

1 State of Arkansas *As Engrossed: S2/18/19 S3/11/19 S3/27/19*
2 92nd General Assembly
3 Regular Session, 2019

A Bill

SENATE BILL 102

4
5 By: Joint Budget Committee

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.

Subtitle

16 AN ACT FOR THE DEPARTMENT OF HUMAN
17 SERVICES - DIVISION OF AGING, ADULT, AND
18 BEHAVIORAL HEALTH SERVICES APPROPRIATION
19 FOR THE 2019-2020 FISCAL YEAR.

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

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.

| Item | Class | Maximum | Maximum Annual Salary Rate |
|------|--|------------------|----------------------------|
| No. | Code Title | No. of 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 |



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| 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 |

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| 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 |

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| 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 |

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| 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 |

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| 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 |
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| <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 *Behavioral Health 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:

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

SECTION 12. 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 Aging, Adult, and Behavioral Health Services during the fiscal year ending June 30, ~~2019~~ 2020, 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, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

SECTION 13. 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 Aging, Adult, and 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 Aging, Adult, and 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

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.

12
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.

15

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.

26
27 *SECTION 21. SPECIAL LANGUAGE. CODE AMENDMENT. Arkansas Code Title*
28 *20, Chapter 46, Subchapter 3, is amended to add an additional section to read*
29 *as follows:*

30 20-46-316. Funding report.

31 (a) On or before April 30, July 31, October 31, and January 31, of
32 each year, the Department of Human Services shall report the following data
33 to the Legislative Council or the Joint Budget Committee during a regular,
34 fiscal, or extraordinary session:

35 (1) A list of community mental health centers that are budgeted
36 to receive funding from the State of Arkansas;

1 (2) The total annual amount of general revenue budgeted by the
2 department for the current fiscal year of the reporting period;

3 (3) The total annual amount of general revenue distributed in
4 the previous fiscal year to each community mental health center;

5 (4) The amount of state funding distributed each reporting
6 quarter, budgeted fiscal year to date, and total projected for the fiscal
7 year to each community mental health center;

8 (5) The amount of federal funding distributed each reporting
9 quarter, budgeted fiscal year to date, and total projected for the fiscal
10 year to each community mental health center; and

11 (6) The amount of other funding, listed by funding source,
12 individually distributed each reporting quarter, budgeted fiscal year to
13 date, and total projected for the fiscal year to each community mental health
14 center.

15 (b) Each quarterly report shall cover the immediate preceding calendar
16 quarter and appropriate fiscal year.

17
18 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
20 FORWARD - COMMUNITY BASED CRISIS INTERVENTION. Any unexpended balance of
21 funds allocated for Community Based Crisis Intervention in the Department of
22 Human Services - Division of Aging, Adult, and Behavioral Health Services
23 from the Behavioral Health Services Fund Account which remains at the close
24 of each state fiscal year shall be carried forward to the next state fiscal
25 year to be used for the same intent and purposes as set forth in law. Any
26 carry forward of unexpended balance of funding as authorized herein may be
27 carried forward under the following conditions:

28 (1) Prior to June 30, 2020, the Agency shall, by written statement, set
29 forth its reason(s) for the need to carry forward said funding to the
30 Department of Finance and Administration Office of Budget;

31 (2) The Department of Finance and Administration Office of Budget shall
32 report to the Arkansas Legislative Council all amounts carried forward by the
33 September Arkansas Legislative Council or Joint Budget Committee meeting
34 which report shall include the name of the Agency, Board, Commission or
35 Institution and the amount of the funding carried forward, the program name
36 or line item, the funding source of that appropriation and a copy of the

1 written request set forth in (1) above;

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

10 (4) Thereupon, the Department of Finance and Administration shall
11 include all information obtained in item (3) above in the budget manuals
12 and/or a statement of non-compliance by the Agency, Board, Commission or
13 Institution.

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

16
17 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
19 FORWARD - COMMUNITY BASED CRISIS INTERVENTION. Any unexpended balance of
20 funds allocated for Community Based Crisis Intervention in the Department of
21 Human Services - Division of Aging, Adult, and Behavioral Health Services
22 from the Behavioral Health Services Fund Account which remains at the close
23 of each state fiscal year shall be carried forward to the next state fiscal
24 year to be used for the same intent and purposes as set forth in law. Any
25 carry forward of unexpended balance of funding as authorized herein may be
26 carried forward under the following conditions:

27 (1) Prior to June 30, 2019, the Agency shall, by written statement, set
28 forth its reason(s) for the need to carry forward said funding to the
29 Department of Finance and Administration Office of Budget;

30 (2) The Department of Finance and Administration Office of Budget shall
31 report to the Arkansas Legislative Council all amounts carried forward by the
32 September Arkansas Legislative Council or Joint Budget Committee meeting
33 which report shall include the name of the Agency, Board, Commission or
34 Institution and the amount of the funding carried forward, the program name
35 or line item, the funding source of that appropriation and a copy of the
36 written request set forth in (1) above;

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

9 (4) Thereupon, the Department of Finance and Administration shall
10 include all information obtained in item (3) above in the budget manuals
11 and/or a statement of non-compliance by the Agency, Board, Commission or
12 Institution.

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

15
16 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND
18 ADULT SERVICES - MATCHING FUNDS. The funds appropriated for state match for
19 the Arkansas Senior Olympics Program in this Act shall be paid on a two-to-
20 one state/local matching basis. The Senior Arkansas Sports Organization must
21 certify its portion of the match to the Division of Aging, Adult, and
22 Behavioral Health Services before any funds appropriated for state match for
23 the Arkansas Senior Olympics Program in this Act are disbursed.

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

26
27 SECTION 25. 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 - STATE MATCH AUTHORIZED. The Director of the Department of
30 Human Services is authorized to use State funds appropriated in this Act to
31 match Federal funds available under Title III and Title V of the Older
32 Americans Act, Social Services Block Grant, or such other federal funds as
33 may become available.

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

36

1 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND
3 ADULT SERVICES - GRANT/CONTRACT DISBURSEMENT GUIDELINES. All appropriations
4 for state and federal funding contained herein for Aging and Adult Services
5 and that are distributed under grant or contract methodologies may be
6 disbursed by the Department of Human Services in the same manner as
7 authorized under federal regulations for the disbursement of Title III Older
8 Americans Act funds. Otherwise, all disbursements shall comply with the
9 provisions of this Act.

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

12
13 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND
15 ADULT SERVICES - NURSING HOME CARE ALTERNATIVES. Funding for "Nursing Home
16 Care Alternatives", as it appears in the Aging and Adult Services -
17 Operations appropriation may be used for home delivered meals, adult day
18 care, homemaker/chore, respite care, personal care, health promotion, and
19 other community-based activities. These funds may also be used to match
20 Medicaid community-based programs.

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

23
24 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SENIOR
26 CITIZEN CENTERS. The appropriation in this act for Senior Citizen Centers
27 shall be distributed in the same manner as the funding formula requirements
28 set out in the federal Older Americans Act funding law. The additional
29 funding provided by this provision shall supplement and not supplant any
30 monies currently funding services for Senior Citizen Centers.

31 The requirements in this section shall only be implemented in accordance
32 with any necessary approval by the Centers for Medicare and Medicaid Services
33 and in the event that additional general revenue funding is provided by the
34 General Assembly for these purposes. Should additional funding provided for
35 these purposes be insufficient to provide for the increases in full, the
36 increases shall be provided to the extent that funding is made available.

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

3
4 SECTION 29. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
5 authorized by this act shall be limited to the appropriation for such agency
6 and funds made available by law for the support of such appropriations; and
7 the restrictions of the State Procurement Law, the General Accounting and
8 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
9 Procedures and Restrictions Act, or their successors, and other fiscal
10 control laws of this State, where applicable, and regulations promulgated by
11 the Department of Finance and Administration, as authorized by law, shall be
12 strictly complied with in disbursement of said funds.

13
14 SECTION 30. LEGISLATIVE INTENT. It is the intent of the General
15 Assembly that any funds disbursed under the authority of the appropriations
16 contained in this act shall be in compliance with the stated reasons for
17 which this act was adopted, as evidenced by the Agency Requests, Executive
18 Recommendations and Legislative Recommendations contained in the budget
19 manuals prepared by the Department of Finance and Administration, letters, or
20 summarized oral testimony in the official minutes of the Arkansas Legislative
21 Council or Joint Budget Committee which relate to its passage and adoption.

22
23 SECTION 31. EMERGENCY CLAUSE. It is found and determined by the General
24 Assembly, that the Constitution of the State of Arkansas prohibits the
25 appropriation of funds for more than a one (1) year period; that the
26 effectiveness of this Act on July 1, 2019 is essential to the operation of
27 the agency for which the appropriations in this Act are provided; with the
28 exception that Section 23 in this Act shall be in full force and effect from
29 and after the date of its passage and approval, and that in the event of an
30 extension of the legislative session, the delay in the effective date of this
31 Act beyond July 1, 2019, with the exception that Section 23 in this Act
32 shall be in full force and effect from and after the date of its passage and
33 approval, could work irreparable harm upon the proper administration and
34 provision of essential governmental programs. Therefore, an emergency is
35 hereby declared to exist and this Act being necessary for the immediate
36 preservation of the public peace, health and safety shall be in full force

1 and effect from and after July 1, 2019; with the exception that Section 23 in
2 this Act shall be in full force and effect from and after the date of its
3 passage and approval.

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5
6 /s/ Joint Budget Committee
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