

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.

Act 1858 of the Regular Session

As Engrossed: H3/22/05 H4/4/05

A Bill

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005

HOUSE BILL 2296

5 By: Representative McDaniel

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR THE ARKANSAS  
10 RX PROGRAM FOR THE DEPARTMENT OF HUMAN SERVICES -  
11 DIVISION OF MEDICAL SERVICES FOR THE BIENNIAL  
12 PERIOD ENDING JUNE 30, 2007; AND FOR OTHER  
13 PURPOSES.

Subtitle

17 AN ACT FOR THE DEPARTMENT OF HUMAN  
18 SERVICES - DIVISION OF MEDICAL SERVICES  
19 - ARKANSAS RX PROGRAM APPROPRIATION FOR  
20 THE 2005-2007 BIENNIUM.

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

25 SECTION 1. APPROPRIATION - ARKANSAS RX PROGRAM. There is hereby  
26 appropriated, to the Department of Human Services - Division of Medical  
27 Services, to be payable from the Arkansas Rx Program Fund, for contract costs  
28 of the Arkansas Rx Program of the Department of Human Services - Division of  
29 Medical Services for the biennial period ending June 30, 2007, the following:

ITEM	FISCAL YEARS	
NO.	2005-2006	2006-2007
(01) GRANT & AID	\$ 3,834,500	\$ 4,789,500
(02) ARKANSAS RX PROGRAM LOAN/ REIMBURSEMENTS/REBATES	<u>11,000,000</u>	<u>26,600,000</u>



1 TOTAL AMOUNT APPROPRIATED \$ 14,834,500 \$ 31,389,500

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3 SECTION 2. APPROPRIATION - OPERATING EXPENSES. There is hereby  
 4 appropriated, to the Department of Human Services - Division of County  
 5 Operations, to be payable from the Arkansas Rx Program Fund, for operating  
 6 expenses of the Arkansas Rx Program of the Department of Human Services -  
 7 Division of County Operations for the biennial period ending June 30, 2007,  
 8 the following:

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10 ITEM	FISCAL YEARS	
11 NO.	2005-2006	2006-2007
12 (01) MAINT. & GEN. OPERATION		
13 (A) OPER. EXPENSE	\$ 235,000	\$ 235,000
14 (B) CONF. & TRAVEL	0	0
15 (C) PROF. FEES	350,000	0
16 (D) CAP. OUTLAY	0	0
17 (E) DATA PROC.	0	0
18 TOTAL AMOUNT APPROPRIATED	\$ 585,000	\$ 235,000

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20 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS  
 22 RX PROGRAM. The Department of Human Services shall deposit all monies  
 23 collected under the Arkansas Rx Program, including manufacturer rebates,  
 24 pharmacy discounts and Arkansas Rx Program loan repayments into the Arkansas  
 25 Rx Program Fund to be used for the continued benefit of the Arkansas Rx  
 26 Program.

27 The provisions of this section shall be in effect only from July 1, 2005  
 28 through June 30, 2007.

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30 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS  
 32 RX PROGRAM CARRY FORWARD. Any unexpended balance of appropriation  
 33 authorized in Section 1 of this act which remains at the close of the fiscal  
 34 year ending June 30, 2006 shall be carried forward into the next fiscal year,  
 35 there to be used for the same purpose.

36 The provisions of this section shall be in effect only from July 1, 2005

1 through June 30, 2007.

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3 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE  
4 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING  
5 TRANSFER. Immediately upon the effective date of this Act or as soon as  
6 funds are available, the Chief Fiscal Officer of the State shall transfer on  
7 his or her books and those of the State Treasurer and Auditor of State the  
8 sum of one million two hundred thousand dollars (\$1,200,000) from the  
9 Department of Human Services Grants Fund Account solely from monies generated  
10 by the additional tax imposed by Arkansas Code 26-57-1102 to the Arkansas Rx  
11 Program Fund, the sum of two hundred forty thousand dollars (\$240,000) from  
12 the Department of Human Services Grants Fund Account solely from monies  
13 generated by the additional tax imposed by Arkansas Code 26-57-1102 to the  
14 Breast Cancer Research Fund, and the sum of nine hundred sixty thousand  
15 dollars (\$960,000) from the Department of Human Services Grants Fund Account  
16 solely from monies generated by the additional tax imposed by Arkansas Code  
17 26-57-1102 to the Breast Cancer Control Fund.

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19 SECTION 6. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
20 by this act shall be limited to the appropriation for such agency and funds  
21 made available by law for the support of such appropriations; and the  
22 restrictions of the State Procurement Law, the General Accounting and  
23 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
24 Procedures and Restrictions Act, or their successors, and other fiscal  
25 control laws of this State, where applicable, and regulations promulgated by  
26 the Department of Finance and Administration, as authorized by law, shall be  
27 strictly complied with in disbursement of said funds.

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29 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General Assembly  
30 that any funds disbursed under the authority of the appropriations contained  
31 in this act shall be in compliance with the stated reasons for which this act  
32 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
33 and Legislative Recommendations contained in the budget manuals prepared by  
34 the Department of Finance and Administration, letters, or summarized oral  
35 testimony in the official minutes of the Arkansas Legislative Council or  
36 Joint Budget Committee which relate to its passage and adoption.

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SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 2005 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 2005 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2005.

*/s/ McDaniel*

**APPROVED: 04/08/2005**

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