Social Worker II

19 ~~L086~~ Occupational Therapist I

20 ~~L088~~ Occupational Therapist II

21 ~~L090~~ Occupational Therapist Supervisor

22 Nursing Manager

23 ~~R056 Hlth. Pub. Hlth. Nursing Program Administrator~~

24 Licensed Practical Nurse

25 ~~L115~~ LPN II

26 ~~L116~~ LPN III

27 ~~L154~~ Public Hlth. Nurse I

28 ~~L156~~ Public Hlth. Nurse II

29 Public Health Technician

30 ~~L021~~ PH Technician II

31 ~~L155~~ PH Technician I

32 Visit pay shall not exceed ~~\$55~~ \$75 per visit. Employees requested to be  
 33 on-call and/or on standby for visiting on nights, weekends, and/or holidays  
 34 will be eligible to receive on-call pay not to exceed ~~\$40~~ \$60 per day.  
 35 Provided however, no compensation shall be paid to any employee required to  
 36 be on-call and/or standby who fails to respond after the second notification

1 that their services are needed. In the event of equipment or paging device  
 2 malfunction, such penalty shall not apply. All compensated services shall be  
 3 provided as directed by the Arkansas Department of Health ~~and Human Services~~  
 4 ~~Division of Health~~. All visit and on-call pay shall be paid from funds ~~from~~  
 5 ~~In Home Services Extra Salaries~~ as appropriated in this Act. Such  
 6 compensation for visit and on-call pay, when added to the employee's regular  
 7 salary and benefits, shall not be construed as exceeding the maximum annual  
 8 salary as described in the General Accounting and Budgetary Procedures Act.

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

11  
 12 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NUCLEAR  
 14 DISASTER PLANNING GRANTS. The funds appropriated for Grants for Nuclear  
 15 Planning shall be disbursed to those counties in this State which are  
 16 required by state or federal regulation to maintain a Radiological Response  
 17 Plan because of their close proximity to a nuclear electricity generating  
 18 facility, and shall be issued solely for the purpose of defraying the cost of  
 19 preparing for and participating in actual nuclear disaster incidents or  
 20 practice nuclear disaster exercises. Each county shall be eligible for that  
 21 proportion of these funds as is determined fair and necessary under  
 22 guidelines to be developed by the Arkansas Department of Health ~~and Human~~  
 23 ~~Services Division of Health~~. However, a minimum of \$5,000 per county of  
 24 said funds shall be utilized to support and operate a County Emergency  
 25 Management Office. These county offices shall be prepared to respond to any  
 26 Arkansas Nuclear I emergency. These funds shall be equally distributed to  
 27 each Emergency Management Office in the following counties: Pope County,  
 28 Johnson County, Yell County, Conway County and Logan County.

29 The funds appropriated for Grants for Nuclear Planning shall be  
 30 distributed in quarterly installments by the Arkansas Department of Health  
 31 ~~and Human Services Division of Health~~ to the Arkansas Department of  
 32 Emergency Management for the sole purpose of defraying costs associated with  
 33 preparing for and participating in actual nuclear disaster incidents or  
 34 practice nuclear disaster emergency exercises involving nuclear electricity  
 35 generating facilities in this State.

36 The provisions of this section shall be in effect only from July 1, ~~2007~~

1 2009 through June 30, ~~2009~~ 2010.

2

3 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PARKING  
 5 FEES. On July 1 of each year the Arkansas Department of Health ~~and Human~~  
 6 ~~Services—Division of Health~~ shall pay \$50,000 from the Operations  
 7 appropriation provided herein from non-general revenue to the War Memorial  
 8 Stadium Commission.

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

11

12 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
 14 INFORMATION TECHNOLOGY INITIATIVES. The Department of Health ~~and Human~~  
 15 ~~Services—Division of Health~~ shall not transfer any general revenue funds  
 16 for expenditures payable for Information System Projects.

17 The provisions of this section shall be in effect only from July 1, ~~2007~~  
 18 2009 through June 30, ~~2009~~ 2010.

19

20 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INDIRECT  
 22 COST ALLOCATION FUND TRANSFERS. Subject to such procedures as may be  
 23 implemented by the Chief Fiscal Officer of the State, the disbursing officer  
 24 for the Arkansas Department of Health ~~and Human Services—Division of Health~~  
 25 is hereby authorized to transfer funds to the Public Health Fund from other  
 26 program funds of the agency in order to reimburse for expenditures incurred  
 27 for those programs.

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 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
 33 DEVELOPMENT RESTRICTIONS. In reviewing the impact on public health and  
 34 safety of a plan for improvements to a public water system or public sewer  
 35 system through the addition of distribution lines to a subdivision or  
 36 commercial development, the Division of Engineering of the Department of



1 ~~Health and Human Services—Division of Health~~ shall consider the effect of  
 2 the plan on future development or zoning of adjoining properties.

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

5  
 6 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

8 NURSING/DIRECT CARE EDUCATION STIPEND PROGRAM. Special provision for a  
 9 Nursing/Direct Care Education Stipend Program for the Arkansas Department of  
 10 Health (ADH) is hereby authorized to pay from funds appropriated in this Act.  
 11 This program is for eligible nursing students who are attending accredited  
 12 nursing institutions to become Registered or Licensed Practical Nurses.

13 The stipend is five thousand dollars (\$5,000) per person per year. Any  
 14 student who is awarded and accepts a stipend is under an employment  
 15 commitment to the ADH and is required to work in a full-time employee status  
 16 effective immediately upon graduation. The student employment commitment is  
 17 equal to the number of years the stipend was awarded and accepted. In the  
 18 event of Employee/Student default of the employment commitment, the  
 19 Employee/Student will be considered in breach of contract and repayment of  
 20 the stipend will be required as specified in the Stipend Contract.

21 The ADH shall determine, on an annual basis, the number of student  
 22 stipends available due to the availability of funds and the need for direct  
 23 care services.

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

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

36

1 SECTION 26. LEGISLATIVE INTENT. It is the intent of the General Assembly  
 2 that any funds disbursed under the authority of the appropriations contained  
 3 in this act shall be in compliance with the stated reasons for which this act  
 4 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
 5 and Legislative Recommendations contained in the budget manuals prepared by  
 6 the Department of Finance and Administration, letters, or summarized oral  
 7 testimony in the official minutes of the Arkansas Legislative Council or  
 8 Joint Budget Committee which relate to its passage and adoption.

9  
 10 SECTION 27. EMERGENCY CLAUSE. It is found and determined by the General  
 11 Assembly, that the Constitution of the State of Arkansas prohibits the  
 12 appropriation of funds for more than a one (1) year period; that the  
 13 effectiveness of this Act on July 1, 2009 is essential to the operation of  
 14 the agency for which the appropriations in this Act are provided, and that in  
 15 the event of an extension of the Regular Session, the delay in the effective  
 16 date of this Act beyond July 1, 2009 could work irreparable harm upon the  
 17 proper administration and provision of essential governmental programs.  
 18 Therefore, an emergency is hereby declared to exist and this Act being  
 19 necessary for the immediate preservation of the public peace, health and  
 20 safety shall be in full force and effect from and after July 1, 2009.