

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001
4

As Engrossed: H3/29/01

A Bill

Act 1574 of 2001
HOUSE BILL 1750

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR THE MEDICAID
9 EXPANSION PROGRAM FOR THE DEPARTMENT OF HUMAN SERVICES
10 FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2003; AND FOR
11 OTHER PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE DEPARTMENT OF HUMAN
15 SERVICES MEDICAID EXPANSION PROGRAM
16 APPROPRIATION FOR THE 2001-2003
17 BIENNIUM.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. REGULAR SALARIES - COUNTY OPERATIONS. There is hereby
24 established for the Department of Human Services - Division of County
25 Operations for the 2001-2003 biennium, the following maximum number of regular
26 employees whose salaries shall be governed by the provisions of the Uniform
27 Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its
28 successor, and all laws amendatory thereto. Provided, however, that any
29 position to which a specific maximum annual salary is set out herein in
30 dollars, shall be exempt from the provisions of said Uniform Classification
31 and Compensation Act. All persons occupying positions authorized herein are
32 hereby governed by the provisions of the Regular Salaries Procedures and
33 Restrictions Act (Arkansas Code §21-5-101), or its successor.
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Maximum Annual
Maximum Salary Rate

Item	Class		No. of Employees	Fiscal Years	
	No.	Title		2001-2002	2002-2003
(1)	909Z	Program Support Manager	1	GRADE 22	
(2)	M024	Family Support Specialist Supervisor	7	GRADE 18	
(3)	M023	Family Support Specialist III	44	GRADE 17	
(4)	K039	Document Examiner II	11	GRADE 12	
MAX. NO. OF EMPLOYEES			63		

SECTION 2. REGULAR SALARIES - MEDICAL SERVICES. There is hereby established for the Department of Human Services - Division of Medical Services for the 2001-2003 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its successor.

Item	Class		No. of Employees	Maximum Annual Salary Rate	
	No.	Title		2001-2002	2002-2003
(1)	697Z	DHS Program Manager	1	GRADE 21	
(2)	M154	DHS Field Representative	1	GRADE 19	
MAX. NO. OF EMPLOYEES			2		

SECTION 3. APPROPRIATION - COUNTY OPERATIONS - MEDICAID EXPANSION PROGRAM. There is hereby appropriated, to the Department of Human Services - Division of County Operations, to be payable from the Medicaid Expansion Program Account, for personal services and operating expenses of the Department of Human Services - Division of County Operations - Medicaid Expansion Program for the biennial period ending June 30, 2003, the following:

ITEM FISCAL YEARS

NO.		2001-2002	2002-2003
(01)	REGULAR SALARIES	\$ 316,040	\$ 1,242,171
(02)	PERSONAL SERV MATCHING	91,652	360,230
(03)	MAINT. & GEN. OPERATION		
(A)	OPER. EXPENSE	197,974	195,795
(B)	CONF. & TRAVEL	0	0
(C)	PROF. FEES	0	0
(D)	CAP. OUTLAY	69,300	0
(E)	DATA PROC.	0	0
(04)	PURCHASE DATA PROCESSING	<u>1,000,000</u>	<u>50,000</u>
	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,674,966</u>	<u>\$ 1,848,196</u>

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13 SECTION 4. APPROPRIATION - MEDICAL SERVICES - MEDICAID EXPANSION PROGRAM.
 14 There is hereby appropriated, to the Department of Human Services - Division
 15 of Medical Services, to be payable from the Medicaid Expansion Program
 16 Account, for personal services and operating expenses of the Department of
 17 Human Services - Division of Medical Services - Medicaid Expansion Program for
 18 the biennial period ending June 30, 2003, the following:

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ITEM NO.		FISCAL YEARS	
		2001-2002	2002-2003
(01)	REGULAR SALARIES	\$ 65,361	\$ 67,061
(02)	PERSONAL SERV MATCHING	18,955	19,448
(03)	MAINT. & GEN. OPERATION		
(A)	OPER. EXPENSE	15,973	15,973
(B)	CONF. & TRAVEL	2,000	2,000
(C)	PROF. FEES	0	0
(D)	CAP. OUTLAY	9,000	0
(E)	DATA PROC.	<u>0</u>	<u>0</u>
	TOTAL AMOUNT APPROPRIATED	<u>\$ 111,289</u>	<u>\$ 104,482</u>

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32 SECTION 5. APPROPRIATION - MEDICAL SERVICES - MEDICAID EXPANSION PROGRAM
 33 GRANTS. There is hereby appropriated, to the Department of Human Services -
 34 Division of Medical Services, to be payable from the Medicaid Expansion
 35 Program Account, for grant payments of the Department of Human Services -
 36 Division of Medical Services - Medicaid Expansion Program for the biennial

1 period ending June 30, 2003, the following:

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ITEM	FISCAL YEARS	
NO.	2001-2002	2002-2003
(01) PRESCRIPTION DRUGS	\$ 7,769,669	\$ 29,063,678
(02) HOSPITAL AND MEDICAL SERVICES	23,432,208	46,765,542
TOTAL AMOUNT APPROPRIATED	<u>\$ 31,201,877</u>	<u>\$ 75,829,220</u>

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9 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
 10 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MEDICAID
 11 EXPANSION PROGRAM - CARRY FORWARD. Such appropriation as is authorized in
 12 this Act for the Arkansas Tobacco Settlement - Medicaid Expansion Program
 13 which remains at the end of the first fiscal year of the biennium may be
 14 carried forward into the second fiscal year of the biennium there to be used
 15 for the same purposes.

16 The provisions of this section shall be in effect only from July 1, 2001
 17 through June 30, 2003.

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19 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
 20 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MEDICAID
 21 EXPANSION PROGRAM - PAYING ACCOUNTS. The Medicaid Expansion Program as
 22 established by Initiated Act 1 of 2000 shall be a separate and distinct
 23 component embracing (1) expanded Medicaid coverage and benefits to pregnant
 24 women; (2) expanded inpatient and outpatient hospital reimbursements and
 25 benefits to adults aged nineteen (19) to sixty-four (64); (3) expanded non-
 26 institutional coverage and benefits to adults aged 65 and over; and (4)
 27 creation and provision of a limited benefit package to adults aged nineteen
 28 (19) to sixty-four (64), to be administered by the Department of Human
 29 Services. Separate Paying Accounts shall be established for the Medicaid
 30 Expansion Program as designated by the Chief Fiscal Officer of the State, to
 31 be used exclusively for the purpose of drawing down federal funds associated
 32 with the federal share of expenditures and for the state share of expenditures
 33 transferred from the Medicaid Expansion Program Account or for any other
 34 appropriate state match funds.

35 The provisions of this section shall be in effect only from July 1, 2001
 36 through June 30, 2003.

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2 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
3 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ACCOUNTS. Such
4 appropriations and fund accounts as may be necessary to administer the
5 provisions of this act shall be established on the books of the Chief Fiscal
6 Officer of the State, State Treasurer, and the Auditor of the State.

7 The provisions of this section shall be in effect only from July 1, 2001
8 through June 30, 2003.

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10 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. POSITIONS.
12 Nothing in this act shall be construed as a commitment of the State of
13 Arkansas or any of its agencies or institutions to continue funding any
14 position paid from the proceeds of the Tobacco Settlement in the event that
15 Tobacco Settlement funds are not sufficient to finance the position.

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17 SECTION 10. SPECIAL LANGUAGE . NOT TO BE INCORPORATED INTO THE ARKANSAS
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
19 RESTRICTIONS. The appropriations provided in this act shall not be
20 transferred under the provisions of Arkansas Code 19-4-522 or the provisions
21 of Arkansas code 6-62-104, but only as provided by this act.

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23 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFERS
25 OF APPROPRIATIONS. In the event the amount of any of the budget
26 classifications of maintenance and general operation in this act are found by
27 the administrative head of the agency to be inadequate, then the agency head
28 may request, upon forms provided for such purpose by the Chief Fiscal Officer
29 of the State, a modification of the amounts of the budget classification. In
30 that event, he shall set out on the forms the particular classifications for
31 which he is requesting an increase or decrease, the amounts thereof, and his
32 reasons therefor. In no event shall the total amount of the budget exceed
33 either the amount of the appropriation or the amount of the funds available,
34 nor shall any transfer be made from the capital outlay or data processing
35 subclassifications unless specific authority for such transfers is provided by
36 law, except for transfers from capital outlay to data processing when

1 determined by the Department of Information Systems that data processing
 2 services for a state agency can be performed on a more cost-efficient basis by
 3 the Department of Information Systems than through the purchase of data
 4 processing equipment by that state agency. In considering the proposed
 5 modification as prepared and submitted by each state agency, the Chief Fiscal
 6 Officer of the State shall make such studies as he deems necessary. The Chief
 7 Fiscal Officer of the State shall, after obtaining the approval of the
 8 Legislative Council, approve the requested transfer if in his opinion it is in
 9 the best interest of the state.

10 The General Assembly has determined that the agency in this act could be
 11 operated more efficiently if some flexibility is given to that agency and that
 12 flexibility is being accomplished by providing authority to transfer between
 13 certain items of appropriation made by this act. Since the General Assembly
 14 has granted the agency broad powers under the transfer of appropriations, it
 15 is both necessary and appropriate that the General Assembly maintain oversight
 16 of the utilization of the transfers by requiring prior approval of the
 17 Legislative Council in the utilization of the transfer authority. Therefore,
 18 the requirement of approval by the Legislative Council is not a severable part
 19 of this section. If the requirement of approval by the Legislative Council is
 20 ruled unconstitutional by a court jurisdiction, this entire section is void.

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 22 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COMPLIANCE
 24 WITH OTHER LAWS. Disbursement of funds authorized by this act shall be
 25 limited to the appropriation for such agency and funds made available by law
 26 for the support of such appropriations; and the restrictions of the State
 27 Purchasing Law, the General Accounting and Budgetary Procedures Law, ~~the~~
 28 ~~Revenue Stabilization Law,~~ the Regular Salary Procedures and Restrictions Act,
 29 or their successors, and other fiscal control laws of this State, where
 30 applicable, and regulations promulgated by the Department of Finance and
 31 Administration, as authorized by law, shall be strictly complied with in
 32 disbursement of said funds.

33 The provisions of this section shall be in effect only from July 1, 2001
 34 through June 30, 2003.

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 36 SECTION 13. LEGISLATIVE INTENT. It is the intent of the General Assembly

1 that any funds disbursed under the authority of the appropriations contained
2 in this act shall be in compliance with the stated reasons for which this act
3 was adopted, as evidenced by Initiated Act 1 of 2000, the Agency Requests,
4 Executive Recommendations and Legislative Recommendations contained in the
5 budget manuals prepared by the Department of Finance and Administration,
6 letters, or summarized oral testimony in the official minutes of the Arkansas
7 Legislative Council or Joint Budget Committee which relate to its passage and
8 adoption.

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10 SECTION 14. EMERGENCY CLAUSE. It is found and determined by the General
11 Assembly, that the Constitution of the State of Arkansas prohibits the
12 appropriation of funds for more than a two (2) year period; that the
13 effectiveness of this Act on July 1, 2001 is essential to the operation of the
14 agency for which the appropriations in this Act are provided, and that in the
15 event of an extension of the Regular Session, the delay in the effective date
16 of this Act beyond July 1, 2001 could work irreparable harm upon the proper
17 administration and provision of essential governmental programs. Therefore, an
18 emergency is hereby declared to exist and this Act being necessary for the
19 immediate preservation of the public peace, health and safety shall be in full
20 force and effect from and after July 1, 2001.

21 */s/ Joint Budget Committee*

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24 APPROVED: 4/13/2001
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