

Stricken language will be deleted and underlined language will be added.

1 State of Arkansas *As Engrossed: S2/27/17 S3/23/17*

2 91st General Assembly

# A Bill

3 Regular Session, 2017

SENATE BILL 201

4

5 By: Joint Budget Committee

6

7

## For An Act To Be Entitled

8

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES

9

AND OPERATING EXPENSES FOR THE DEPARTMENT OF HUMAN

10

SERVICES - DIVISION OF BEHAVIORAL HEALTH SERVICES FOR

11

THE FISCAL YEAR ENDING JUNE 30, 2018; AND FOR OTHER

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PURPOSES.

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15

## Subtitle

16

AN ACT FOR THE DEPARTMENT OF HUMAN

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SERVICES - DIVISION OF BEHAVIORAL HEALTH

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SERVICES APPROPRIATION FOR THE 2017-2018

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FISCAL YEAR.

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

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SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established

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for the Department of Human Services - Division of Behavioral Health Services

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for the 2017-2018 fiscal year, the following maximum number of regular

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employees.

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Maximum Annual

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Maximum

Salary Rate

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Item Class

No. of

Fiscal Year

32

No. Code Title

Employees

2017-2018

33

(1) L005N PSYCHIATRIC SPECIALIST

1

GRADE N919

34

(2) N182N ASH CHIEF OPERATING OFFICER

1

GRADE N918

35

(3) L009N DHS BEHAV HLTH GENERAL PHYSICIAN

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GRADE N917

36

(4) L011N DENTIST

1

GRADE N916



1	(5)	L014N	DIRECTOR OF PHARMACY	1	GRADE N914
2	(6)	L016N	REGISTERED PHARMACIST	2	GRADE N911
3	(7)	N019N	DHS DEP DIR BEHAV HLTH SERVICES	1	GRADE N910
4	(8)	N189N	DHS/DMS DEPUTY DIRECTOR	1	GRADE N908
5	(9)	N088N	DHS AHC DIRECTOR OF NURSING	1	GRADE N906
6	(10)	N103N	DHS MENTAL HEALTH CENTER DIRECTOR	1	GRADE N906
7	(11)	N128N	DHS ASST DIR QUALITY ASSURANCE	1	GRADE N904
8	(12)	N123N	DHS/DBHS ASST DIR FOR FINANCE	1	GRADE N904
9	(13)	N127N	DHS/DBHS DIR ALCOHOL/DRUG ABUSE PREV	1	GRADE N904
10	(14)	N185N	DIR OF OUTCOMES MGMT & PRACTICE IMP	1	GRADE N904
11	(15)	N135N	DHS AHC NURSING HOME ADMINISTRATOR	1	GRADE N903
12	(16)	N167N	DHS POLICY & RESEARCH DIRECTOR	1	GRADE N901
13	(17)	G027N	DHS RESEARCH ANALYSIS MANAGER	1	GRADE N901
14	(18)	L022N	OCCUPATIONAL THERAPIST	2	GRADE N901
15	(19)	L021N	PHYSICAL THERAPIST	1	GRADE N901
16	(20)	N162N	STATE DRUG PREVENTION DIRECTOR	1	GRADE N901
17	(21)	L001C	PSYCHOLOGIST SUPERVISOR	2	GRADE C129
18	(22)	M002C	DHS BEHAV HLTH ASSOC DIR, AHC	1	GRADE C127
19	(23)	M003C	DHS BEHAV HLTH CHILDRENS SYS CARE DIR	1	GRADE C127
20	(24)	A016C	DHS DMS BUSINESS OPERATIONS MANAGER	1	GRADE C127
21	(25)	L003C	PSYCHOLOGIST	4	GRADE C127
22	(26)	L006C	ASSOCIATE DIRECTOR OF NURSING	3	GRADE C126
23	(27)	L011C	DHS ALCOHOL/DRUG ABUSE PREV AST DP DIR	2	GRADE C125
24	(28)	L009C	NURSE MANAGER	8	GRADE C125
25	(29)	M004C	RESIDENTIAL OPERATIONS MANAGER	2	GRADE C125
26	(30)	G076C	ADMINISTRATIVE SERVICES MANAGER	1	GRADE C124
27	(31)	L015C	CLINICAL SPEECH PATHOLOGIST	1	GRADE C124
28	(32)	L024C	DHS BEHAV HLTH FACILITY ADMIN	1	GRADE C123
29	(33)	A038C	FISCAL SUPPORT MANAGER	1	GRADE C123
30	(34)	G099C	DHS PROGRAM ADMINISTRATOR	3	GRADE C122
31	(35)	A041C	PROGRAM FISCAL MANAGER	1	GRADE C122
32	(36)	L027C	REGISTERED NURSE SUPERVISOR	19	GRADE C122
33	(37)	M010C	FAMILY SERVICE WORKER CLINICAL SPEC	2	GRADE C121
34	(38)	M009C	LICENSED CERTIFIED SOCIAL WORKER	29	GRADE C121
35	(39)	S004C	MAINTENANCE MANAGER	2	GRADE C121
36	(40)	L036C	NURSE INSTRUCTOR	1	GRADE C121

1	(41)	R014C	PERSONNEL MANAGER	1	GRADE C121
2	(42)	L033C	PSYCHOLOGICAL EXAMINER	3	GRADE C121
3	(43)	L032C	REGISTERED NURSE - HOSPITAL	61	GRADE C121
4	(44)	T031C	DHS BEHAV HLTH PUBLIC SAFETY DIR	2	GRADE C120
5	(45)	L040C	DIETARY SERVICES DIRECTOR	1	GRADE C120
6	(46)	E026C	EDUCATION & INSTRUCTION COORDINATOR	1	GRADE C120
7	(47)	D057C	INFORMATION TECHNOLOGY MANAGER	1	GRADE C120
8	(48)	G124C	OMBUDSMAN	1	GRADE C120
9	(49)	L038C	REGISTERED NURSE	8	GRADE C120
10	(50)	E023C	TRAINING PROJECT MANAGER	1	GRADE C120
11	(51)	E035C	CERTIFIED MASTERS TEACHER	1	GRADE C119
12	(52)	D062C	DATABASE ANALYST	2	GRADE C119
13	(53)	L044C	DHS BEHAV HLTH CASE REVIEW ANALYST	1	GRADE C119
14	(54)	G152C	DHS PROGRAM MANAGER	4	GRADE C119
15	(55)	X062C	QUALITY ASSURANCE COORDINATOR	1	GRADE C119
16	(56)	A063C	RESEARCH & STATISTICS SUPERVISOR	1	GRADE C119
17	(57)	A060C	SENIOR AUDITOR	1	GRADE C119
18	(58)	L050C	CERTIFIED RESPIRATORY THERAPY TECH	4	GRADE C118
19	(59)	A074C	FISCAL SUPPORT SUPERVISOR	3	GRADE C118
20	(60)	M026C	LICENSED SOCIAL WORKER	5	GRADE C118
21	(61)	M023C	SUBSTANCE ABUSE PROGRAM COORD	1	GRADE C118
22	(62)	M045C	ADULT PROTECTIVE SERVICES WORKER	1	GRADE C117
23	(63)	E044C	CERTIFIED BACHELORS TEACHER	3	GRADE C117
24	(64)	G184C	DHS PROGRAM CONSULTANT	3	GRADE C117
25	(65)	G183C	DHS PROGRAM COORDINATOR	16	GRADE C117
26	(66)	T052C	DHS/DBHS PUBLIC SAFETY SUPERVISOR	8	GRADE C117
27	(67)	L055C	DIETICIAN	1	GRADE C117
28	(68)	G180C	GRANTS ANALYST	3	GRADE C117
29	(69)	R025C	HUMAN RESOURCES ANALYST	1	GRADE C117
30	(70)	X101C	INTERNAL AFFAIRS INVESTIGATOR	1	GRADE C117
31	(71)	L052C	REHAB FACILITY SUPERVISOR	2	GRADE C117
32	(72)	L051C	REHABILITATION COUNSELOR	1	GRADE C117
33	(73)	B076C	RESEARCH PROJECT ANALYST	3	GRADE C117
34	(74)	C022C	BUSINESS OPERATIONS SPECIALIST	1	GRADE C116
35	(75)	T055C	PUBLIC SAFETY OFFICER	25	GRADE C116
36	(76)	M049C	SENIOR CHAPLAIN	1	GRADE C116

1	(77)	S022C	SKILLED TRADES SUPERVISOR	8	GRADE C116
2	(78)	S021C	WATER FILTER/WASTE DISPOSAL PLNT SUPV	1	GRADE C116
3	(79)	C037C	ADMINISTRATIVE ANALYST	10	GRADE C115
4	(80)	D079C	COMPUTER SUPPORT TECHNICIAN	2	GRADE C115
5	(81)	A091C	FISCAL SUPPORT ANALYST	2	GRADE C115
6	(82)	D077C	HELP DESK SPECIALIST	1	GRADE C115
7	(83)	R032C	HUMAN RESOURCES PROGRAM REP	1	GRADE C115
8	(84)	L062C	LICENSED PRACTICAL NURSE SUPERVISOR	12	GRADE C115
9	(85)	S033C	MAINTENANCE SUPERVISOR	2	GRADE C115
10	(86)	C028C	MEDICAL RECORDS SUPERVISOR	1	GRADE C115
11	(87)	A090C	PAYROLL SERVICES SPECIALIST	2	GRADE C115
12	(88)	G204C	PLANNING SPECIALIST	1	GRADE C115
13	(89)	X136C	QUALITY ASSURANCE REVIEWER	2	GRADE C115
14	(90)	S031C	SKILLED TRADESMAN	24	GRADE C115
15	(91)	S030C	WATER FILTER/WASTE DISPOSAL PLNT OPER	1	GRADE C115
16	(92)	S041C	BOILER OPERATOR	3	GRADE C114
17	(93)	M066C	PROGRAM ELIGIBILITY SPECIALIST	5	GRADE C114
18	(94)	M065C	RECREATIONAL ACTIVITY SUPERVISOR	3	GRADE C114
19	(95)	E051C	STAFF DEVELOPMENT SPECIALIST	1	GRADE C114
20	(96)	S099C	STATIONARY ENGINEER	1	GRADE C114
21	(97)	V018C	WAREHOUSE MANAGER	1	GRADE C114
22	(98)	C050C	ADMINISTRATIVE SUPPORT SUPERVISOR	1	GRADE C113
23	(99)	X167C	COMPLAINTS INVESTIGATOR	1	GRADE C113
24	(100)	R036C	HUMAN RESOURCES SPECIALIST	5	GRADE C113
25	(101)	V020C	INVENTORY CONTROL MANAGER	3	GRADE C113
26	(102)	L069C	LICENSED PRACTICAL NURSE	122	GRADE C113
27	(103)	S046C	MAINTENANCE TECHNICIAN	1	GRADE C113
28	(104)	L067C	PSYCHOLOGICAL INTERN	3	GRADE C113
29	(105)	C043C	RECORDS MANAGEMENT ANALYST	4	GRADE C113
30	(106)	L066C	REHABILITATION INSTRUCTOR	37	GRADE C113
31	(107)	T072C	SECURITY OFFICER SUPERVISOR	1	GRADE C113
32	(108)	C056C	ADMINISTRATIVE SPECIALIST III	46	GRADE C112
33	(109)	R037C	BENEFITS TECHNICIAN	1	GRADE C112
34	(110)	A098C	FISCAL SUPPORT SPECIALIST	4	GRADE C112
35	(111)	A097C	PAYROLL TECHNICIAN	2	GRADE C112
36	(112)	V022C	PURCHASING TECHNICIAN	1	GRADE C112

1	(113)	S056C	FOOD PREPARATION SUPERVISOR	9	GRADE C111
2	(114)	M076C	RECREATIONAL ACTIVITY LEADER II	27	GRADE C111
3	(115)	M074C	RESIDENTIAL ADVISOR	6	GRADE C111
4	(116)	V023C	STOREROOM SUPERVISOR	1	GRADE C111
5	(117)	B111C	LABORATORY TECHNICIAN	1	GRADE C110
6	(118)	T084C	PUBLIC SAFETY SECURITY OFFICER	45	GRADE C110
7	(119)	L074C	THERAPY ASSISTANT	3	GRADE C110
8	(120)	V025C	WAREHOUSE SPECIALIST	1	GRADE C110
9	(121)	C073C	ADMINISTRATIVE SPECIALIST II	9	GRADE C109
10	(122)	L082C	CERTIFIED NURSING ASSISTANT	157	GRADE C109
11	(123)	L080C	DIETETIC TECHNICIAN	2	GRADE C109
12	(124)	M082C	RECREATIONAL ACTIVITY LEADER I	3	GRADE C109
13	(125)	E056C	TEACHER ASSISTANT	4	GRADE C109
14	(126)	M084C	BEHAV HLTH AIDE	77	GRADE C108
15	(127)	C078C	CASHIER	1	GRADE C108
16	(128)	S067C	HOUSEKEEPER SUPERVISOR	1	GRADE C108
17	(129)	V027C	INVENTORY CONTROL TECHNICIAN	6	GRADE C108
18	(130)	C074C	MEDICAL RECORDS ASSISTANT	1	GRADE C108
19	(131)	M083C	RESIDENTIAL CARE TECHNICIAN	4	GRADE C108
20	(132)	S070C	EQUIPMENT TECHNICIAN	7	GRADE C107
21	(133)	C087C	ADMINISTRATIVE SPECIALIST I	5	GRADE C106
22	(134)	L086C	PHARMACY ASSISTANT	2	GRADE C106
23	(135)	V028C	WAREHOUSE WORKER	2	GRADE C106
24	(136)	V030C	SHIPPING & RECEIVING CLERK	2	GRADE C105
25	(137)	S085C	FOOD PREPARATION SPECIALIST	7	GRADE C104
26	(138)	S084C	INSTITUTIONAL SERVICES SUPERVISOR	4	GRADE C104
27	(139)	S087C	INSTITUTIONAL SERVICES ASSISTANT	53	GRADE C103
28	(140)	S089C	FOOD PREPARATION TECHNICIAN	<u>37</u>	GRADE C102
29			MAX. NO. OF EMPLOYEES	1,079	

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31 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for  
 32 the Department of Human Services - Division of Behavioral Health Services for  
 33 the 2017-2018 fiscal year, the following maximum number of part-time or  
 34 temporary employees, to be known as "Extra Help", payable from funds  
 35 appropriated herein for such purposes: three hundred thirty-five (335)  
 36 temporary or part-time employees, when needed, at rates of pay not to exceed

1 those provided in the Uniform Classification and Compensation Act, or its  
2 successor, or this act for the appropriate classification.

3  
4 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby  
5 appropriated, to the Department of Human Services - Division of Behavioral  
6 Health Services, to be payable from the Behavioral Health Services Fund  
7 Account, for personal services and operating expenses of the Department of  
8 Human Services - Division of Behavioral Health Services - State Operations  
9 for the fiscal year ending June 30, 2018, the following:

11	ITEM	FISCAL YEAR
12	<u>NO.</u>	<u>2017-2018</u>
13	(01) REGULAR SALARIES	\$38,654,608
14	(02) EXTRA HELP	5,832,583
15	(03) PERSONAL SERVICES MATCHING	16,277,334
16	(04) OVERTIME	4,212,006
17	(05) MAINT. & GEN. OPERATION	
18	(A) OPER. EXPENSE	26,814,701
19	(B) CONF. & TRAVEL	75,725
20	(C) PROF. FEES	9,974,882
21	(D) CAP. OUTLAY	250,000
22	(E) DATA PROC.	0
23	(06) GRANTS/PATIENT SERVICES	18,050,552
24	(07) MENTAL HEALTH CTR TRANSFER	<u>2,599,382</u>
25	TOTAL AMOUNT APPROPRIATED	<u><u>\$122,741,773</u></u>

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27 SECTION 4. APPROPRIATION - COMMUNITY ALCOHOL SAFETY OPERATIONS. There  
28 is hereby appropriated, to the Department of Human Services - Division of  
29 Behavioral Health Services, to be payable from the Highway Safety Special  
30 Fund, for grant payments of the Department of Human Services - Division of  
31 Behavioral Health Services - Community Alcohol Safety Operations for the  
32 fiscal year ending June 30, 2018, the following:

34	ITEM	FISCAL YEAR
35	<u>NO.</u>	<u>2017-2018</u>
36	(01) COMMUNITY ALCOHOL SAFETY GRANTS AND	

1 AID \$4,061,509

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3 SECTION 5. APPROPRIATION - PATIENT BENEFITS - CASH. There is hereby  
4 appropriated, to the Department of Human Services - Division of Behavioral  
5 Health Services, to be payable from the cash fund deposited in the State  
6 Treasury as determined by the Chief Fiscal Officer of the State, for benefits  
7 of the patients of the Department of Human Services - Division of Behavioral  
8 Health Services for the fiscal year ending June 30, 2018, the following:

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10 ITEM	FISCAL YEAR
11 <u>NO.</u>	<u>2017-2018</u>
12 (01) PATIENT BENEFIT FUND	<u>\$75,000</u>

13

14 SECTION 6. APPROPRIATION - COMMUNITY MENTAL HEALTH CENTERS. There is  
15 hereby appropriated, to the Department of Human Services - Division of  
16 Behavioral Health Services, to be payable from the Behavioral Health Services  
17 Fund Account, for state assistance to the Community Mental Health Centers by  
18 the Department of Human Services - Division of Behavioral Health Services for  
19 the fiscal year ending June 30, 2018, the following:

20

21 ITEM	FISCAL YEAR
22 <u>NO.</u>	<u>2017-2018</u>
23 (01) STATE ASSISTANCE	<u>\$7,005,603</u>

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25 SECTION 7. APPROPRIATION - MENTAL HEALTH GRANTS. There is hereby  
26 appropriated, to the Department of Human Services - Division of Behavioral  
27 Health Services, to be payable from the paying account as determined by the  
28 Chief Fiscal Officer of the State, for grant payments of the Department of  
29 Human Services - Division of Behavioral Health Services for the fiscal year  
30 ending June 30, 2018, the following:

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32 ITEM	FISCAL YEAR
33 <u>NO.</u>	<u>2017-2018</u>
34 (01) MENTAL HEALTH GRANTS	<u>\$9,789,616</u>

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36 SECTION 8. APPROPRIATION - ACUTE MENTAL HEALTH SERVICES - PER CAPITA.

1 There is hereby appropriated, to the Department of Human Services - Division  
 2 of Behavioral Health Services, to be payable from the Behavioral Health  
 3 Services Fund Account, for acute mental health services within community-  
 4 based settings of the catchment areas served by Community Mental Health  
 5 Centers licensed and certified by the Department of Human Services - Division  
 6 of Behavioral Health Services for the fiscal year ending June 30, 2018, the  
 7 following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2017-2018</u>
(01) ACUTE MENTAL HEALTH SERVICES-PER CAPITA	<u>\$503,188</u>

14 SECTION 9. APPROPRIATION - ALCOHOL AND DRUG ABUSE PREVENTION. There is  
 15 hereby appropriated, to the Department of Human Services - Division of  
 16 Behavioral Health Services, to be payable from the Drug Abuse Prevention and  
 17 Treatment Fund, for education, drug abuse prevention and treatment services  
 18 of the Department of Human Services - Division of Behavioral Health Services  
 19 - Alcohol and Drug Abuse Prevention for the fiscal year ending June 30, 2018,  
 20 the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2017-2018</u>
(01) EDUCATION/PREVENTION/TREATMENT	<u>\$24,270,069</u>

26 SECTION 10. APPROPRIATION - COMMUNITY BASED CRISIS INTERVENTION. There  
 27 is hereby appropriated, to the Department of Human Services - Division of  
 28 Behavioral Health Services, to be payable from the Behavioral Health Services  
 29 Fund Account, for grants and operating expenses related to crisis  
 30 intervention of the Department of Human Services - Division of Behavioral  
 31 Health Services - Community Based Crisis Intervention for the fiscal year  
 32 ending June 30, 2018, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2017-2018</u>
(01) COMMUNITY BASED CRISIS INTERVENTION	<u>\$5,000,000</u>



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SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BEHAVIORAL HEALTH SERVICES - FEDERAL FUNDS. It is the specific intent of the General Assembly that in the event of the availability of federal funding for the Division of Behavioral Health Services during the fiscal year ending June 30, ~~2017~~ 2018, that such funding be utilized to conserve or reduce the expenditure of general revenue except where prohibited by law.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BEHAVIORAL HEALTH SERVICES. Pay rates for physicians and chief psychologists within the Division of Behavioral Health Services may include the special allowances available to UAMS physicians and professional faculty as described in the special language of the UAMS appropriation. Part of the salaries of such staff will come from the receipt of professional income in the care of patients and/or funds received from federal agencies, foundations and other private sponsors in the support of research. Provided that any such allowance shall not exceed, for any employee, an amount equal to two and one half times the salary authorized by the General Assembly. The specific Division of Behavioral Health Services classifications covered by this language are:

Class	Code	Title
	L005N	Psychiatric Specialist
	L009N	DHS Behavioral Health General Physician
	L001C	Psychologist Supervisor

Prior to these allowances being made available for an individual, they will be approved by the Chief Fiscal Officer of the State and reviewed by the Personnel Committee of the Arkansas Legislative Council or the Joint Budget Committee.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
2 BEHAVIORAL HEALTH SERVICES - VOCATIONAL TRAINEES. The Division of Behavioral  
3 Health Services of the Department of Human Services is hereby authorized to  
4 provide employment opportunities for some of the working residents who are  
5 separate from the currently authorized regular vocational trainee positions.  
6 The positions authorized herein shall not be incorporated into the present  
7 classification system but shall be provided for by each Community Mental  
8 Health Center or the State Hospital, on a cash account basis. It is the  
9 intent of the General Assembly that the authorization of these positions  
10 shall facilitate the Agency's ability to provide for residents who are not  
11 part of a regular vocational training program.

12 The provisions of this section shall be in effect only from July 1, ~~2016~~  
13 2017 through June 30, ~~2017~~ 2018.

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15 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
17 BEHAVIORAL HEALTH SERVICES - JOB SHARE. The Division of Behavioral Health  
18 Services can utilize job share for positions within the nursing  
19 classification (RN, LPN/LPTN, BHA/CNA) for up to 24 hours per week per  
20 individual. This will allow the Division to offer weekend option shifts to  
21 nursing personnel without increasing the number of positions.

22 The provisions of this section shall be in effect only from July 1, ~~2016~~  
23 2017 through June 30, ~~2017~~ 2018.

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25 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
27 BEHAVIORAL HEALTH SERVICES - STATE HOSPITAL CONTINGENCY POSITIONS. If the  
28 Department of Human Services determines, and after prior review by the  
29 Legislative Council or Joint Budget Committee, it shall be determined that it  
30 is in the best interest of the State of Arkansas to discontinue a management  
31 contract with a private provider and it is deemed necessary to utilize  
32 Department staff to provide the required services, the Director of the  
33 Department of Human Services may request the Department of Finance and  
34 Administration to approve the establishment of one or more additional  
35 positions at salary rates not to exceed the maximum salaries established for  
36 comparable positions in the Uniform Classification and Compensation Act, the

1 Department of Human Services' Appropriation Act, and the University of  
2 Arkansas for Medical Sciences' Appropriation Act. Upon approval by the  
3 Department of Finance and Administration and after review by the Legislative  
4 Council or Joint Budget Committee, the Department of Human Services -  
5 Division of Behavioral Health Services may establish such positions.

6 If the agency requests continuation of a "Growth Pool" position(s) as  
7 established herein, the position(s) must be requested as a new position(s) in  
8 the agency's budget request.

9 The provisions of this section shall be in effect only from July 1, ~~2016~~  
10 2017 through June 30, ~~2017~~ 2018.

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12 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS  
14 HEALTH CENTER. (A) The Department of Human Services shall not close the  
15 Arkansas Health Center that provides skilled nursing through specialized  
16 services and programs.

17 (B) The Department of Human Services shall continue to accept clients for  
18 whom it has determined that skilled nursing and specialized services are  
19 needed at the Arkansas Health Center.

20 (C) No funds shall be transferred or reduced from the Arkansas Health  
21 Center, except for use as federal matching funds, below the approved funding  
22 level on March 1, 2003 without the prior approval of the Arkansas Legislative  
23 Council or the Joint Budget Committee.

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

1 approval by the Legislative Council or Joint Budget Committee is ruled  
2 unconstitutional by a court of competent jurisdiction, this entire section is  
3 void.

4 The provisions of this section shall be in effect only from July 1, ~~2016~~  
5 2017 through June 30, ~~2017~~ 2018.

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7 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA  
9 HELP – BEHAVIORAL HEALTH SERVICES. Employees in extra-help positions at the  
10 Department of Human Services – Division of Behavioral Health Services may  
11 receive an amount not to exceed eighty-five percent (85%) of the maximum  
12 annual salary for a comparable position as authorized under § 21-5-201 et  
13 seq. during any fiscal year, nor shall such an employee be employed for a  
14 period of time to exceed one thousand eight hundred (1,800) hours in any  
15 single fiscal year.

16 The provisions of this section shall be in effect only from July 1, ~~2016~~  
17 2017 through June 30, ~~2017~~ 2018.

18  
19 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
21 BEHAVIORAL HEALTH SERVICES - PROCEEDS FOR SALES OF TIMBER AND HAY - CAPITAL  
22 IMPROVEMENTS AND EQUIPMENT. The Division of Behavioral Health Services is  
23 authorized to use the administrative operating account for capital  
24 improvements to the physical plant, and for the purchase of capital  
25 equipment, and for the operation of the Arkansas Health Center, operated by  
26 the Department of Human Services - Division of Behavioral Health Services.  
27 The funds shall be held by the Department of Human Services - Division of  
28 Behavioral Health Services, from the proceeds of the sale of timber and hay  
29 that may be harvested from land owned by the Division of Behavioral Health  
30 Services. All funds deposited and all expenses shall be tracked separately.  
31 The harvesting of timber and hay is specifically authorized to provide funds  
32 to finance capital improvements to the physical plant, for the purchase of  
33 major capital equipment, and for the operation of the Arkansas Health Center.  
34 The Division of Behavioral Health Services shall report all income derived  
35 from the sale of timber and hay to the Chief Fiscal Officer of the State and  
36 the Legislative Council or Joint Budget Committee. Any contracts initiated

1 for the harvesting of timber and hay shall be submitted to the Review  
 2 Subcommittee of the Arkansas Legislative Council or Joint Budget Committee  
 3 for prior review. All expenditures of funds derived from the sale of timber  
 4 and hay will be expended in accordance with relevant state purchasing laws.

5 The provisions of this section shall be in effect only from July 1, ~~2016~~  
 6 2017 through June 30, ~~2017~~ 2018.

7

8 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL  
 10 RATES OF PAY AND EMPLOYMENT WORK DAYS. For employees hired on or after July  
 11 1, 2013, at the Arkansas State Hospital in the classifications listed below,  
 12 the Division of Behavioral Health Services Director shall implement salary  
 13 adjustments utilizing the approved pay grid for teachers employed by the  
 14 Arkansas Schools for the Blind and Deaf.

15 To achieve the salary adjustments, the Division of Behavioral Health  
 16 Services is authorized to pay special rates of pay for classifications at the  
 17 Arkansas State Hospital listed below:

18 Classification	Title	Grade
19 E035C	Certified Masters Teacher	C119
20 E044C	Certified Bachelors Teacher	C117

21 Funding for the minimum compensation provided for in this section that  
 22 is supported in whole or in part from general revenues, shall, if required,  
 23 be provided by a transfer from the Merit Adjustment Fund to the proper fund  
 24 or fund account and in such amounts as determined by the Chief Fiscal Officer  
 25 of the State. The Division of Behavioral Health Services shall in addition  
 26 to the funds provided in this Act for Annual Career Service Recognition  
 27 Payments from the Merit Adjustment Fund, make available any funding generated  
 28 from agency salary savings for such purposes from the funds or fund accounts  
 29 as provided by law.

30 For employees hired on or after July 1, 2013, at the Arkansas State  
 31 Hospital in the classifications listed above, the Division of Behavioral  
 32 Health Services Director shall set the number of work days for the employment  
 33 year to equal the number of days worked by those employed in the same  
 34 classifications at the Arkansas Schools for the Blind and Deaf. The accrual,  
 35 use, and carryover of sick days, personal days, and holidays of the employees  
 36 at the Arkansas State Hospital that are hired on or after July 1, 2013, or

1 current employees choosing to adopt this plan, shall be treated in the same  
2 manner as those employed in the same classifications at the Arkansas Schools  
3 for the Blind and Deaf.

4 Those currently employed at the Arkansas State Hospital in the  
5 classifications listed above as of June 30, 2013, have the one-time option of  
6 adopting this language or continuing to operate under the same salary, leave  
7 and benefit plans they are currently receiving. Employees must make their  
8 decision by June 30, 2013.

9 Accrued annual and holiday leave, up to 240 hours, as of June 30,  
10 2013, will be paid out to current employees choosing to adopt this plan. Any  
11 additional accrued annual and holiday leave will be forfeited. Accrued sick  
12 leave, as of June 30, 2013, shall be retained on file and shall be exhausted  
13 before any newly accrued sick leave may be taken.

14 All employees affected by this section shall be eligible to receive  
15 hazardous duty pay for time worked in eligible areas.

16 The provisions of this section shall be in effect only from July 1, ~~2016~~  
17 2017 through June 30, ~~2017~~ 2018.

18

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

28

29 SECTION 21. LEGISLATIVE INTENT. It is the intent of the General  
30 Assembly that any funds disbursed under the authority of the appropriations  
31 contained in this act shall be in compliance with the stated reasons for  
32 which this act was adopted, as evidenced by the Agency Requests, Executive  
33 Recommendations and Legislative Recommendations contained in the budget  
34 manuals prepared by the Department of Finance and Administration, letters, or  
35 summarized oral testimony in the official minutes of the Arkansas Legislative  
36 Council or Joint Budget Committee which relate to its passage and adoption.

