

1 State of Arkansas  
2 92nd General Assembly  
3 Regular Session, 2019  
4

As Engrossed: S2/18/19

# A Bill

SENATE BILL 102

5 By: Joint Budget Committee  
6

## 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 AGING, ADULT, AND BEHAVIORAL  
11 HEALTH SERVICES FOR THE FISCAL YEAR ENDING JUNE 30,  
12 2020; AND FOR OTHER PURPOSES.  
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## Subtitle

15 AN ACT FOR THE DEPARTMENT OF HUMAN  
16 SERVICES - DIVISION OF AGING, ADULT, AND  
17 BEHAVIORAL HEALTH SERVICES APPROPRIATION  
18 FOR THE 2019-2020 FISCAL YEAR.  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 SECTION 1. REGULAR SALARIES - STATE OPERATIONS. There is hereby  
25 established for the Department of Human Services - Division of Aging, Adult,  
26 and Behavioral Health Services for the 2019-2020 fiscal year, the following  
27 maximum number of regular employees.  
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Item	Class		Maximum	Maximum Annual
No.	Code	Title	No. of	Salary Rate
			Employees	Fiscal Year
				2019-2020
33	(1)	N221N ARKANSAS STATE HOSPITAL COO	1	GRADE SE03
34	(2)	N181N DIRECTOR OF MEDICAL SERVICES	1	GRADE SE02
35	(3)	N019N DHS DEP DIR BEHAV HLTH SERVICES	1	GRADE SE01
36	(4)	N027N DHS DEPUTY DIRECTOR ADULT SERVICES	1	GRADE SE01



1	(5)	L005N PSYCHIATRIC SPECIALIST	1	GRADE MP08
2	(6)	L011N DENTIST	1	GRADE MP06
3	(7)	L009N DHS BEHAV HLTH GENERAL PHYSICIAN	4	GRADE MP06
4	(8)	L014N DIRECTOR OF PHARMACY	1	GRADE MP06
5	(9)	L013N GENERAL PHYSICIAN	1	GRADE MP06
6	(10)	L016N REGISTERED PHARMACIST	2	GRADE MP05
7	(11)	L105C AHC NURSING DIRECTOR	1	GRADE MP04
8	(12)	L001C PSYCHOLOGIST SUPERVISOR	2	GRADE MP04
9	(13)	L006C ASSOCIATE DIRECTOR OF NURSING	3	GRADE MP03
10	(14)	L009C NURSE MANAGER	9	GRADE MP03
11	(15)	L003C PSYCHOLOGIST	4	GRADE MP03
12	(16)	L015C CLINICAL SPEECH PATHOLOGIST	1	GRADE MP02
13	(17)	L036C NURSE INSTRUCTOR	1	GRADE MP02
14	(18)	L027C REGISTERED NURSE SUPERVISOR	30	GRADE MP02
15	(19)	L038C REGISTERED NURSE	82	GRADE MP01
16	(20)	L032C REGISTERED NURSE - HOSPITAL	61	GRADE MP01
17	(21)	N103N DHS MENTAL HEALTH CENTER DIRECTOR	1	GRADE GS14
18	(22)	N128N DHS ASST DIR QUALITY ASSURANCE	1	GRADE GS13
19	(23)	M002C DHS BEHAV HLTH ASSOC DIR, AHC	1	GRADE GS13
20	(24)	G277C DHS PROCESS IMPROVEMENT DIRECTOR	1	GRADE GS13
21	(25)	N147N DHS/DAAS ASST DEP DIR	1	GRADE GS13
22	(26)	N127N DHS/DBHS DIR ALCOHOL & DRUG ABUSE PREV	1	GRADE GS13
23	(27)	G101C DHS AREA MANAGER	1	GRADE GS12
24	(28)	G047C ATTORNEY SPECIALIST	1	GRADE GS11
25	(29)	L011C DHS ALCHL/DRUG ABUSE PREV ASST DEP DIR	2	GRADE GS11
26	(30)	G027N DHS RESEARCH ANALYSIS MANAGER	1	GRADE GS11
27	(31)	G076C ADMINISTRATIVE SERVICES MANAGER	2	GRADE GS10
28	(32)	L024C DHS BEHAV HLTH FACILITY ADMIN	1	GRADE GS09
29	(33)	G099C DHS PROGRAM ADMINISTRATOR	10	GRADE GS09
30	(34)	G109C GRANTS MANAGER	2	GRADE GS09
31	(35)	M009C LICENSED CERTIFIED SOCIAL WORKER	30	GRADE GS09
32	(36)	L033C PSYCHOLOGICAL EXAMINER	2	GRADE GS09
33	(37)	E035C CERTIFIED MASTERS TEACHER	1	GRADE GS08
34	(38)	L050C CERTIFIED RESPIRATORY THERAPY TECH	4	GRADE GS08
35	(39)	L098C CERTIFIED VOCATIONAL REHAB COUNSELOR	1	GRADE GS08
36	(40)	T031C DHS BEHAV HLTH PUBLIC SAFETY DIR	2	GRADE GS08

1	(41)	M016C DHS FIELD MANAGER	5	GRADE GS08
2	(42)	G152C DHS PROGRAM MANAGER	5	GRADE GS08
3	(43)	G083C DHS/DAAS DIVISION MANAGER	1	GRADE GS08
4	(44)	E026C EDUCATION & INSTRUCTION COORDINATOR	1	GRADE GS08
5	(45)	M010C FAMILY SERVICE WORKER CLINICAL SPEC	1	GRADE GS08
6	(46)	S004C MAINTENANCE MANAGER	1	GRADE GS08
7	(47)	E023C TRAINING PROJECT MANAGER	1	GRADE GS08
8	(48)	G131C DHS BEHAV HLTH MED BUS PRACTICES ADMIN	1	GRADE GS07
9	(49)	G183C DHS PROGRAM COORDINATOR	24	GRADE GS07
10	(50)	G153C DHS/DAAS PROGRAM SUPERVISOR	2	GRADE GS07
11	(51)	L055C DIETICIAN	1	GRADE GS07
12	(52)	L062C LICENSED PRACTICAL NURSE SUPERVISOR	13	GRADE GS07
13	(53)	M026C LICENSED SOCIAL WORKER	5	GRADE GS07
14	(54)	M025C PROGRAM ELIGIBILITY COORDINATOR I	1	GRADE GS07
15	(55)	L052C REHAB FACILITY SUPERVISOR	2	GRADE GS07
16	(56)	A063C RESEARCH & STATISTICS SUPERVISOR	1	GRADE GS07
17	(57)	M049C SENIOR CHAPLAIN	1	GRADE GS07
18	(58)	C037C ADMINISTRATIVE ANALYST	8	GRADE GS06
19	(59)	M045C ADULT PROTECTIVE SERVICES WORKER	37	GRADE GS06
20	(60)	E044C CERTIFIED BACHELORS TEACHER	3	GRADE GS06
21	(61)	L044C DHS BEHAV HLTH CASE REVIEW ANALYST	1	GRADE GS06
22	(62)	G184C DHS PROGRAM CONSULTANT	3	GRADE GS06
23	(63)	G210C DHS PROGRAM SPECIALIST	3	GRADE GS06
24	(64)	G198C DHS/DAAS PROGRAM SPECIALIST	3	GRADE GS06
25	(65)	T052C DHS/DBHS PUBLIC SAFETY SUPERVISOR	5	GRADE GS06
26	(66)	G180C GRANTS ANALYST	3	GRADE GS06
27	(67)	X101C INTERNAL AFFAIRS INVESTIGATOR	1	GRADE GS06
28	(68)	L069C LICENSED PRACTICAL NURSE	121	GRADE GS06
29	(69)	P031C MEDIA SPECIALIST	1	GRADE GS06
30	(70)	G124C OMBUDSMAN	1	GRADE GS06
31	(71)	G178C POLICY DEVELOPMENT COORDINATOR	1	GRADE GS06
32	(72)	M066C PROGRAM ELIGIBILITY SPECIALIST	7	GRADE GS06
33	(73)	L103C PSYCHOLOGICAL EVALUATOR	3	GRADE GS06
34	(74)	X136C QUALITY ASSURANCE REVIEWER	2	GRADE GS06
35	(75)	C026C RECORDS/INTAKE SUPERVISOR	1	GRADE GS06
36	(76)	L051C REHABILITATION COUNSELOR	2	GRADE GS06

1	(77)	B076C RESEARCH PROJECT ANALYST	3	GRADE GS06
2	(78)	G202C VOLUNTEER PROGRAM COORDINATOR	1	GRADE GS06
3	(79)	S021C WATER FILTER/WASTE DISPOSAL PLNT SUPV	1	GRADE GS06
4	(80)	C050C ADMINISTRATIVE SUPPORT SUPERVISOR	1	GRADE GS05
5	(81)	S041C BOILER OPERATOR	4	GRADE GS05
6	(82)	A091C FISCAL SUPPORT ANALYST	2	GRADE GS05
7	(83)	D077C HELP DESK SPECIALIST	2	GRADE GS05
8	(84)	S033C MAINTENANCE SUPERVISOR	2	GRADE GS05
9	(85)	A090C PAYROLL SERVICES SPECIALIST	1	GRADE GS05
10	(86)	T055C PUBLIC SAFETY OFFICER	20	GRADE GS05
11	(87)	M065C RECREATIONAL ACTIVITY SUPERVISOR	3	GRADE GS05
12	(88)	L066C REHABILITATION INSTRUCTOR	37	GRADE GS05
13	(89)	M004C RESIDENTIAL OPERATIONS MANAGER	1	GRADE GS05
14	(90)	S022C SKILLED TRADES SUPERVISOR	8	GRADE GS05
15	(91)	V018C WAREHOUSE MANAGER	1	GRADE GS05
16	(92)	S030C WATER FILTER/WASTE DISPOSAL PLNT OPER	2	GRADE GS05
17	(93)	C056C ADMINISTRATIVE SPECIALIST III	42	GRADE GS04
18	(94)	X167C COMPLAINTS INVESTIGATOR	1	GRADE GS04
19	(95)	L102C DIETETIC SPECIALIST	2	GRADE GS04
20	(96)	V020C INVENTORY CONTROL MANAGER	3	GRADE GS04
21	(97)	B111C LABORATORY TECHNICIAN	2	GRADE GS04
22	(98)	S046C MAINTENANCE TECHNICIAN	1	GRADE GS04
23	(99)	C043C RECORDS MANAGEMENT ANALYST	4	GRADE GS04
24	(100)	T072C SECURITY OFFICER SUPERVISOR	1	GRADE GS04
25	(101)	S031C SKILLED TRADESMAN	25	GRADE GS04
26	(102)	S099C STATIONARY ENGINEER	1	GRADE GS04
27	(103)	V023C STOREROOM SUPERVISOR	1	GRADE GS04
28	(104)	L074C THERAPY ASSISTANT	3	GRADE GS04
29	(105)	V025C WAREHOUSE SPECIALIST	1	GRADE GS04
30	(106)	C073C ADMINISTRATIVE SPECIALIST II	10	GRADE GS03
31	(107)	M084C BEHAV HLTH AIDE	77	GRADE GS03
32	(108)	L082C CERTIFIED NURSING ASSISTANT	157	GRADE GS03
33	(109)	S056C FOOD PREPARATION SUPERVISOR	9	GRADE GS03
34	(110)	S067C HOUSEKEEPER SUPERVISOR	2	GRADE GS03
35	(111)	V027C INVENTORY CONTROL TECHNICIAN	5	GRADE GS03
36	(112)	C062C LOCAL OFFICE ADMINISTRATIVE ASST	1	GRADE GS03

1	(113)	C074C MEDICAL RECORDS ASSISTANT	1	GRADE GS03
2	(114)	T084C PUBLIC SAFETY SECURITY OFFICER	62	GRADE GS03
3	(115)	C087C ADMINISTRATIVE SPECIALIST I	5	GRADE GS02
4	(116)	S070C EQUIPMENT TECHNICIAN	6	GRADE GS02
5	(117)	S085C FOOD PREPARATION SPECIALIST	7	GRADE GS02
6	(118)	S084C INSTITUTIONAL SERVICES SUPERVISOR	4	GRADE GS02
7	(119)	M076C RECREATIONAL ACTIVITY LEADER II	27	GRADE GS02
8	(120)	V030C SHIPPING & RECEIVING CLERK	1	GRADE GS02
9	(121)	E056C TEACHER ASSISTANT	4	GRADE GS02
10	(122)	V028C WAREHOUSE WORKER	2	GRADE GS02
11	(123)	S089C FOOD PREPARATION TECHNICIAN	34	GRADE GS01
12	(124)	S087C INSTITUTIONAL SERVICES ASSISTANT	52	GRADE GS01
13	(125)	L086C PHARMACY ASSISTANT	2	GRADE GS01
14	(126)	M082C RECREATIONAL ACTIVITY LEADER I	<u>3</u>	GRADE GS01
15		MAX. NO. OF EMPLOYEES	1,193	

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17 SECTION 2. EXTRA HELP - STATE OPERATIONS. There is hereby authorized,  
 18 for the Department of Human Services - Division of Aging, Adult, and  
 19 Behavioral Health Services for the 2019-2020 fiscal year, the following  
 20 maximum number of part-time or temporary employees, to be known as "Extra  
 21 Help", payable from funds appropriated herein for such purposes: three  
 22 hundred forty-three (343) temporary or part-time employees, when needed, at  
 23 rates of pay not to exceed those provided in the Uniform Classification and  
 24 Compensation Act, or its successor, or this act for the appropriate  
 25 classification.

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27 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby  
 28 appropriated, to the Department of Human Services - Division of Aging, Adult,  
 29 and Behavioral Health Services, to be payable from the Behavioral Health  
 30 Services Fund Account, for personal services and operating expenses of the  
 31 Department of Human Services - Division of Aging, Adult, and Behavioral  
 32 Health Services for the fiscal year ending June 30, 2020, the following:

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34	ITEM	FISCAL YEAR
35	<u>NO.</u>	<u>2019-2020</u>
36	(01) REGULAR SALARIES	\$49,414,598

1	(02) EXTRA HELP	5,764,305
2	(03) PERSONAL SERVICES MATCHING	19,054,115
3	(04) OVERTIME	4,212,006
4	(05) MAINT. & GEN. OPERATION	
5	(A) OPER. EXPENSE	28,151,937
6	(B) CONF. & TRAVEL	133,369
7	(C) PROF. FEES	10,431,280
8	(D) CAP. OUTLAY	250,000
9	(E) DATA PROC.	0
10	(06) FOSTER GRANDPARENT PROGRAM	<u>340,135</u>
11	TOTAL AMOUNT APPROPRIATED	<u>\$117,751,745</u>

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## 13 SECTION 4. APPROPRIATION - AGING AND ADULT SERVICES - OPERATIONS.

14 There is hereby appropriated, to the Department of Human Services - Division  
 15 of Aging, Adult, and Behavioral Health Services, to be payable from the  
 16 paying account as determined by the Chief Fiscal Officer of the State, for  
 17 operating expenses, grants, and programs for aging and adult services of the  
 18 Department of Human Services - Division of Aging, Adult, and Behavioral  
 19 Health Services for the fiscal year ending June 30, 2020, the following:

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21	ITEM	FISCAL YEAR
22	<u>NO.</u>	<u>2019-2020</u>
23	(01) NURSING HOME CARE ALTERNATIVES	\$4,802,025
24	(02) NUTRITION PROGRAMS	10,441,932
25	(03) OLDER WORKER PROGRAM	1,052,665
26	(04) PROJECT GRANTS	9,971,411
27	(05) RETIRED & SENIOR VOLUNTEER PROGRAM	75,000
28	(06) SENIOR CITIZEN CENTERS	<u>8,000,000</u>
29	TOTAL AMOUNT APPROPRIATED	<u>\$34,343,033</u>

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31 SECTION 5. APPROPRIATION - COMMUNITY ALCOHOL SAFETY OPERATIONS. There  
 32 is hereby appropriated, to the Department of Human Services - Division of  
 33 Aging, Adult, and Behavioral Health Services, to be payable from the Highway  
 34 Safety Special Fund, for grant payments of the Department of Human Services -  
 35 Division of Aging, Adult, and Behavioral Health Services for the fiscal year  
 36 ending June 30, 2020, the following:

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ITEM	FISCAL YEAR
<u>NO.</u>	<u>2019-2020</u>
(01) COMMUNITY ALCOHOL SAFETY GRANTS AND AID	<u>\$2,416,834</u>

SECTION 6. APPROPRIATION - PATIENT BENEFITS - CASH. There is hereby appropriated, to the Department of Human Services - Division of Aging, Adult, and Behavioral Health Services, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for benefits of the patients of the Department of Human Services - Division of Aging, Adult, and Behavioral Health Services for the fiscal year ending June 30, 2020, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2019-2020</u>
(01) PATIENT BENEFIT FUND	<u>\$34,676</u>

SECTION 7. APPROPRIATION - MENTAL HEALTH GRANTS. There is hereby appropriated, to the Department of Human Services - Division of Aging, Adult, and Behavioral Health Services, to be payable from the paying account as determined by the Chief Fiscal Officer of the State, for grant payments of the Department of Human Services - Division of Aging, Adult, and Behavioral Health Services for the fiscal year ending June 30, 2020, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2019-2020</u>
(01) MENTAL HEALTH GRANTS AND AID	<u>\$34,534,315</u>

SECTION 8. APPROPRIATION - ALCOHOL AND DRUG ABUSE PREVENTION. There is hereby appropriated, to the Department of Human Services - Division of Aging, Adult, and Behavioral Health Services, to be payable from the Drug Abuse Prevention and Treatment Fund, for education, drug abuse prevention, and treatment services of the Department of Human Services - Division of Aging, Adult, and Behavioral Health Services for the fiscal year ending June 30, 2020, the following:

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ITEM	FISCAL YEAR
<u>NO.</u>	<u>2019-2020</u>
(01) EDUCATION/PREVENTION/TREATMENT	<u>\$27,170,743</u>

SECTION 9. APPROPRIATION - COMMUNITY BASED CRISIS INTERVENTION. There is hereby appropriated, to the Department of Human Services - Division of Aging, Adult, and Behavioral Health Services, to be payable from the Behavioral Health Services Fund Account, for grants and operating expenses related to crisis intervention of the Department of Human Services - Division of Aging, Adult, and Behavioral Health Services for the fiscal year ending June 30, 2020, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2019-2020</u>
(01) CRISIS INTERVENTION GRANTS AND AID	<u>\$5,000,000</u>

SECTION 10. APPROPRIATION - MEALS ON WHEELS. There is hereby appropriated, to the Department of Human Services - Division of Aging, Adult, and Behavioral Health Services, to be payable from the Aging and Adult Services Fund Account, for the Meals on Wheels Program and transportation services for the elderly of the Department of Human Services - Division of Aging, Adult, and Behavioral Health Services for the fiscal year ending June 30, 2020, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2019-2020</u>
(01) TRANSPORTATION SERVICES	<u>\$2,400,000</u>

SECTION 11. APPROPRIATION - ARKANSAS SENIOR OLYMPICS. There is hereby appropriated, to the Department of Human Services - Division of Aging, Adult, and Behavioral Health Services, to be payable from the Aging and Adult Services Fund Account, for matching funds for the Arkansas Senior Olympics of the Department of Human Services - Division of Aging, Adult, and Behavioral Health Services for the fiscal year ending June 30, 2020, the following:



1	ITEM	FISCAL YEAR
2	<u>NO.</u>	<u>2019-2020</u>
3	(01) STATE MATCH	<u>\$70,000</u>

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

7 BEHAVIORAL HEALTH SERVICES - FEDERAL FUNDS. It is the specific intent of the  
8 General Assembly that in the event of the availability of federal funding for  
9 the Division of Aging, Adult, and Behavioral Health Services during the  
10 fiscal year ending June 30, ~~2019~~ 2020, that such funding be utilized to  
11 conserve or reduce the expenditure of general revenue except where prohibited  
12 by law.

13 The provisions of this section shall be in effect only from July 1, ~~2018~~  
14 2019 through June 30, ~~2019~~ 2020.

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

18 BEHAVIORAL HEALTH SERVICES. Pay rates for physicians and chief psychologists  
19 within the Division of Aging, Adult, and Behavioral Health Services may  
20 include the special allowances available to UAMS physicians and professional  
21 faculty as described in the special language of the UAMS appropriation. Part  
22 of the salaries of such staff will come from the receipt of professional  
23 income in the care of patients and/or funds received from federal agencies,  
24 foundations and other private sponsors in the support of research. Provided  
25 that any such allowance shall not exceed, for any employee, an amount equal  
26 to two and one half times the salary authorized by the General Assembly. The  
27 specific Division of Aging, Adult, and Behavioral Health Services  
28 classifications covered by this language are:

29 Class

30 Code Title

31 L005N Psychiatric Specialist

32 L009N DHS Behavioral Health General Physician

33 L001C Psychologist Supervisor

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

1 Committee.

2 The provisions of this section shall be in effect only from July 1, ~~2018~~  
3 2019 through June 30, ~~2019~~ 2020.

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5 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
7 BEHAVIORAL HEALTH SERVICES - VOCATIONAL TRAINEES. The Division of Aging,  
8 Adult, and Behavioral Health Services of the Department of Human Services is  
9 hereby authorized to provide employment opportunities for some of the working  
10 residents who are separate from the currently authorized regular vocational  
11 trainee positions. The positions authorized herein shall not be incorporated  
12 into the present classification system but shall be provided for by each  
13 Community Mental Health Center or the State Hospital, on a cash account  
14 basis. It is the intent of the General Assembly that the authorization of  
15 these positions shall facilitate the Agency's ability to provide for  
16 residents who are not part of a regular vocational training program.

17 The provisions of this section shall be in effect only from July 1, ~~2018~~  
18 2019 through June 30, ~~2019~~ 2020.

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

27 The provisions of this section shall be in effect only from July 1, ~~2018~~  
28 2019 through June 30, ~~2019~~ 2020.

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30 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
32 BEHAVIORAL HEALTH SERVICES - STATE HOSPITAL CONTINGENCY POSITIONS. If the  
33 Department of Human Services determines, and after prior review by the  
34 Legislative Council or Joint Budget Committee, it shall be determined that it  
35 is in the best interest of the State of Arkansas to discontinue a management  
36 contract with a private provider and it is deemed necessary to utilize

1 Department staff to provide the required services, the Director of the  
2 Department of Human Services may request the Department of Finance and  
3 Administration to approve the establishment of one or more additional  
4 positions at salary rates not to exceed the maximum salaries established for  
5 comparable positions in the Uniform Classification and Compensation Act, the  
6 Department of Human Services' Appropriation Act, and the University of  
7 Arkansas for Medical Sciences' Appropriation Act. Upon approval by the  
8 Department of Finance and Administration and after review by the Legislative  
9 Council or Joint Budget Committee, the Department of Human Services -  
10 Division of Aging, Adult, and Behavioral Health Services may establish such  
11 positions.

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

15 The provisions of this section shall be in effect only from July 1, ~~2018~~  
16 2019 through June 30, ~~2019~~ 2020.

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18 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS  
20 HEALTH CENTER. (A) The Department of Human Services shall not close the  
21 Arkansas Health Center that provides skilled nursing through specialized  
22 services and programs.

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

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

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

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

10 The provisions of this section shall be in effect only from July 1, ~~2018~~  
11 2019 through June 30, ~~2019~~ 2020.

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13 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA  
15 HELP – BEHAVIORAL HEALTH SERVICES. Employees in extra-help positions at the  
16 Department of Human Services – Division of Aging, Adult, and Behavioral  
17 Health Services may receive an amount not to exceed eighty-five percent (85%)  
18 of the maximum annual salary for a comparable position as authorized under §  
19 21-5-201 et seq. during any fiscal year, nor shall such an employee be  
20 employed for a period of time to exceed one thousand eight hundred (1,800)  
21 hours in any single fiscal year.

22 The provisions of this section shall be in effect only from July 1, ~~2018~~  
23 2019 through June 30, ~~2019~~ 2020.

24  
25 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
27 BEHAVIORAL HEALTH SERVICES - PROCEEDS FOR SALES OF TIMBER AND HAY - CAPITAL  
28 IMPROVEMENTS AND EQUIPMENT. The Division of Aging, Adult, and Behavioral  
29 Health Services is authorized to use the administrative operating account for  
30 capital improvements to the physical plant, and for the purchase of capital  
31 equipment, and for the operation of the Arkansas Health Center, operated by  
32 the Department of Human Services - Division of Aging, Adult, and Behavioral  
33 Health Services. The funds shall be held by the Department of Human Services  
34 - Division of Aging, Adult, and Behavioral Health Services, from the proceeds  
35 of the sale of timber and hay that may be harvested from land owned by the  
36 Division of Aging, Adult, and Behavioral Health Services. All funds deposited

1 and all expenses shall be tracked separately. The harvesting of timber and  
 2 hay is specifically authorized to provide funds to finance capital  
 3 improvements to the physical plant, for the purchase of major capital  
 4 equipment, and for the operation of the Arkansas Health Center. The Division  
 5 of Aging, Adult, and Behavioral Health Services shall report all income  
 6 derived from the sale of timber and hay to the Chief Fiscal Officer of the  
 7 State and the Legislative Council or Joint Budget Committee. Any contracts  
 8 initiated for the harvesting of timber and hay shall be submitted to the  
 9 Review Subcommittee of the Arkansas Legislative Council or Joint Budget  
 10 Committee for prior review. All expenditures of funds derived from the sale  
 11 of timber and hay will be expended in accordance with relevant state  
 12 purchasing laws.

13 The provisions of this section shall be in effect only from July 1, ~~2018~~  
 14 2019 through June 30, ~~2019~~ 2020.

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 16 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL  
 18 RATES OF PAY AND EMPLOYMENT WORK DAYS. For employees hired on or after July  
 19 1, 2013, at the Arkansas State Hospital in the classifications listed below,  
 20 the Division of Aging, Adult, and Behavioral Health Services Director shall  
 21 implement salary adjustments utilizing the approved pay grid for teachers  
 22 employed by the Arkansas Schools for the Blind and Deaf.

23 To achieve the salary adjustments, the Division of Aging, Adult, and  
 24 Behavioral Health Services is authorized to pay special rates of pay for  
 25 classifications at the Arkansas State Hospital listed below:

26	Classification	Title	Grade
27	E035C	Certified Masters Teacher	GS08
28	E044C	Certified Bachelors Teacher	GS06

29 Funding for the minimum compensation provided for in this section that  
 30 is supported in whole or in part from general revenues, shall, if required,  
 31 be provided by a transfer from the ~~Merit Adjustment~~ Performance Fund to the  
 32 proper fund or fund account and in such amounts as determined by the Chief  
 33 Fiscal Officer of the State. The Division of Aging, Adult, and Behavioral  
 34 Health Services shall in addition to the funds provided in this Act for  
 35 Annual Career Service Recognition Payments from the ~~Merit Adjustment~~  
 36 Performance Fund, make available any funding generated from agency salary

1 savings for such purposes from the funds or fund accounts as provided by law.

2 For employees hired on or after July 1, 2013, at the Arkansas State  
3 Hospital in the classifications listed above, the Division of Aging, Adult,  
4 and Behavioral Health Services Director shall set the number of work days for  
5 the employment year to equal the number of days worked by those employed in  
6 the same classifications at the Arkansas Schools for the Blind and Deaf. The  
7 accrual, use, and carryover of sick days, personal days, and holidays of the  
8 employees at the Arkansas State Hospital that are hired on or after July 1,  
9 2013, or current employees choosing to adopt this plan, shall be treated in  
10 the same manner as those employed in the same classifications at the Arkansas  
11 Schools for the Blind and Deaf.

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

17 Accrued annual and holiday leave, up to 240 hours, as of June 30,  
18 2013, will be paid out to current employees choosing to adopt this plan. Any  
19 additional accrued annual and holiday leave will be forfeited. Accrued sick  
20 leave, as of June 30, 2013, shall be retained on file and shall be exhausted  
21 before any newly accrued sick leave may be taken.

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

24 The provisions of this section shall be in effect only from July 1, ~~2018~~  
25 2019 through June 30, ~~2019~~ 2020.

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27 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND  
29 ADULT SERVICES - MATCHING FUNDS. The funds appropriated for state match for  
30 the Arkansas Senior Olympics Program in this Act shall be paid on a two-to-  
31 one state/local matching basis. The Senior Arkansas Sports Organization must  
32 certify its portion of the match to the Division of Aging, Adult, and  
33 Behavioral Health Services before any funds appropriated for state match for  
34 the Arkansas Senior Olympics Program in this Act are disbursed.

35 The provisions of this section shall be in effect only from July 1, ~~2018~~  
36 2019 through June 30, ~~2019~~ 2020.

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SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND ADULT SERVICES - STATE MATCH AUTHORIZED. The Director of the Department of Human Services is authorized to use State funds appropriated in this Act to match Federal funds available under Title III and Title V of the Older Americans Act, Social Services Block Grant, or such other federal funds as may become available.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND ADULT SERVICES - GRANT/CONTRACT DISBURSEMENT GUIDELINES. All appropriations for state and federal funding contained herein for Aging and Adult Services and that are distributed under grant or contract methodologies may be disbursed by the Department of Human Services in the same manner as authorized under federal regulations for the disbursement of Title III Older Americans Act funds. Otherwise, all disbursements shall comply with the provisions of this Act.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND ADULT SERVICES - NURSING HOME CARE ALTERNATIVES. Funding for "Nursing Home Care Alternatives", as it appears in the Aging and Adult Services - Operations appropriation may be used for home delivered meals, adult day care, homemaker/chore, respite care, personal care, health promotion, and other community-based activities. These funds may also be used to match Medicaid community-based programs.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SENIOR

1 CITIZEN CENTERS. The appropriation in this act for Senior Citizen Centers  
2 shall be distributed in the same manner as the funding formula requirements  
3 set out in the federal Older Americans Act funding law. The additional  
4 funding provided by this provision shall supplement and not supplant any  
5 monies currently funding services for Senior Citizen Centers.

6 The requirements in this section shall only be implemented in accordance  
7 with any necessary approval by the Centers for Medicare and Medicaid Services  
8 and in the event that additional general revenue funding is provided by the  
9 General Assembly for these purposes. Should additional funding provided for  
10 these purposes be insufficient to provide for the increases in full, the  
11 increases shall be provided to the extent that funding is made available.

12 The provisions of this section shall be in effect only from July 1, ~~2018~~  
13 2019 through June 30, ~~2019~~ 2020.

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

24  
25 SECTION 27. LEGISLATIVE INTENT. It is the intent of the General  
26 Assembly that any funds disbursed under the authority of the appropriations  
27 contained in this act shall be in compliance with the stated reasons for  
28 which this act was adopted, as evidenced by the Agency Requests, Executive  
29 Recommendations and Legislative Recommendations contained in the budget  
30 manuals prepared by the Department of Finance and Administration, letters, or  
31 summarized oral testimony in the official minutes of the Arkansas Legislative  
32 Council or Joint Budget Committee which relate to its passage and adoption.

33  
34 SECTION 28. EMERGENCY CLAUSE. It is found and determined by the  
35 General Assembly, that the Constitution of the State of Arkansas prohibits  
36 the appropriation of funds for more than a one (1) year period; that the



1 effectiveness of this Act on July 1, 2019 is essential to the operation of  
2 the agency for which the appropriations in this Act are provided, and that in  
3 the event of an extension of the legislative session, the delay in the  
4 effective date of this Act beyond July 1, 2019 could work irreparable harm  
5 upon the proper administration and provision of essential governmental  
6 programs. Therefore, an emergency is hereby declared to exist and this Act  
7 being necessary for the immediate preservation of the public peace, health  
8 and safety shall be in full force and effect from and after July 1, 2019.

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11 */s/ Joint Budget Committee*  
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