

Stricken language will be deleted and underlined language will be added.
Act 276 of the Fiscal Session

1 State of Arkansas *As Engrossed: H2/13/14 H2/19/14*

2 89th General Assembly

A Bill

3 Fiscal Session, 2014

HOUSE BILL 1053

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 STATE INSURANCE

10

DEPARTMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2015;

11

AND FOR OTHER PURPOSES.

12

13

14

Subtitle

15

AN ACT FOR THE STATE INSURANCE DEPARTMENT

16

APPROPRIATION FOR THE 2014-2015 FISCAL

17

YEAR.

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19

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

21

22 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established
23 for the State Insurance Department for the 2014-2015 fiscal year, the
24 following maximum number of regular employees.

25

26

Maximum Annual

27

Maximum

Salary Rate

28

Item Class

No. of

Fiscal Year

29

No. Code Title

Employees

2014-2015

30

(1) U042U INSURANCE CHIEF DEPUTY COMMISSIONER

1

\$170,827

31

(2) U047U STATE INSURANCE COMMISSIONER

1

\$129,526

32

(3) N014N INSURANCE DEP COMMISS FINANCIAL REGS

1

GRADE N912

33

(4) N023N INSURANCE DEPUTY COMMISSIONER

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GRADE N910

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(5) N025N INSURANCE DEPUTY COMMISSR INFO SVCS

1

GRADE N910

35

(6) N073N INSURANCE CHF FIN/MKT CONDUCT EXMR

1

GRADE N908

36

(7) A004N CERTIFIED FINANCIAL EXAMINER MANAGER

3

GRADE N906



1	(8)	N115N	CRIMINAL INSURANCE FRAUD DIRECTOR	1	GRADE N904
2	(9)	G018N	DIRECTOR RISK MANAGEMENT	1	GRADE N904
3	(10)	D010N	INSURANCE CHIEF TECHNOLOGY OFFICER	1	GRADE N904
4	(11)	N140N	INS ASST DEP COMMISSIONER FINANCE	1	GRADE N902
5	(12)	A004C	CERTIFIED FINANCIAL EXAMINER	12	GRADE C130
6	(13)	X002C	INSURANCE PUBLIC EMP CLAIMS DIV DIR	1	GRADE C130
7	(14)	G004C	MANAGING ATTORNEY	4	GRADE C129
8	(15)	D007C	INFORMATION SYSTEMS MANAGER	1	GRADE C128
9	(16)	X005C	PROPERTY & CASUALTY MANAGER	2	GRADE C128
10	(17)	G008C	RISK MANAGEMENT ASSISTANT DIRECTOR	1	GRADE C128
11	(18)	G047C	ATTORNEY SPECIALIST	8	GRADE C126
12	(19)	X009C	INSURANCE DEPT DIR OF SECURITY OPS	1	GRADE C126
13	(20)	D034C	DATABASE ADMINISTRATOR	1	GRADE C124
14	(21)	X018C	INSURANCE CONSUMER PROTECTION MGR	1	GRADE C124
15	(22)	X017C	INSURANCE LICENSING MANAGER	1	GRADE C124
16	(23)	G064C	SR HLTH INSURANCE INFORMATION PRG MG	1	GRADE C124
17	(24)	D022C	SYSTEMS SPECIALIST	5	GRADE C124
18	(25)	P004C	PUBLIC INFORMATION MANAGER	1	GRADE C123
19	(26)	D038C	SENIOR SOFTWARE SUPPORT ANALYST	1	GRADE C123
20	(27)	X192C	ASST DIRECTOR FRAUD INVESTIGATION	1	GRADE C122
21	(28)	A042C	INSURANCE SENIOR EXAMINER	6	GRADE C122
22	(29)	X034C	PREPAID FUNERAL MANAGER	1	GRADE C122
23	(30)	D044C	SYSTEMS ANALYST	1	GRADE C122
24	(31)	R014C	PERSONNEL MANAGER	1	GRADE C121
25	(32)	D052C	SOFTWARE SUPPORT ANALYST	4	GRADE C121
26	(33)	G107C	WCC PROGRAM MANAGER	2	GRADE C121
27	(34)	G106C	WCC CLAIMS SPECIALIST	5	GRADE C121
28	(35)	G125C	INS SPECIAL PROJECTS COORDINATOR	1	GRADE C120
29	(36)	P013C	PUBLIC INFORMATION COORDINATOR	1	GRADE C120
30	(37)	G120C	RISK CONSULTANT	8	GRADE C120
31	(38)	X072C	CRIMINAL INS. FRAUD INVESTIGATOR	6	GRADE C119
32	(39)	A067C	INSURANCE EXAMINER	2	GRADE C119
33	(40)	X066C	INSURANCE PREMIUM TAX EXAMINER	4	GRADE C119
34	(41)	A060C	SENIOR AUDITOR	2	GRADE C119
35	(42)	X083C	INSURANCE LIFE & HEALTH COMP OFFICER	4	GRADE C118
36	(43)	X080C	PROPERTY & CASUALTY COMPLIANCE OFFCR	4	GRADE C118

1	(44)	X076C	TITLE INSURANCE COMPLIANCE OFFICER	1	GRADE C118
2	(45)	A080C	FINANCE AUTHORITY SPECIALIST	1	GRADE C117
3	(46)	R025C	HUMAN RESOURCES ANALYST	1	GRADE C117
4	(47)	C016C	INSURANCE ADMINISTRATIVE COORDINATOR	2	GRADE C117
5	(48)	P020C	PRODUCTION ARTIST	1	GRADE C117
6	(49)	X123C	INSURANCE INVESTIGATOR	9	GRADE C116
7	(50)	C037C	ADMINISTRATIVE ANALYST	7	GRADE C115
8	(51)	R033C	BENEFITS ANALYST	1	GRADE C115
9	(52)	A091C	FISCAL SUPPORT ANALYST	1	GRADE C115
10	(53)	G202C	VOLUNTEER PROGRAM COORDINATOR	3	GRADE C115
11	(54)	G201C	WCC CLAIMS ANALYST	3	GRADE C115
12	(55)	M066C	PROGRAM ELIGIBILITY SPECIALIST	2	GRADE C114
13	(56)	R036C	HUMAN RESOURCES SPECIALIST	1	GRADE C113
14	(57)	C046C	LEGAL SUPPORT SPECIALIST	4	GRADE C113
15	(58)	C056C	ADMINISTRATIVE SPECIALIST III	14	GRADE C112
16	(59)	A098C	FISCAL SUPPORT SPECIALIST	4	GRADE C112
17	(60)	X180C	INSURANCE LICENSING TECHNICIAN	10	GRADE C110
18	(61)	C073C	ADMINISTRATIVE SPECIALIST II	14	GRADE C109
19	(62)	C084C	MAIL SERVICES SPECIALIST	2	GRADE C107
20	(63)	C087C	ADMINISTRATIVE SPECIALIST I	<u>1</u>	GRADE C106
21			MAX. NO. OF EMPLOYEES	191	

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23 SECTION 2. REGULAR SALARIES - LEVEL ONE COOPERATIVE AGREEMENT -
 24 FEDERAL. There is hereby established for the State Insurance Department -
 25 Level One Cooperative Agreement - Federal for the 2014-2015 fiscal year, the
 26 following maximum number of regular employees.

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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2014-2015
(1)	L018N	NURSE PRACTITIONER	1	GRADE N904
(2)	G147C	GRANTS COORDINATOR	3	GRADE C119
(3)	X083C	INSURANCE LIFE & HEALTH COMP OFFICER	1	GRADE C118
(4)	C037C	ADMINISTRATIVE ANALYST	1	GRADE C115
(5)	C056C	ADMINISTRATIVE SPECIALIST III	<u>1</u>	GRADE C112

1 MAX. NO. OF EMPLOYEES 7

2

3 SECTION 3. EXTRA HELP. There is hereby authorized, for the State
4 Insurance Department for the 2014-2015 fiscal year, the following maximum
5 number of part-time or temporary employees, to be known as "Extra Help",
6 payable from funds appropriated herein for such purposes: nineteen (19)
7 temporary or part-time employees, when needed, at rates of pay not to exceed
8 those provided in the Uniform Classification and Compensation Act, or its
9 successor, or this act for the appropriate classification.

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11 SECTION 4. APPROPRIATION - OPERATIONS. There is hereby appropriated,
12 to the State Insurance Department, to be payable from the State Insurance
13 Department Trust Fund, for personal services, operating expenses, special
14 maintenance and professional services for the State Insurance Department -
15 Operations for the fiscal year ending June 30, 2015, the following:

16

17	ITEM	FISCAL YEAR
18	<u>NO.</u>	<u>2014-2015</u>
19	(01) REGULAR SALARIES	\$6,976,293
20	(02) EXTRA HELP	140,000
21	(03) PERSONAL SERVICES MATCHING	2,227,655
22	(04) OVERTIME	35,000
23	(05) MAINT. & GEN. OPERATION	
24	(A) OPER. EXPENSE	2,185,000
25	(B) CONF. & TRAVEL	138,000
26	(C) PROF. FEES	60,000
27	(D) CAP. OUTLAY	155,000
28	(E) DATA PROC.	0
29	(06) SPECIAL MAINTENANCE	50,000
30	(07) PROFESSIONAL SERVICES	<u>486,000</u>
31	TOTAL AMOUNT APPROPRIATED	<u>\$12,452,948</u>

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33 SECTION 5. APPROPRIATION - FRAUD INVESTIGATION UNIT. There is hereby
34 appropriated, to the State Insurance Department, to be payable from the State
35 Insurance Department Trust Fund, for personal services and operating expenses
36 of the State Insurance Department - Fraud Investigation Unit for the fiscal

1 year ending June 30, 2015, the following:

2		
3	ITEM	FISCAL YEAR
4	<u>NO.</u>	<u>2014-2015</u>
5	(01) REGULAR SALARIES	\$189,140
6	(02) PERSONAL SERVICES MATCHING	61,423
7	(03) MAINT. & GEN. OPERATION	
8	(A) OPER. EXPENSE	90,406
9	(B) CONF. & TRAVEL	12,000
10	(C) PROF. FEES	11,000
11	(D) CAP. OUTLAY	0
12	(E) DATA PROC.	<u>0</u>
13	TOTAL AMOUNT APPROPRIATED	<u><u>\$363,969</u></u>

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15 SECTION 6. APPROPRIATION - INSURANCE FRAUD INVESTIGATION DIVISION.

16 There is hereby appropriated, to the State Insurance Department, to be
 17 payable from the Insurance Fraud Investigation Division Trust Fund, for
 18 personal services and operating expenses of the State Insurance Department -
 19 Insurance Fraud Investigation Division for the fiscal year ending June 30,
 20 2015, the following:

21

22	ITEM	FISCAL YEAR
23	<u>NO.</u>	<u>2014-2015</u>
24	(01) REGULAR SALARIES	\$603,431
25	(02) PERSONAL SERVICES MATCHING	187,297
26	(03) MAINT. & GEN. OPERATION	
27	(A) OPER. EXPENSE	191,635
28	(B) CONF. & TRAVEL	35,000
29	(C) PROF. FEES	11,000
30	(D) CAP. OUTLAY	0
31	(E) DATA PROC.	<u>0</u>
32	TOTAL AMOUNT APPROPRIATED	<u><u>\$1,028,363</u></u>

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34 SECTION 7. APPROPRIATION - PREPAID FUNERAL BENEFITS DIVISION. There is
 35 hereby appropriated, to the State Insurance Department, to be payable from
 36 the State Insurance Department Prepaid Trust Fund, for personal services and

1 operating expenses of the State Insurance Department - Prepaid Funeral
2 Benefits Division for the fiscal year ending June 30, 2015, the following:

3		
4	ITEM	FISCAL YEAR
5	<u>NO.</u>	<u>2014-2015</u>
6	(01) REGULAR SALARIES	\$211,067
7	(02) PERSONAL SERVICES MATCHING	66,263
8	(03) MAINT. & GEN. OPERATION	
9	(A) OPER. EXPENSE	71,390
10	(B) CONF. & TRAVEL	4,000
11	(C) PROF. FEES	27,000
12	(D) CAP. OUTLAY	0
13	(E) DATA PROC.	<u>0</u>
14	TOTAL AMOUNT APPROPRIATED	<u><u>\$379,720</u></u>

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16 SECTION 8. APPROPRIATION - PREPAID FUNERAL CONTRACTS RECOVERY PROGRAM.

17 There is hereby appropriated, to the State Insurance Department, to be
18 payable from the Prepaid Funeral Contracts Recovery Program Fund, for the
19 expenses and payment of claims by the State Insurance Department - Prepaid
20 Funeral Contracts Recovery Program for the fiscal year ending June 30, 2015,
21 the following:

22

23	ITEM	FISCAL YEAR
24	<u>NO.</u>	<u>2014-2015</u>
25	(01) EXPENSES AND CLAIMS FOR PREPAID	
26	FUNERAL CONTRACTS RECOVERY	
27	PROGRAM	<u><u>\$500,000</u></u>

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29 SECTION 9. APPROPRIATION - REFUNDS OF OVERPAYMENTS. There is hereby
30 appropriated, to the State Insurance Department, to be payable from the
31 Miscellaneous Revolving Fund, for payments of miscellaneous tax and fee
32 refunds by the State Insurance Department - Refunds of Overpayments for the
33 fiscal year ending June 30, 2015, the following:

34

35	ITEM	FISCAL YEAR
36	<u>NO.</u>	<u>2014-2015</u>

1 (01) REFUNDS/REIMBURSEMENTS \$11,000,000

2

3 SECTION 10. APPROPRIATION - CONTINUING EDUCATION PROGRAM. There is
4 hereby appropriated, to the State Insurance Department, to be payable from
5 the Insurance Continuing Education Trust Fund, for personal services of the
6 State Insurance Department - Continuing Education Program for the fiscal year
7 ending June 30, 2015, the following:

8

9 ITEM	FISCAL YEAR
10 <u>NO.</u>	<u>2014-2015</u>
11 (01) REGULAR SALARIES	\$25,268
12 (02) PERSONAL SERVICES MATCHING	<u>10,496</u>
13 TOTAL AMOUNT APPROPRIATED	<u>\$35,764</u>

14

15 SECTION 11. APPROPRIATION - HEALTH INFORMATION COUNSELING. There is
16 hereby appropriated, to the State Insurance Department, to be payable from
17 the federal funds as designated by the Chief Fiscal Officer of the State, for
18 personal services and operating expenses of the State Insurance Department -
19 Health Information Counseling for the fiscal year ending June 30, 2015, the
20 following:

21

22 ITEM	FISCAL YEAR
23 <u>NO.</u>	<u>2014-2015</u>
24 (01) REGULAR SALARIES	\$206,156
25 (02) PERSONAL SERVICES MATCHING	75,019
26 (03) MAINT. & GEN. OPERATION	
27 (A) OPER. EXPENSE	284,063
28 (B) CONF. & TRAVEL	0
29 (C) PROF. FEES	356,409
30 (D) CAP. OUTLAY	0
31 (E) DATA PROC.	<u>0</u>
32 TOTAL AMOUNT APPROPRIATED	<u>\$921,647</u>

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34 SECTION 12. APPROPRIATION - CONSUMER INFORMATION SYSTEM - CASH. There
35 is hereby appropriated, to the State Insurance Department, to be payable from
36 the cash fund deposited in the State Treasury as determined by the Chief

1 Fiscal Officer of the State, for operating expenses of the State Insurance
 2 Department - Consumer Information System - Cash for the fiscal year ending
 3 June 30, 2015, the following:

4

5 ITEM	FISCAL YEAR
6 <u>NO.</u>	<u>2014-2015</u>
7 (01) MAINT. & GEN. OPERATION	
8 (A) OPER. EXPENSE	\$97,546
9 (B) CONF. & TRAVEL	0
10 (C) PROF. FEES	0
11 (D) CAP. OUTLAY	0
12 (E) DATA PROC.	<u>0</u>
13 TOTAL AMOUNT APPROPRIATED	<u><u>\$97,546</u></u>

14

15 SECTION 13. APPROPRIATION - TRAVEL AND SUBSISTENCE. There is hereby
 16 appropriated, to the State Insurance Department, to be payable from the cash
 17 fund deposited in the State Treasury as determined by the Chief Fiscal
 18 Officer of the State, for travel and subsistence expenses of the State
 19 Insurance Department - Travel and Subsistence - Cash for the fiscal year
 20 ending June 30, 2015, the following:

21

22 ITEM	FISCAL YEAR
23 <u>NO.</u>	<u>2014-2015</u>
24 (01) TRAVEL & SUBSISTENCE EXPENSES	<u><u>\$100,000</u></u>

25

26 SECTION 14. APPROPRIATION - PUBLIC EMPLOYEE CLAIMS SECTION. There is
 27 hereby appropriated, to the State Insurance Department, to be payable from
 28 the Miscellaneous Agencies Fund Account, for personal services and operating
 29 expenses of the State Insurance Department - Public Employee Claims Section
 30 for the fiscal year ending June 30, 2015, the following:

31

32 ITEM	FISCAL YEAR
33 <u>NO.</u>	<u>2014-2015</u>
34 (01) REGULAR SALARIES	\$974,837
35 (02) PERSONAL SERVICES MATCHING	328,306
36 (03) MAINT. & GEN. OPERATION	

1	(A) OPER. EXPENSE	242,209
2	(B) CONF. & TRAVEL	13,000
3	(C) PROF. FEES	1,000
4	(D) CAP. OUTLAY	0
5	(E) DATA PROC.	<u>0</u>
6	TOTAL AMOUNT APPROPRIATED	<u><u>\$1,559,352</u></u>

7
 8 SECTION 15. APPROPRIATION - STATE EMPLOYEE CLAIMS. There is hereby
 9 appropriated, to the State Insurance Department, to be payable from the
 10 Workers' Compensation Revolving Fund, for payment of state employee claims by
 11 the State Insurance Department - State Employee Claims for the fiscal year
 12 ending June 30, 2015, the following:

14	ITEM	FISCAL YEAR
15	<u>NO.</u>	<u>2014-2015</u>
16	(01) STATE EMPLOYEE CLAIMS	<u><u>\$16,000,000</u></u>

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 18 SECTION 16. APPROPRIATION - PUBLIC SCHOOL EMPLOYEES CLAIMS. There is
 19 hereby appropriated, to the State Insurance Department, to be payable from
 20 the Miscellaneous Revolving Fund, for the payment of public school employee
 21 claims by the State Insurance Department - Public School Employees Claims for
 22 the fiscal year ending June 30, 2015, the following:

24	ITEM	FISCAL YEAR
25	<u>NO.</u>	<u>2014-2015</u>
26	(01) PUBLIC SCHOOL EMPLOYEE CLAIMS	<u><u>\$450,000</u></u>

27
 28 SECTION 17. APPROPRIATION - COUNTY EMPLOYEE CLAIMS. There is hereby
 29 appropriated, to the State Insurance Department, to be payable from the
 30 Miscellaneous Revolving Fund, for the payment of county employee claims by
 31 the State Insurance Department - County Employee Claims for the fiscal year
 32 ending June 30, 2015, the following:

34	ITEM	FISCAL YEAR
35	<u>NO.</u>	<u>2014-2015</u>
36	(01) COUNTY EMPLOYEE CLAIMS	<u><u>\$200,000</u></u>

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SECTION 18. APPROPRIATION - CITY EMPLOYEE CLAIMS. There is hereby appropriated, to the State Insurance Department, to be payable from the Miscellaneous Revolving Fund, for the payment of city employee claims by the State Insurance Department - City Employee Claims for the fiscal year ending June 30, 2015, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2014-2015</u>
(01) CITY EMPLOYEE CLAIMS	<u>\$600,000</u>

SECTION 19. APPROPRIATION - GOVERNMENTAL BONDING BOARD. There is hereby appropriated, to the State Insurance Department, to be payable from the Fidelity Bond Trust Fund, for operating expenses, refunds, reimbursements, claims, investments, professional services, and reinsurance of the State Insurance Department - Governmental Bonding Board for the fiscal year ending June 30, 2015, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2014-2015</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$5,000
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(02) REFUNDS/REIMBURSEMENTS	150,000
(03) CLAIMS	3,000,000
(04) INVESTMENTS	760,637
(05) PROFESSIONAL SERVICES	50,000
(06) REINSURANCE	<u>139,218</u>
TOTAL AMOUNT APPROPRIATED	<u>\$4,104,855</u>

SECTION 20. APPROPRIATION - ARKANSAS MULTI-AGENCY INSURANCE TRUST FUND. There is hereby appropriated, to the State Insurance Department, to be payable from the Arkansas Multi-Agency Insurance Trust Fund, for expenses and

1 payment of claims by the State Insurance Department - Arkansas Multi-Agency
 2 Insurance Trust Fund - Expenses and Claims for the fiscal year ending June
 3 30, 2015, the following:

4	5 ITEM	6 FISCAL YEAR
7	NO.	2014-2015
8	(01) FOR EXPENSES AND CLAIMS FROM AMAIT	
9	FUND	<u>\$10,000,000</u>

10 SECTION 21. APPROPRIATION - PUBLIC SCHOOL INSURANCE PROGRAM. There is
 11 hereby appropriated, to the State Insurance Department, to be payable from
 12 the Public School Insurance Trust Fund, for expenses and payment of claims by
 13 the State Insurance Department - Public School Insurance Program for the
 14 fiscal year ending June 30, 2015, the following:

15	16 ITEM	17 FISCAL YEAR
18	NO.	2014-2015
19	(01) EXPENSES AND CLAIMS	<u>\$14,000,000</u>

20 SECTION 22. APPROPRIATION - CRIMINAL BACKGROUND CHECKS - CASH. There
 21 is hereby appropriated, to the State Insurance Department, to be payable from
 22 the cash fund deposited in the State Treasury as determined by the Chief
 23 Fiscal Officer of the State, for operating expenses of the State Insurance
 24 Department - Criminal Background Checks - Cash for the fiscal year ending
 25 June 30, 2015, the following:

26	27 ITEM	28 FISCAL YEAR
29	NO.	2014-2015
30	(01) MAINT. & GEN. OPERATION	
31	(A) OPER. EXPENSE	\$125,000
32	(B) CONF. & TRAVEL	0
33	(C) PROF. FEES	0
34	(D) CAP. OUTLAY	0
35	(E) DATA PROC.	<u>0</u>
36	TOTAL AMOUNT APPROPRIATED	<u>\$125,000</u>

1 SECTION 23. APPROPRIATION - HEALTH INSURANCE PREMIUM RATE REVIEW -
 2 FEDERAL. There is hereby appropriated, to the State Insurance Department, to
 3 be payable from the federal funds as designated by the Chief Fiscal Officer
 4 of the State, for personal services and operating expenses of the State
 5 Insurance Department - Health Insurance Premium Rate Review - Federal for the
 6 fiscal year ending June 30, 2015, the following:

7	8 ITEM	FISCAL YEAR
9	<u>NO.</u>	<u>2014-2015</u>
10	(01) REGULAR SALARIES	\$305,239
11	(02) PERSONAL SERVICES MATCHING	91,966
12	(03) MAINT. & GEN. OPERATION	
13	(A) OPER. EXPENSE	884,493
14	(B) CONF. & TRAVEL	165,641
15	(C) PROF. FEES	1,799,173
16	(D) CAP. OUTLAY	226
17	(E) DATA PROC.	<u>0</u>
18	TOTAL AMOUNT APPROPRIATED	<u><u>\$3,246,738</u></u>

19
 20 SECTION 24. APPROPRIATION - LEVEL ONE COOPERATIVE AGREEMENT - FEDERAL.
 21 There is hereby appropriated, to the State Insurance Department, to be
 22 payable from the federal funds as designated by the Chief Fiscal Officer of
 23 the State, for personal services and operating expenses associated with the
 24 Federal-State Partnership Health Insurance Exchange of the State Insurance
 25 Department - Level One Cooperative Agreement - Federal for the fiscal year
 26 ending June 30, 2015, the following:

27	28 ITEM	FISCAL YEAR
29	<u>NO.</u>	<u>2014-2015</u>
30	(01) REGULAR SALARIES	\$295,323
31	(02) PERSONAL SERVICES MATCHING	99,617
32	(03) MAINT. & GEN. OPERATION	
33	(A) OPER. EXPENSE	96,504
34	(B) CONF. & TRAVEL	57,362
35	(C) PROF. FEES	7,032,624
36	(D) CAP. OUTLAY	0

1	(E) DATA PROC.	0
2	TOTAL AMOUNT APPROPRIATED	<u>\$7,581,430</u>

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4 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
 6 PROVISION. In the event the State Insurance Department is unable to maintain
 7 a full roster of examination personnel, and upon approval of the Chief Fiscal
 8 Officer of the State, the resulting unused appropriations in Regular
 9 Salaries, Extra Help, and Personal Services Matching may be transferred to
 10 the Professional Services special line item for the purpose of contracting
 11 with qualified individuals or firms for examination assistance.

12 The provisions of this section shall be in effect only from July 1, ~~2013~~
 13 2014 through June 30, ~~2014~~ 2015.

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15 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE
 16 ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL, AND TEMPORARY LAW.

17 (a) As used in this section, "Health Care Independence Program" means
 18 the Health Care Independence Program established under the Health Care
 19 Independence Act of 2013, Arkansas Code § 20-77-2401 et seq.

20 (b)(1) Determining the maximum number of employees, the maximum amount
 21 of appropriation, for what purposes an appropriation is authorized, and
 22 general revenue funding for a state agency each fiscal year is the
 23 prerogative of the General Assembly.

24 (2) The purposes of subdivision (b)(1) of this section are
 25 typically accomplished by:

26 (A) Identifying the purpose in the appropriation act;

27 (B) Delineating such maximums in the appropriation act for
 28 a state agency; and

29 (C) Delineating the general revenue allocations authorized
 30 for each fund and fund account by amendment to the Revenue Stabilization Law,
 31 Arkansas Code § 19-5-101 et seq.

32 (3) It is both necessary and appropriate that the General
 33 Assembly restrict the use of appropriations authorized in this act.

34 (c)(1) Except as provided in this subsection, the State Insurance
 35 Department shall not allocate, budget, expend, or utilize any appropriation
 36 authorized by the General Assembly for the purpose of advertisement,

1 promotion, or other activities designed to promote or encourage enrollment in
2 the Arkansas Health Insurance Marketplace or the Health Care Independence
3 Program, including without limitation:

4 (A) Unsolicited communications mailed to potential
5 recipients;

6 (B) Television, radio, or online commercials;

7 (C) Billboard or mobile billboard advertising;

8 (D) Advertisements printed in newspapers, magazines, or
9 other print media; and

10 (E) Internet websites and electronic media.

11 (2) This subsection does not prohibit the department from:

12 (A) Direct communications with:

13 (i) Licensed insurance agents; and

14 (ii) Persons licensed by the department;

15 (B) Solicited communications with potential recipients;

16 (C)(i) Responding to an inquiry regarding the coverage for
17 which a potential recipient might be eligible, including without limitation
18 providing educational materials or information regarding any coverage for
19 which the individual might qualify.

20 (ii) Educational materials and information
21 distributed under subdivision (c)(2)(C)(i) of this section shall contain only
22 factual information and shall not contain subjective statements regarding the
23 coverage for which the potential recipient might be eligible; and

24 (D) Using an Internet website for the exclusive purpose of
25 enrolling individuals in the Arkansas Health Insurance Marketplace or the
26 Health Care Independence Program.

27 (d) The State Insurance Department shall not apply for or accept any
28 funds, including without limitation federal funds, for the purpose of
29 advertisement, promotion, or other activities designed to promote or
30 encourage enrollment in the Arkansas Health Insurance Marketplace or the
31 Health Care Independence Program.

32 (e)(1) Except as provided in subdivision (e)(2) of this section, the
33 State Insurance Department shall not:

34 (A)(i) Except as provided in subdivision (e)(1)(A)(ii) of
35 this section, allocate, budget, expend, or utilize an appropriation
36 authorized by the General Assembly for the purpose of funding activities of

1 navigators, guides, certified application counselors, and certified licensed
 2 producers under the Arkansas Health Insurance Marketplace Navigator, Guide,
 3 and Certified Application Counselors Act, Arkansas Code § 23-64-601 et seq.

4 (ii) Subdivision (e)(1)(A)(i) of this section does
 5 not apply to regulatory and training responsibilities related to navigators,
 6 guides, certified application counselors, and certified licensed producers;
 7 and

8 (B) Apply for or accept any funds, including without
 9 limitation federal funds, for the purpose of funding activities of
 10 navigators, guides, certified application counselors, and certified licensed
 11 producers under the Arkansas Health Insurance Marketplace Navigator, Guide,
 12 and Certified Application Counselors Act, Arkansas Code § 23-64-601 et seq.

13 (2) Subdivision (e)(1) of this section does not apply to
 14 certified application counselors at health related institutions, including
 15 without limitation the University of Arkansas for Medical Sciences.

16 (f) An appropriation authorized by the General Assembly shall not be
 17 subject to the provisions allowed through reallocation of resources or
 18 transfer of appropriation authority for the purpose of transferring an
 19 appropriation to any other appropriation authorized for the State Insurance
 20 Department to be allocated, budgeted, expended, or utilized in a manner
 21 prohibited by this section.

22 (g) The provisions of this section are severable, and the invalidity
 23 of any subsection or subdivision of this section shall not affect other
 24 provisions of the section that can be given effect without the invalid
 25 provision.

26 (h) This section expires on June 30, 2015.

27
 28 SECTION 27. SPECIAL LANGUAGE. CODE AMENDMENT. Arkansas Code § 26-57-
 29 610 is amended to read as follows:

30 26-57-610. Disposition of taxes.

31 (a) The Insurance Commissioner shall deposit all taxes collected under
 32 the provisions of §§ 26-57-604 and 26-57-605 into the State Treasury.

33 (b) ~~and on~~ On the last business day of each month the Treasurer of
 34 State shall classify ~~such~~ the taxes ~~as to the following types of revenues by~~
 35 type of revenue and credit the net amounts respectively of taxes collected
 36 under ~~the provisions of~~ §§ 26-57-604 and 26-57-605 as ~~indicated in this~~

1 ~~section~~ follows:

2 (1) The taxes based on premiums collected as special revenues
3 shall be distributed to the respective cities, incorporated towns, and fire
4 protection districts in this state for credit to the respective firemen's
5 relief and pension funds;

6 (2) The taxes based on premiums collected to implement the
7 private insurance option under the Health Care Independence Program
8 established by § 20-77-2405 and the Arkansas Health Care Independence Program
9 demonstration approved by the U.S. Department of Health and Human Services on
10 September 27, 2013, shall be:

11 (A) At the time of deposit separately certified by the
12 commissioner to the Treasurer of State for classification and distribution
13 under this section; and

14 (B) Transferred to the Health Care Independence Program
15 Trust Fund and used as provided by § 19-5-1141;

16 ~~(2)(3)~~ Except as provided in subdivision ~~(3)(4)~~ of this section,
17 all other taxes collected under §§ 26-57-604 and 26-57-605 shall be
18 classified as general revenues, and the net amount of taxes collected under
19 §§ 26-57-604 and 26-57-605 shall be credited to the various State Treasury
20 funds participating in general revenues in the respective proportions to each
21 as provided by and to be used for the respective purposes set forth in the
22 Revenue Stabilization Law, § 19-5-101 et seq.; and

23 ~~(3)(4)~~ Amounts collected under §§ 26-57-604 and 26-57-605 above
24 the forecasted level for insurance premium taxes set by the Chief Fiscal
25 Officer of the State under § 10-3-1404(a)(1)(A) shall be credited by the
26 Treasurer of State to the Arkansas Medicaid Program Trust Fund and shall be
27 disbursed and used for the sole purpose of increasing per diem reimbursement
28 for general hospital inpatient services provided to Medicaid beneficiaries
29 and to increase private duty nursing rates for registered nurses and licensed
30 practical nurses in home health agencies in the following amounts:

	FY 2006	FY 2007
(A) Raise the capitated daily rate for hospitals to a maximum of \$850	\$6,500,000	\$6,500,000
(B) Medicaid private duty		

1 *nursing rate increase for*
 2 *registered nurses and licensed*
 3 *practical nurses \$200,000 \$200,000.*
 4

5 SECTION 28 COMPLIANCE WITH OTHER LAWS. Disbursement of funds
 6 authorized by this act shall be limited to the appropriation for such agency
 7 and funds made available by law for the support of such appropriations; and
 8 the restrictions of the State Procurement Law, the General Accounting and
 9 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
 10 Procedures and Restrictions Act, or their successors, and other fiscal
 11 control laws of this State, where applicable, and regulations promulgated by
 12 the Department of Finance and Administration, as authorized by law, shall be
 13 strictly complied with in disbursement of said funds.
 14

15 SECTION 29. LEGISLATIVE INTENT. It is the intent of the General
 16 Assembly that any funds disbursed under the authority of the appropriations
 17 contained in this act shall be in compliance with the stated reasons for
 18 which this act was adopted, as evidenced by the Agency Requests, Executive
 19 Recommendations and Legislative Recommendations contained in the budget
 20 manuals prepared by the Department of Finance and Administration, letters, or
 21 summarized oral testimony in the official minutes of the Arkansas Legislative
 22 Council or Joint Budget Committee which relate to its passage and adoption.
 23

24 SECTION 30. EMERGENCY CLAUSE. It is found and determined by the
 25 General Assembly, that the Constitution of the State of Arkansas prohibits
 26 the appropriation of funds for more than a one (1) year period; that the
 27 effectiveness of this Act on July 1, 2014 is essential to the operation of
 28 the agency for which the appropriations in this Act are provided, and that in
 29 the event of an extension of the legislative session, the delay in the
 30 effective date of this Act beyond July 1, 2014 could work irreparable harm
 31 upon the proper administration and provision of essential governmental
 32 programs. Therefore, an emergency is hereby declared to exist and this Act
 33 being necessary for the immediate preservation of the public peace, health
 34 and safety shall be in full force and effect from and after July 1, 2014.
 35

36 */s/Joint Budget Committee*

1
2

APPROVED: 03/13/2014