

.As Engrossed: 3/4/91 3/13/91 3/26/91

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Joint Budget Committee**

A Bill ACT 1116 OF 1991

HOUSE BILL 1834

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
9 OPERATING EXPENSES FOR THE DEPARTMENT OF HUMAN SERVICES -
10 DIVISION OF AGING AND ADULT SERVICES FOR THE BIENNIAL
11 PERIOD ENDING JUNE 30, 1993; AND FOR OTHER PURPOSES."

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

15 SECTION 1. REGULAR SALARIES. There is hereby established for the
16 Department of Human Services - Division of Aging and Adult Services for the
17 1991-93 biennium, the following maximum number of regular employees whose
18 salaries shall be governed by the provisions of the Uniform Classification and
19 Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all
20 laws amendatory thereto. Provided, however, that any position to which a
21 specific maximum annual salary is set out herein in dollars, shall be exempt
22 from the provisions of said Uniform Classification and Compensation Act. All
23 persons occupying positions authorized herein are hereby governed by the
24 provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas
25 Code §21-5-101), or its successor.

			Maximum Annual		
			Maximum	Salary Rate	
Item	Class		No. of	Fiscal Years	
No.	Code	Title	Employees	1991-92	1992-93
31	(1) 8868	DHS DEPUTY DIRECTOR ADULT SERVICES	1	\$ 59,976	\$ 62,974
32	(2) 743Z	AGING & ADULT SVCS ASST DEP DIR	3		GRADE 24
33	(3) R115	OFFICE ON AGING PROGRAM SUPERVISOR	8		GRADE 21
34	L082	NURSING SERVICES SPECIALIST	1		
35	(4) R145	DHS PROGRAM COORDINATOR	1		GRADE 20
36	R266	MANAGEMENT PROJECT ANALYST II	4		

1	L019 NUTRITIONIST CONSULTANT	1	
2	L070 NURSE II	17	
3	(5) R332 DHS POLICY DEVELOPMENT COORD	2	GRADE 19
4	(6) R264 MANAGEMENT PROJECT ANALYST I	7	GRADE 18
5	R134 PLANNING SPECIALIST II	5	
6	M082 SOCIAL SERVICE WORKER III	12	
7	(7) R010 ADMINISTRATIVE ASSISTANT II	2	GRADE 17
8	(8) R132 PLANNING SPECIALIST I	1	GRADE 16
9	(9) R009 ADMINISTRATIVE ASSISTANT I	1	GRADE 15
10	(10) K153 SECRETARY II	2	GRADE 13
11	(11) K155 SECRETARY I	<u>7</u>	GRADE 11
12			
	MAX NO. OF EMPLOYEES	75	

SECTION 2. APPROPRIATIONS - AGING AND ADULT SERVICES. There is hereby appropriated, to the Department of Human Services - Division of Aging and Adult Services, to be payable from the Department of Human Services Paying Account as designated by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Department of Human Services - Division of Aging and Adult Services for the biennial period ending June 30, 1993, the following:

ITEM	FISCAL YEARS	
NO.	1991-92	1992-93
(01) REGULAR SALARIES	\$ 979,627	\$ 1,023,421
(02) PERSONAL SERV MATCHING	261,492	274,986
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSES	\$ 224,342	\$ 228,433
(B) CONF. & TRAVEL	27,029	27,029
(C) PROF. FEES	6,495	6,495
(D) CAPITAL OUTLAY	8,818	1,193
(E) DATA PROCESSING	<u>0</u>	<u>0</u>
TOTAL MAINT. & GEN. OPER.	266,684	263,150
(04) PROJECT GRANTS	8,727,700	8,727,700
(05) PURCHASE DATA PROCESSING	2,500	2,500
(06) RSVP	75,000	75,000

1	(07)	NURSING HOME CARE ALTERNATIVES	5,871,655	5,938,658
2	(08)	SERVICE MANAGEMENT	2,263,563	2,263,563
3	(09)	ADVOCACY ASSISTANCE	128,276	128,276
4	(10)	COMMUNITY BASED CARE	389,059	389,059
5	(11)	NUTRITION PROGRAM	6,118,591	6,118,591
6	(12)	OLDER WORKER PROGRAM GRANTS	<u>1,164,375</u>	<u>1,164,375</u>
7		TOTAL AMOUNT APPROPRIATED	<u>\$ 26,248,522</u>	<u>\$ 26,369,279</u>

8

9 SECTION 3. APPROPRIATIONS - ADULT PROTECTIVE SERVICES. There is hereby

10 appropriated, to the Department of Human Services - Division of Aging and

11 Adult Services, to be payable from the *Aging and Adult Services Fund Account*,

12 for personal services and operating expenses of the Department of Human

13 Services - Division of Aging and Adult Services for the biennial period ending

14 June 30, 1993, the following:

16	ITEM	FISCAL YEARS	
17	NO.	1991-92	1992-93
18	(01) REGULAR SALARIES	\$ 362,576	\$ 379,977
19	(02) PERSONAL SERV MATCHING	99,774	105,307
20	(03) MAINT. & GEN. OPERATION		
21	(A) OPER. EXPENSES	\$ 64,837	\$ 64,837
22	(B) CONF. & TRAVEL	5,894	5,894
23	(C) PROF. FEES	4,814	4,814
24	(D) CAPITAL OUTLAY	1,356	0
25	(E) DATA PROCESSING	<u>0</u>	<u>0</u>
26	TOTAL MAINT. & GEN. OPER.	<u>76,901</u>	<u>75,545</u>
27	TOTAL AMOUNT APPROPRIATED	<u>\$ 539,251</u>	<u>\$ 560,829</u>

28

29 SECTION 4. The Director of the Department of Human Services is

30 authorized to use State funds appropriated in this Act to match Federal funds

31 available under Title III and Title V of the Older Americans Act, Social

32 Services Block Grant, or such other federal funds as may become available.

33

34 SECTION 5. All appropriations for state and federal funding contained

35 herein that are distributed under grant or contract methodologies may be

1 disbursed by the Department of Human Services in the same manner as authorized
2 under federal regulations for the disbursement of Title III Older Americans
3 Act funds. Otherwise, all disbursements shall comply with the provisions of
4 this Act.

5

6 SECTION 6. There is hereby appropriated to the Department of Human
7 Services - Division of Aging and Adult Services to be payable from the Aging
8 and Adult Services Fund Account with funds derived from special revenue
9 generated by the tax on cigarettes passed by the 78th General Assembly, for
10 providing transportation services to include the "Meals on Wheels" program for
11 each fiscal year of the biennial period ending June 30, 1993 the sum of
12
13 \$3,000,000.

14

15 SECTION 7. Funding for "Nursing Home Care Alternatives", as it appears
16 in SECTION 2, Item (07) may be used for home delivered meals, adult day care,
17 homemaker/chore, respite care, personal care, health promotion, and other
18 community based activities. These funds may also be used to match Medicaid
19 community based programs.

20

21 SECTION 8. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
22 authorized by this Act shall be limited to the appropriation for such agency
23 and funds made available by law for the support of such appropriations; and
24 the restrictions of the State Purchasing Law, the General Accounting and
25 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
26 Procedures and Restrictions Act, or their successors, and other fiscal control
27 laws of this State, where applicable, and regulations promulgated by the
28 Department of Finance and Administration, as authorized by law, shall be
29 strictly complied with in disbursement of said funds.

30

31 SECTION 9. LEGISLATIVE INTENT. It is the intent of the General
32 Assembly that any funds disbursed under the authority of the appropriations
33 contained in this Act shall be in compliance with the stated reasons for which
34 this Act was adopted, as evidenced by the Agency Requests, Executive
35 Recommendations and Legislative Recommendations contained in the budget

1 manuals prepared by the Department of Finance and Administration, letters, or
2 summarized oral testimony in the official minutes of the Arkansas Legislative
3 Council or Joint Budget Committee which relate to its passage and adoption.

4
5 SECTION 10. CODE. All provisions of this Act of a general and
6 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and
7 the Arkansas Code Revision Commission shall incorporate the same in the Code.

8
9 SECTION 11. SEVERABILITY. If any provision of this Act or the
10 application thereof to any person or circumstance is held invalid, such
11 invalidity shall not affect other provisions or applications of the Act which
12 can be given effect without the invalid provision or application, and to this
13 end the provisions of this Act are declared to be severable.

14
15 SECTION 12. GENERAL REPEALER. All laws and parts of laws in conflict
16 with this Act are hereby repealed.

17
18 SECTION 13. HEALTH PREMIUMS. The Department of Human Services -
19 Division of Aging and Adult Services shall not, during the 1992-93 fiscal
20 year, spend more for health insurance per employee than the amount being
21 contributed to the State Employees Health Insurance Program.

22
23 SECTION 14. EMERGENCY CLAUSE. It is hereby found and determined by the
24 Seventy-Eighth General Assembly, that the Constitution of the State of
25 Arkansas prohibits the appropriation of funds for more than a two (2) year
26 period; that the effectiveness of this Act on July 1, 1991 is essential to the
27 operation of the agency for which the appropriations in this Act are provided,
28 and that in the event of an extension of the Regular Session, the delay in the
29 effective date of this Act beyond July 1, 1991 could work irreparable harm
30 upon the proper administration and provision of essential governmental
31 programs. Therefore, an emergency is hereby declared to exist and this Act
32 being necessary for the immediate preservation of the public peace, health and
33 safety shall be in full force and effect from and after July 1, 1991.

34
35 /s/ John E. Miller

3/1/91 3/13/91

- 1
- 2
- 3
- 4

APPROVED: 4/9/91