

**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: S4/10/01*

# A Bill

**Act 1639 of 2001**  
**SENATE BILL 673**

5 By: Joint Budget Committee  
6  
7

## **For An Act To Be Entitled**

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
10 AND OPERATING EXPENSES FOR THE DEPARTMENT OF HUMAN  
11 SERVICES - DIVISION OF DEVELOPMENTAL DISABILITIES  
12 SERVICES FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2003;  
13 AND FOR OTHER PURPOSES.  
14  
15

## **Subtitle**

16 AN ACT FOR THE DEPARTMENT OF HUMAN  
17 SERVICES - DIVISION OF DEVELOPMENTAL  
18 DISABILITIES SERVICES APPROPRIATION  
19 FOR THE 2001-2003 BIENNIUM.  
20  
21  
22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
24

25 SECTION 1. REGULAR SALARIES. There is hereby established for the  
26 Department of Human Services - Division of Developmental Disabilities Services  
27 for the 2001-2003 biennium, the following maximum number of regular employees  
28 whose salaries shall be governed by the provisions of the Uniform  
29 Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its  
30 successor, and all laws amendatory thereto. Provided, however, that any  
31 position to which a specific maximum annual salary is set out herein in  
32 dollars, shall be exempt from the provisions of said Uniform Classification  
33 and Compensation Act. All persons occupying positions authorized herein are  
34 hereby governed by the provisions of the Regular Salaries Procedures and  
35 Restrictions Act (Arkansas Code §21-5-101), or its successor.  
36

					Maximum Annual	
				Maximum	Salary Rate	
	Item	Class		No. of	Fiscal Years	
	No.	Code	Title	Employees	2001-2002	2002-2003
5	(1)	9972	DDS COMMIS SIONER	1	\$89,348	\$91,671
6	(2)	8966	DHS DDS SUPT HDC/CONWAY	1	\$82,077	\$84,211
7	(3)	8949	DDS DIR EVAL, PLAN & MGMT SYSTEMS	1	\$74,140	\$76,067
8	(4)	8969	DHS DDS SUPT HDC	1	\$73,495	\$75,405
9	(5)	8970	DHS DDS SUPT HDC	1	\$73,494	\$75,404
10	(6)	8972	DHS DDS SUPT HDC	1	\$71,700	\$73,564
11	(7)	8968	DHS DDS SUPT HDC	1	\$71,072	\$72,919
12	(8)	8967	DHS DDS DIR CLIENT SERVICES	1	\$65,556	\$67,260
13	(9)	8948	DDS ASST DIR PROGRAM MANAGEMENT	1	\$62,757	\$64,388
14	(10)	8971	DHS DDS SUPT HDC	1	\$56,591	\$58,062
15	(11)	6601	DENTI ST	3	\$109,493	\$112,339
16	(12)	6603	GENERAL PHYSI CI AN	6	\$109,493	\$112,339
17	(13)	L014	DI RECTOR OF PHARMACY SERVI CES	2		GRADE 26
18	(14)	L134	PSYCHOLOGI ST SUPERVI SOR	1		GRADE 26
19	(15)	L124	PSYCHOLOGI ST	2		GRADE 25
20	(16)	L012	PHARMACI ST II	2		GRADE 25
21	(17)	L096	SR PHARMACI ST	4		GRADE 24
22	(18)	M178	DHS/DDS ASST SUPT - CONWAY	1		GRADE 23
23	(19)	R184	NURSING SERVI CES UNI T MANAGER	6		GRADE 23
24	(20)	R058	DDS PERSONNEL MANAGER	1		GRADE 22
25	(21)	X338	ENGI NEER, PE	1		GRADE 22
26	(22)	L078	NURSE SUPERVI SOR	12		GRADE 22
27	(23)	A032	AGENCY FI SCAL MANAGER	1		GRADE 22
28	(24)	R326	QUALI TY ASSURANCE COORDI NATOR	5		GRADE 21
29	(25)	809Z	DHS PLANNING & POLI CY DEV COORD	1		GRADE 21
30	(26)	E104	DHS/DDS ED & TRNG CONSULTANT	2		GRADE 21
31	(27)	L030	DI ETARY SERVI CES DI RECTOR	1		GRADE 21
32	(28)	L122	PSYCHOLOGI CAL EXAMI NER II	17		GRADE 21
33	(29)	M046	DHS/DDS TEAM LEADER-CONWAY	5		GRADE 21
34	(30)	892Z	DHS INSTI TUTION BUSI NESS MANAGER	6		GRADE 21
35	(31)	M112	COTTAGE LI FE PROGRAM DI RECTOR	5		GRADE 21
36	(32)	E023	DHS/DDS LANGUAGE DEVELOP SUPV	1		GRADE 21

1	(33)	697Z	DHS PRGM MANAGER	7	GRADE 21
2	(34)	L090	OCCUPATIONAL THERAPY SUPERVISOR	1	GRADE 21
3	(35)	L142	SPEECH PATHOLOGIST SUPV	3	GRADE 21
4	(36)	L019	NUTRITIONIST CONSULTANT	1	GRADE 21
5	(37)	R488	GRANTS ADMIN SUPV	2	GRADE 21
6	(38)	M140	DHS/DDS TEAM LEADER	4	GRADE 20
7	(39)	E038	NURSE INSTRUCTOR	2	GRADE 20
8	(40)	L070	NURSE II	14	GRADE 20
9	(41)	M128	DHS/DDS PRGM COORDINATOR	37	GRADE 20
10	(42)	R145	DHS PROGRAM COORDINATOR	3	GRADE 20
11	(43)	L140	SPEECH PATHOLOGIST II	15	GRADE 20
12	(44)	E026	INSTITUTIONAL INSTRUCTOR SUPERVISOR	2	GRADE 20
13	(45)	E114	STAFF DEVELOPMENT COORDINATOR	6	GRADE 20
14	(46)	G120	PLANT MAINTENANCE COORDINATOR	1	GRADE 20
15	(47)	M016	SR CHAPLAIN	1	GRADE 20
16	(48)	M088	SOCIAL WORKER II	4	GRADE 20
17	(49)	Y116	MAINTENANCE SYSTEMS SUPV	1	GRADE 20
18	(50)	X311	DHS/DDS PRGM EVALUATOR SUPV	1	GRADE 20
19	(51)	L008	SR AUDIOLOGIST	1	GRADE 20
20	(52)	M013	DEVELOPMENTAL DISABILITIES SPEC II	44	GRADE 20
21	(53)	R266	MANAGEMENT PROJECT ANALYST II	5	GRADE 20
22	(54)	L088	OCCUPATIONAL THERAPIST II	2	GRADE 20
23	(55)	L120	PSYCHOLOGICAL EXAMINER I	2	GRADE 19
24	(56)	R168	GRANTS COORDINATOR II	8	GRADE 19
25	(57)	M057	DHS/DDS FOSTER GRANDPARENT ADMR	1	GRADE 19
26	(58)	L028	DIETICIAN	2	GRADE 19
27	(59)	X309	DHS/DDS PRGM EVALUATOR	2	GRADE 19
28	(60)	B060	MEDICAL TECHNOLOGIST SUPERVISOR	1	GRADE 19
29	(61)	R030	ASST PERSONNEL MANAGER	1	GRADE 19
30	(62)	M044	DHS PRGM CONSULTANT	1	GRADE 19
31	(63)	R264	MANAGEMENT PROJECT ANALYST I	3	GRADE 18
32	(64)	E024	INSTITUTIONAL INSTRUCTOR II	24	GRADE 18
33	(65)	M082	SOCIAL SERVICE WORKER III	19	GRADE 18
34	(66)	L138	SPEECH PATHOLOGIST I	1	GRADE 18
35	(67)	M099	COTTAGE LIFE PROGRAM SUPERVISOR	18	GRADE 18
36	(68)	V040	PURCHASE AGENT II/PURCHASE AGENT	5	GRADE 18

1	(69)	E050	STAFF DEVELOPMENT SPECIALIST II	2	GRADE 18
2	(70)	E072	TRAINING INSTRUCTOR	1	GRADE 18
3	(71)	G028	BLDG PLANT MAINTENANCE SUPV II	5	GRADE 18
4	(72)	M050	RECREATIONAL ACTIVITY LEADER SUPV	3	GRADE 18
5	(73)	H032	FOOD PRODUCTION MANAGER	6	GRADE 18
6	(74)	E037	LIBRARIAN II	2	GRADE 18
7	(75)	E082	VOCATIONAL INSTRUCTOR II	1	GRADE 18
8	(76)	M076	SOCIAL SERVICE REPRESENTATIVE III	1	GRADE 18
9	(77)	E086	HABILITATION/REHAB INSTRUCTOR II	139	GRADE 17
10	(78)	M080	SOCIAL SERVICE WORKER II/SOC SVC WK	4	GRADE 17
11	(79)	R010	ADMINISTRATIVE ASSISTANT II	17	GRADE 17
12	(80)	Y061	JOURNEYMAN PLUMBER	4	GRADE 17
13	(81)	Y053	JOURNEYMAN CARPENTER	9	GRADE 17
14	(82)	R190	PERSONNEL OFFICER II	5	GRADE 17
15	(83)	B052	MEDICAL TECHNOLOGIST	2	GRADE 17
16	(84)	Y065	JOURNEYMAN LOCKSMITH	1	GRADE 17
17	(85)	M102	VOCATIONAL PLAC & EVAL PROG COORD	1	GRADE 17
18	(86)	Y003	AUTO/DIESEL MECHANIC	3	GRADE 17
19	(87)	Y039	HEATING & A/C MECHANIC	5	GRADE 17
20	(88)	Y055	JOURNEYMAN ELECTRICIAN	6	GRADE 17
21	(89)	Y057	JOURNEYMAN PAINTER	6	GRADE 17
22	(90)	E022	INSTITUTIONAL INSTRUCTOR I	1	GRADE 17
23	(91)	Y021	STATIONARY ENGINEER	9	GRADE 17
24	(92)	Y107	WELDER	1	GRADE 17
25	(93)	M095	VOLUNTEER PROGRAM DEVELOPER I	1	GRADE 17
26	(94)	M141	DHS/DDS TEAM SHIFT COORDINATOR	18	GRADE 16
27	(95)	L026	DENTAL HYGIENIST	1	GRADE 16
28	(96)	A053	INSURANCE SPECIALIST II	1	GRADE 16
29	(97)	L153	X-RAY TECH SUPV/X-RAY TECH II	1	GRADE 16
30	(98)	L061	LIFE SKILLS TRAINER SUPERVISOR	62	GRADE 15
31	(99)	L115	LPN II/LPTN II	132	GRADE 15
32	(100)	L183	OCCUPATIONAL THERAPY ASSISTANT	2	GRADE 15
33	(101)	M048	RECREATIONAL ACTIVITY LEADER II	27	GRADE 15
34	(102)	K011	ADMINISTRATIVE OFFICE SUPERVISOR	6	GRADE 15
35	(103)	V051	STOREROOM SUPV/STORE SUPV	4	GRADE 15
36	(104)	A063	PAYROLL OFFICER	1	GRADE 15

1	(105)	A155	ICF COORDINATOR	6	GRADE 15
2	(106)	A108	ACCOUNTING TECHNICIAN II	8	GRADE 15
3	(107)	V039	PURCHASE AGENT I/ASST PURCHASE AGEN	4	GRADE 15
4	(108)	R009	ADMINISTRATIVE ASSISTANT I	3	GRADE 15
5	(109)	L184	DIETETIC TECHNICIAN	1	GRADE 14
6	(110)	G014	CHDC LAUNDRY OPERATIONS MANAGER	1	GRADE 14
7	(111)	M036	FOSTER GRANDPARENT SUPERVISOR	1	GRADE 14
8	(112)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	11	GRADE 14
9	(113)	H023	COMMISSARY MANAGER	1	GRADE 14
10	(114)	K117	MEDICAL OR LEGAL SECRETARY	4	GRADE 14
11	(115)	E027	INSTITUTIONAL TEACHER ASSISTANT	88	GRADE 13
12	(116)	L059	LIFE SKILLS TRAINER II	806	GRADE 13
13	(117)	G139	WATER FILTER/WASTE DISPOS PLNT OPER	3	GRADE 13
14	(118)	H049	SUPERVISOR OF COOKING	5	GRADE 13
15	(119)	K153	SECRETARY II	70	GRADE 13
16	(120)	G115	NURSERY ASST & GROUNDSKEEPER SUPV	1	GRADE 13
17	(121)	L093	ORTHOTIST AIDE	5	GRADE 13
18	(122)	M047	RECREATIONAL ACTIVITY LEADER I	1	GRADE 13
19	(123)	R125	PERSONNEL OFFICER	4	GRADE 13
20	(124)	E017	INSTITUTION ASSISTANT LIBRARIAN	1	GRADE 13
21	(125)	L091	OCCUPATIONAL THERAPY WORKER	6	GRADE 13
22	(126)	C013	SWITCHBOARD OPERATOR SUPERVISOR	1	GRADE 12
23	(127)	K089	PERSONNEL ASSISTANT	2	GRADE 12
24	(128)	K039	DOCUMENT EXAMINER II	10	GRADE 12
25	(129)	K155	SECRETARY I	24	GRADE 11
26	(130)	Y001	APPRENTICE TRADESMAN	6	GRADE 11
27	(131)	L025	DENTAL ASSISTANT	1	GRADE 11
28	(132)	L057	LIFE SKILLS TRAINER I	278	GRADE 11
29	(133)	H047	MEAT CUTTER II/BUTCHER II	1	GRADE 11
30	(134)	V029	INVENTORY CONTROL CLERK	1	GRADE 10
31	(135)	H005	BAKER II	6	GRADE 10
32	(136)	H027	COOK II	40	GRADE 10
33	(137)	L097	PHARMACY ASST	2	GRADE 10
34	(138)	G006	MOTOR VEHICLE OPERATOR	5	GRADE 10
35	(139)	K023	CLERICAL ASSISTANT	3	GRADE 10
36	(140)	K037	DOCUMENT EXAMINER I	4	GRADE 10

1	(141)	G013	WAREHOUSE WORKER	3	GRADE 10
2	(142)	Y045	INSTI TUTI ONAL BEAUTI CI AN	3	GRADE 09
3	(143)	C011	SWI TCHBOARD OPERATOR II	12	GRADE 09
4	(144)	L105	PHYSI CAL THERAPY AI DE	5	GRADE 09
5	(145)	L089	OCCUPATI ONAL THERAPY AI DE	1	GRADE 09
6	(146)	G109	BLDG/EQUI P MAI NT REPAI RMAN II	21	GRADE 08
7	(147)	G045	EQUI PMENT OPERATOR	11	GRADE 08
8	(148)	H025	COOK I	1	GRADE 08
9	(149)	H053	FOOD SERVI CE WORKER III	10	GRADE 08
10	(150)	H019	CANTEEN SUPERVI SOR	2	GRADE 08
11	(151)	G010	LAUNDRY SUPERVI SOR	5	GRADE 08
12	(152)	G039	CUSTODI AL SUPV II	4	GRADE 08
13	(153)	L063	LI FE SKI LLS TRAI NER TRAI NEE	1	GRADE 08
14	(154)	K015	OFFI CE CLERK	3	GRADE 07
15	(155)	G191	CLOTHI NG SHOP OPERATOR	1	GRADE 07
16	(156)	C009	SWI TCHBOARD OPERATOR I	4	GRADE 07
17	(157)	G177	MAI NTENANCE WORKER SUPERVI SOR	1	GRADE 07
18	(158)	H043	FOOD SERVI CE WORKER II	41	GRADE 05
19	(159)	V049	STOCK CLERK II	6	GRADE 05
20	(160)	Y095	SEAMSTRESS II	1	GRADE 05
21	(161)	G175	MAI NTENANCE WORKER II	6	GRADE 05
22	(162)	G035	CUSTODI AL WRKR II	88	GRADE 04
23	(163)	G008	LAUNDRY WORKER	27	GRADE 04
24	(164)	G171	CUSTODI AL WRKR I	3	GRADE 03
25	(165)	H039	FOOD SERVI CE WORKER I	<u>5</u>	GRADE 03
26			MAX. NO. OF EMPLOYEES	2,509	

27

28 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of  
 29 Human Services - Division of Developmental Disabilities Services for the 2001-  
 30 2003 biennium, the following maximum number of part-time or temporary  
 31 employees, to be known as "Extra Help", payable from funds appropriated herein  
 32 for such purposes: two hundred eighty-nine (289) temporary or part-time  
 33 employees, when needed, at rates of pay not to exceed those provided in the  
 34 Uni form Classi fication and Compensation Act, or its successor, or this act for  
 35 the appropriate classi fication.

36

1 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE  
 2 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA HELP -  
 3 DEVELOPMENTAL DISABILITIES SERVICES. It is hereby authorized for the  
 4 Department of Human Services - Division of Developmental Disabilities Services  
 5 for the ~~1999-2001~~ 2001-2003 biennium, that of the extra help positions  
 6 authorized herein for the Department of Human Services - Division of  
 7 Developmental Disabilities Services, 89 of those positions, when utilized in a  
 8 manner which is reimbursable under Title XIX or other federal funds, are  
 9 specifically exempt from limitation of hours, either by Act or Regulation.

10  
 11 The provisions of this section shall be in effect only from July 1, 2001  
 12 through June 30, 2003.

13  
 14 SECTION 4. APPROPRIATIONS - SCHOOL LUNCH PROGRAM - CASH. There is hereby  
 15 appropriated, to the Department of Human Services - Division of Developmental  
 16 Disabilities Services, to be payable from cash funds as defined by Arkansas  
 17 Code 19-4-801 of the Department of Human Services - Division of Developmental  
 18 Disabilities Services, for operating expenses of the Department of Human  
 19 Services - Division of Developmental Disabilities Services for the biennial  
 20 period ending June 30, 2003, the following:

21

ITEM	FISCAL YEARS	
<u>NO.</u>	<u>2001-2002</u>	<u>2002-2003</u>
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	1,400,000	1,400,000
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 1,400,000</u>	<u>\$ 1,400,000</u>

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 31  
 32 SECTION 5. APPROPRIATION - SPECIAL OLYMPICS. There is hereby appropriated,  
 33 to the Department of Human Services - Division of Developmental Disabilities  
 34 Services, to be payable from the Developmental Disabilities Services Fund  
 35 Account, for grants to the Arkansas Special Olympics for the biennial period  
 36 ending June 30, 2003, the following:

1

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) GRANTS - SPECIAL OLYMPICS	\$ 100,000	\$ 100,000

5

SECTION 6. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated, to the Department of Human Services - Division of Developmental Disabilities Services, to be payable from the paying account as determined by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Department of Human Services - Division of Developmental Disabilities Services for the biennial period ending June 30, 2003, the following:

12

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) REGULAR SALARIES	\$ 59,810,730	\$ 61,365,865
(02) EXTRA HELP	4,253,888	4,253,888
(03) PERSONAL SERV MATCHING	17,948,684	18,226,140
(04) OVERTIME	234,000	234,000
(05) EXTRA SALARIES	9,000	9,000
(06) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	13,452,969	13,452,969
(B) CONF. & TRAVEL	166,196	166,196
(C) PROF. FEES	107,970	107,970
(D) CAP. OUTLAY	1,361,455	1,331,395
(E) DATA PROC.	0	0
(07) GRANTS/PATIENT SERVICES	4,730,999	4,730,999
(08) FOSTER GRANDPARENT STIPENDS	302,156	302,156
(09) PURCHASE OF SERVICES	2,744,680	2,744,680
(10) DATA PROCESSING SERVICES	1,306,159	1,306,159
(11) VOCATIONAL TRAINEES	176,800	176,800
(12) CHILDREN AND ADOLESCENT SERVICES		
SYSTEM PROGRAM	<u>200,000</u>	<u>200,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 106,805,686</u>	<u>\$ 108,608,217</u>

34

SECTION 7. APPROPRIATION - COMMUNITY PROGRAMS. There is hereby appropriated, to the Department of Human Services - Division of Developmental

36



1 Disabilities Services, to be payable from the Developmental Disabilities  
 2 Services-Dog Track Special Revenue Fund, for expenses of the private non-  
 3 profit community based programs licensed by the Department of Human Services -  
 4 Division of Developmental Disabilities Services for the biennial period ending  
 5 June 30, 2003, the following:

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) COMMUNITY PROGRAMS	<u>\$ 200,000</u>	<u>\$ 200,000</u>

10

11 SECTION 8. APPROPRIATION - GRANTS-IN-AID. There is hereby appropriated, to  
 12 the Department of Human Services - Division of Developmental Disabilities  
 13 Services, to be payable from the Developmental Disabilities Services Fund  
 14 Account, for grants-in-aid to the community providers of services to the  
 15 developmentally disabled of the Department of Human Services - Division of  
 16 Developmental Disabilities Services for the biennial period ending June 30,  
 17 2003, the following:

18

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) GRANTS TO COMMUNITY PROVIDERS	<u>\$ 11,059,122</u>	<u>\$ 11,059,122</u>

22

23 SECTION 9. APPROPRIATION - INTERDIVISIONAL PROGRAMS. There is hereby  
 24 appropriated, to the Department of Human Services - Division of Developmental  
 25 Disabilities Services, to be payable from the Developmental Disabilities  
 26 Services Fund Account, for integrated services and programs developed by the  
 27 various divisions, for services and programs developed in conjunction with  
 28 other state agencies and for the development and implementation of an  
 29 integrated case management system for the Department of Human Services for the  
 30 biennial period ending June 30, 2003, the following:

31

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) INTER-DIVISIONAL PROGRAMS	<u>\$ 467,365</u>	<u>\$ 467,365</u>

35

36 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

2 DEVELOPMENTAL DISABILITIES - GRANTS TO COMMUNITY BASED PROVIDERS. Funds

3 allocated under the appropriation for community-based services, for Grants to

4 Community Providers, in the Developmental Disabilities Services - Grants-in-

5 Aid appropriation in this act shall be used only to provide services through

6 private community based services licensed or certified by the Arkansas

7 Division of Developmental Disabilities Services (DDS). Non-profit community-

8 based programs licensed by the Division of Developmental Disabilities Services

9 are quasi-governmental instrumentalities of the state which provide supports

10 and services to individuals who have a developmental disability or delay, who

11 would otherwise require supports and services through state-operated programs

12 and facilities owned by the State of Arkansas. When DDS licensed providers

13 are involved in delivering services which are Medicaid reimbursable, they must

14 enroll as a provider with the Arkansas Medicaid Program and must bill the

15 Arkansas Medicaid Program for all covered services for eligible individuals.

16 Services which are covered by the Arkansas State Medicaid Program or under

17 the Alternative Community Services Waiver Program (ACS) will be utilized to

18 the maximum extent possible for any individual who is eligible for Medicaid

19 coverage. It is the intent of this section that DDS, as a general policy,

20 maximize the use of Medicaid funding available for appropriate services.

21 The State shall require each provider funded from this Appropriation for

22 community based services, including funding from the Grants/Patient Services

23 Line, in the Developmental Disabilities Services - Operations appropriation,

24 the Early Intervention Line, in the Developmental Disabilities Services -

25 Operations appropriation, or from the Grants to Community Providers Line, in

26 the Developmental Disabilities Services - Grants-in-Aid appropriation, to

27 screen each individual to whom services are provided for a determination of

28 eligibility or ineligibility for Medicaid coverage within thirty days of the

29 first date that services are provided. It is the intent of this section to

30 insure that wherever possible and appropriate, Medicaid funds are utilized for

31 covered or waived services to individuals who are eligible for coverage

32 under the Arkansas Medicaid Program or the ACS Waiver.

33 Nothing in this Act shall prevent the Division or any provider from

34 extending emergency services when appropriate measures have been taken in a

35 timely manner to secure Medicaid eligibility.

36 In the event that components of community-based services now funded from

1 state and/or federal funds are extended to unserved or underserved areas of  
 2 the state, or in the event that new services categories/codes are made  
 3 available, to be funded from state and/or federal funds the existing non-  
 4 profit community programs licensed by the Division of Developmental  
 5 Disabilities Services shall be granted an opportunity to make application to  
 6 expand their service base to unserved or underserved areas or shall be granted  
 7 an opportunity to make application to offer new services that the State  
 8 intends to offer. When the Division of Developmental Disabilities Services  
 9 determines that state and/or federal funding for new or expanded services are  
 10 to be available, it shall develop a Request for Proposal (RFP) process which  
 11 includes a provision to provide notice of its intent to existing providers and  
 12 to the general public. Nothing in this Act shall restrict the Division's  
 13 discretion to award new or expanded services to the existing community based  
 14 service providers making application for the same pursuant to this section.  
 15 The intent of this section is to avoid unnecessary duplication of  
 16 administrative costs and services in the extension or expansion of services.

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

20  
 21 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
 23 DEVELOPMENTAL DISABILITIES - VOCATIONAL TRAINEES. The Division of  
 24 Developmental Disabilities Services of the Department of Human Services is  
 25 hereby authorized for the ~~1999-2001~~ 2001-2003 biennium to provide employment  
 26 opportunities for people with developmental disabilities residing at the Human  
 27 Development Centers who work less than a competitive employment level.

28  
 29 The provisions of this section shall be in effect only from July 1, 2001  
 30 through June 30, 2003.

31  
 32 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
 34 DEVELOPMENTAL DISABILITIES - CARRY FORWARD. The unexpended balances in  
 35 appropriations made from federal funds, for Developmental Disabilities, as  
 36 provided for in this Act on June 30, ~~2000~~ 2002 shall be carried forward and

1 made available for expenditures for the same purpose for the fiscal year  
2 ending June 30, ~~2001~~ 2003.

3

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

6

7 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GRANTS IN  
9 AID-CONDITIONS FOR RECEIVING FUNDS. Private nonprofit community based programs  
10 licensed by the Department of Human Services, Developmental Disabilities  
11 Services, are eligible to receive funds appropriated for Grants to Community  
12 Providers in the Developmental Disabilities Services - Grants-in-Aid  
13 appropriation of this Act, and as a condition of receiving such funds they  
14 shall:

15 1. Meet minimum standards of performance in the delivery of services to  
16 people with disabilities as defined by the Department of Human Services,  
17 Developmental Disabilities Services.

18 2. Supply statistical and financial data to the Department of Human  
19 Services, Developmental Disabilities Services.

20 3. Establish and maintain a sound financial management system in accordance  
21 with guidelines as set forth by the Department of Human Services.

22 4. Establish and maintain community support programs designed to provide  
23 coordinated care and treatment to ensure ongoing involvement and  
24 individualized services for persons with disabilities. Every community  
25 support program shall provide services for persons with disabilities who  
26 reside within the respective area of the program.

27

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

30

31 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
33 DEVELOPMENTAL DISABILITIES - TIMBER SALES PROCEEDS - CAPITAL IMPROVEMENTS AND  
34 EQUIPMENT. The Division of Developmental Disabilities Services is authorized  
35 to have cash fund accounts for capital improvements to physical plants and  
36 for the purchase of capital equipment for the six human development centers

1 operated by the Department of Human Services, Division of Developmental  
2 Services. The cash funds shall be held by the Department of Human Services,  
3 Division of Developmental Disabilities Services from the proceeds of the sale  
4 of timber that may be harvested from land owned by the Division of  
5 Developmental Disabilities Services. The harvesting of timber is specifically  
6 authorized to provide funds to finance capital improvements to the physical  
7 plants and for major capital equipment purchases at any of the six human  
8 development centers.

9 The Division of Developmental Disabilities Services shall report all  
10 income derived from timber management to the Chief Fiscal Officer of the State  
11 and the Arkansas Legislative Council. Any contracts initiated for the  
12 harvesting of timber shall be submitted to the Review Subcommittee of the  
13 Arkansas Legislative Council for review. All expenditures of funds derived  
14 from the sale of timber will be expended in accordance with relevant state  
15 purchasing laws.

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

19  
20 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ~~Arkansas~~  
22 ~~Code 11-10-509 (b)(1) is hereby amended to read as follows:~~

23  
24 ~~"(b)(1) With respect to services performed in any other capacity for an~~  
25 ~~educational institution, or for a community program licensed by the Division~~  
26 ~~of Developmental Disabilities Services, benefits shall not be paid on the~~  
27 ~~basis of services to any individual for any week which commences during a~~  
28 ~~period between two (2) successive academic years or terms if the individual~~  
29 ~~performs the services in the first of the academic years or terms and there is~~  
30 ~~a reasonable assurance that the individual will perform the services in the~~  
31 ~~second of the academic years or terms."~~

32  
33 The provisions of this section shall be in effect only from July 1, 2001  
34 through June 30, 2003.

35  
36 SECTION 16. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED

1 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all  
2 appropriations as provided in this Act, the agency disbursing officer shall  
3 monitor the level of fund balances in relation to expenditures on a monthly  
4 basis. If any proposed expenditures would cause a fund balance to decline to  
5 less than fifty percent (50%) of the balance available on July 1, 2001, the  
6 disbursing officer shall immediately notify the executive head of the agency.  
7 Prior to any obligations being made under these circumstances, the agency head  
8 shall file written documentation with the Chief Fiscal Officer of the State  
9 requesting approval of the expenditures. Such documentation shall provide  
10 sufficient financial data to justify the expenditures and shall include the  
11 following:

- 12 1) a plan that clearly indicates the specific fiscal impact of such  
13 expenditures on the fund balance.
- 14 2) information clearly indicating and explaining what programs would be cut or  
15 any other measures to be taken by the agency to restore the fund balance.
- 16 3) the extent to which any of the planned expenditures are for one-time costs  
17 or one-time purchase of capitalized items.
- 18 4) a statement certifying that the expenditure of fund balances will not  
19 jeopardize the financial health of the agency, nor result in a permanent  
20 depletion of the fund balance.

21 (B) The Chief Fiscal Officer of the State shall review the request and  
22 approve or disapprove all or any part of the request, after having sought  
23 prior review by the Legislative Council.  
24

25 SECTION 17. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
26 by this act shall be limited to the appropriation for such agency and funds  
27 made available by law for the support of such appropriations; and the  
28 restrictions of the State Purchasing Law, the General Accounting and Budgetary  
29 Procedures Law, the Revenue Stabilization Law, the Regular Salary Procedures  
30 and Restrictions Act, or their successors, and other fiscal control laws of  
31 this State, where applicable, and regulations promulgated by the Department of  
32 Finance and Administration, as authorized by law, shall be strictly complied  
33 with in disbursement of said funds.  
34

35 SECTION 18. LEGISLATIVE INTENT. It is the intent of the General Assembly  
36 that any funds disbursed under the authority of the appropriations contained

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

7  
8 SECTION 19. EMERGENCY CLAUSE. It is found and determined by the General  
9 Assembly, that the Constitution of the State of Arkansas prohibits the  
10 appropriation of funds for more than a two (2) year period; that the  
11 effectiveness of this Act on July 1, 2001 is essential to the operation of the  
12 agency for which the appropriations in this Act are provided, and that in the  
13 event of an extension of the Regular Session, the delay in the effective date  
14 of this Act beyond July 1, 2001 could work irreparable harm upon the proper  
15 administration and provision of essential governmental programs. Therefore, an  
16 emergency is hereby declared to exist and this Act being necessary for the  
17 immediate preservation of the public peace, health and safety shall be in full  
18 force and effect from and after July 1, 2001.

19 */s/ Joint Budget Committee*

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22 APPROVED: 4/16/2001  
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