

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 2102 of the Regular Session**

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005  
4

*As Engrossed: S3/9/05 S4/5/05*

**A Bill**

SENATE BILL 267

5 By: Joint Budget Committee  
6  
7

**For An Act To Be Entitled**

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL  
10 SERVICES AND OPERATING EXPENSES FOR THE  
11 DEPARTMENT OF HUMAN SERVICES - DIVISION OF  
12 DEVELOPMENTAL DISABILITIES SERVICES FOR THE  
13 BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR  
14 OTHER PURPOSES.  
15

**Subtitle**

16  
17  
18 AN ACT FOR THE DEPARTMENT OF HUMAN  
19 SERVICES - DIVISION OF DEVELOPMENTAL  
20 DISABILITIES SERVICES APPROPRIATION FOR  
21 THE 2005-2007 BIENNIUM.  
22  
23

24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
25

26 SECTION 1. REGULAR SALARIES. There is hereby established for the  
27 Department of Human Services - Division of Developmental Disabilities  
28 Services for the 2005-2007 biennium, the following maximum number of regular  
29 employees whose salaries shall be governed by the provisions of the Uniform  
30 Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or  
31 its successor, and all laws amendatory thereto. Provided, however, that any  
32 position to which a specific maximum annual salary is set out herein in  
33 dollars, shall be exempt from the provisions of said Uniform Classification  
34 and Compensation Act. All persons occupying positions authorized herein are  
35 hereby governed by the provisions of the Regular Salaries Procedures and



1 Restrictions Act (Arkansas Code §21-5-101), or its successor.

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				Maximum	Maximum Annual	
				No. of	Salary Rate	
Item	Class			Fiscal	Years	
No.	Code	Title		Employees	2005-2006	2006-2007
(1)	6603	GENERAL PHYSICIAN		7	\$119,887	\$122,595
(2)	6601	DENTIST		3	\$119,887	\$122,595
(3)	9972	DDS COMMISSIONER		1	\$98,316	\$100,700
(4)	8966	DHS DDS SUPT HDC/CONWAY		1	\$90,474	\$92,741
(5)	8949	DDS DIR EVAL, PLAN & MGMT SYSTEMS		1	\$81,859	\$83,964
(6)	8969	DHS DDS SUPT HDC		1	\$81,159	\$83,251
(7)	8970	DHS DDS SUPT HDC		1	\$81,156	\$83,247
(8)	8972	DHS DDS SUPT HDC		1	\$79,209	\$81,263
(9)	8968	DHS DDS SUPT HDC		1	\$78,527	\$80,569
(10)	8967	DHS DDS DIR CLIENT SERVICES		1	\$72,540	\$74,468
(11)	8948	DDS ASST DIR PROGRAM MANAGEMENT		1	\$69,501	\$71,371
(12)	8035	ASSISTANT DIRECTR CMS		1	\$69,476	\$71,346
(13)	8971	DHS DDS SUPT HDC		1	\$68,239	\$70,286
(14)	L014	DIRECTOR OF PHARMACY SERVICES		2	GRADE	26
(15)	L012	PHARMACIST II		2	GRADE	25
(16)	L124	PSYCHOLOGIST		2	GRADE	25
(17)	L096	SR PHARMACIST		3	GRADE	24
(18)	M178	DHS/DDS ASST SUPT - CONWAY		1	GRADE	23
(19)	R184	NURSING SERVICES UNIT MANAGER		6	GRADE	23
(20)	R058	DDS PERSONNEL MANAGER		1	GRADE	22
(21)	X338	ENGINEER, PE		1	GRADE	22
(22)	L078	NURSE SUPERVISOR		13	GRADE	22
(23)	A032	AGENCY FISCAL MANAGER		1	GRADE	22
(24)	809Z	DHS PLANNING & POLICY DEV COORD		1	GRADE	21
(25)	892Z	DHS INSTITUTION BUSINESS MANAGER		6	GRADE	21
(26)	697Z	DHS PRGM MANAGER		8	GRADE	21
(27)	A008	ACCOUNTING SUPERVISOR II		2	GRADE	21
(28)	A251	SR AUDITOR		1	GRADE	21
(29)	E023	DHS/DDS LANGUAGE DEVELOP SUPV		1	GRADE	21
(30)	E104	DHS/DDS ED & TRNG CONSULTANT		2	GRADE	21

1	(31)	L082	NURSING SERVICES SPECIALIST	3	GRADE 21
2	(32)	L090	OCCUPATIONAL THERAPY SUPERVISOR	1	GRADE 21
3	(33)	L122	PSYCHOLOGICAL EXAMINER II	17	GRADE 21
4	(34)	L030	DIETARY SERVICES DIRECTOR	1	GRADE 21
5	(35)	L019	NUTRITIONIST CONSULTANT	1	GRADE 21
6	(36)	M112	COTTAGE LIFE PROGRAM DIRECTOR	5	GRADE 21
7	(37)	L142	SPEECH PATHOLOGIST SUPV	3	GRADE 21
8	(38)	M046	DHS/DDS TEAM LEADER-CONWAY	5	GRADE 21
9	(39)	R326	QUALITY ASSURANCE COORDINATOR	5	GRADE 21
10	(40)	R488	GRANTS ADMIN SUPV	2	GRADE 21
11	(41)	R266	MANAGEMENT PROJECT ANALYST II	5	GRADE 20
12	(42)	R145	DHS PROGRAM COORDINATOR	4	GRADE 20
13	(43)	X311	DHS/DDS PRGM EVALUATOR SUPV	1	GRADE 20
14	(44)	Y116	MAINTENANCE SYSTEMS SUPV	1	GRADE 20
15	(45)	L140	SPEECH PATHOLOGIST II	15	GRADE 20
16	(46)	M013	DEVELOPMENTAL DISABILITIES SPEC II	44	GRADE 20
17	(47)	M016	SR CHAPLAIN	1	GRADE 20
18	(48)	M116	UTILIZATION REVIEW NURSE	2	GRADE 20
19	(49)	M128	DHS/DDS PRGM COORDINATOR	41	GRADE 20
20	(50)	M140	DHS/DDS TEAM LEADER	3	GRADE 20
21	(51)	M088	SOCIAL WORKER II	5	GRADE 20
22	(52)	L008	SR AUDIOLOGIST	1	GRADE 20
23	(53)	L070	NURSE II	34	GRADE 20
24	(54)	L088	OCCUPATIONAL THERAPIST II	2	GRADE 20
25	(55)	E114	STAFF DEVELOPMENT COORDINATOR	6	GRADE 20
26	(56)	E038	NURSE INSTRUCTOR	2	GRADE 20
27	(57)	G120	PLANT MAINTENANCE COORDINATOR	1	GRADE 20
28	(58)	E026	INSTITUTIONAL INSTRUCTOR SUPERVISOR	2	GRADE 20
29	(59)	B060	MEDICAL TECHNOLOGIST SUPERVISOR	1	GRADE 19
30	(60)	L028	DIETICIAN	2	GRADE 19
31	(61)	L120	PSYCHOLOGICAL EXAMINER I	2	GRADE 19
32	(62)	M086	SOCIAL WORKER I	6	GRADE 19
33	(63)	M154	DHS FIELD REPRESENTATIVE	2	GRADE 19
34	(64)	M044	DHS PRGM CONSULTANT	1	GRADE 19
35	(65)	M057	DHS/DDS FOSTER GRANDPARENT ADMR	1	GRADE 19
36	(66)	R168	GRANTS COORDINATOR II	8	GRADE 19

1	(67)	R030	ASST PERSONNEL MANAGER	1	GRADE 19
2	(68)	W012	MEDICAL RECORDS ADMINISTRATOR	1	GRADE 19
3	(69)	X309	DHS/DDS PRGM EVALUATOR	2	GRADE 19
4	(70)	V040	PURCHASE AGENT II/PURCHASE AGENT	5	GRADE 18
5	(71)	R264	MANAGEMENT PROJECT ANALYST I	3	GRADE 18
6	(72)	M050	RECREATIONAL ACTIVITY LEADER SUPV	3	GRADE 18
7	(73)	L138	SPEECH PATHOLOGIST I	1	GRADE 18
8	(74)	M082	SOCIAL SERVICE WORKER III	19	GRADE 18
9	(75)	M076	SOCIAL SERVICE REPRESENTATIVE III	1	GRADE 18
10	(76)	M078	DHS/DEMS SUPERVISOR	2	GRADE 18
11	(77)	M099	COTTAGE LIFE PROGRAM SUPERVISOR	18	GRADE 18
12	(78)	E037	LIBRARIAN II	2	GRADE 18
13	(79)	E024	INSTITUTIONAL INSTRUCTOR II	23	GRADE 18
14	(80)	H032	FOOD PRODUCTION MANAGER	6	GRADE 18
15	(81)	E050	STAFF DEVELOPMENT SPECIALIST II	2	GRADE 18
16	(82)	E072	TRAINING INSTRUCTOR	1	GRADE 18
17	(83)	E082	VOCATIONAL INSTRUCTOR II	1	GRADE 18
18	(84)	G028	BLDG PLANT MAINTENANCE SUPV II	5	GRADE 18
19	(85)	E086	HABILITATION/REHAB INSTRUCTOR II	135	GRADE 17
20	(86)	E022	INSTITUTIONAL INSTRUCTOR I	1	GRADE 17
21	(87)	B052	MEDICAL TECHNOLOGIST	2	GRADE 17
22	(88)	M102	VOCATIONAL PLAC & EVAL PROG COORD	1	GRADE 17
23	(89)	M095	VOLUNTEER PROGRAM DEVELOPER I	2	GRADE 17
24	(90)	M080	SOCIAL SERVICE WORKER II/SOC SVC WK	4	GRADE 17
25	(91)	R010	ADMINISTRATIVE ASSISTANT II	18	GRADE 17
26	(92)	R190	PERSONNEL OFFICER II	5	GRADE 17
27	(93)	Y107	WELDER	1	GRADE 17
28	(94)	X352	HLTH CARE ANALYST II	2	GRADE 17
29	(95)	Y053	JOURNEYMAN CARPENTER	9	GRADE 17
30	(96)	Y055	JOURNEYMAN ELECTRICIAN	6	GRADE 17
31	(97)	Y057	JOURNEYMAN PAINTER	6	GRADE 17
32	(98)	Y061	JOURNEYMAN PLUMBER	4	GRADE 17
33	(99)	Y065	JOURNEYMAN LOCKSMITH	1	GRADE 17
34	(100)	Y003	AUTO/DIESEL MECHANIC	3	GRADE 17
35	(101)	Y021	STATIONARY ENGINEER	9	GRADE 17
36	(102)	Y039	HEATING & A/C MECHANIC	5	GRADE 17

1	(103)	M141	DHS/DDS TEAM SHIFT COORDINATOR	18	GRADE 16
2	(104)	L153	X-RAY TECH SUPV/X-RAY TECH II	1	GRADE 16
3	(105)	L026	DENTAL HYGIENIST	1	GRADE 16
4	(106)	A053	INSURANCE SPECIALIST II	1	GRADE 16
5	(107)	A063	PAYROLL OFFICER	1	GRADE 15
6	(108)	A108	ACCOUNTING TECHNICIAN II	8	GRADE 15
7	(109)	A155	ICF COORDINATOR	6	GRADE 15
8	(110)	K011	ADMINISTRATIVE OFFICE SUPERVISOR	12	GRADE 15
9	(111)	L115	LPN II/LPTN II	132	GRADE 15
10	(112)	L061	LIFE SKILLS TRAINER SUPERVISOR	62	GRADE 15
11	(113)	L183	OCCUPATIONAL THERAPY ASSISTANT	2	GRADE 15
12	(114)	M048	RECREATIONAL ACTIVITY LEADER II	27	GRADE 15
13	(115)	R009	ADMINISTRATIVE ASSISTANT I	3	GRADE 15
14	(116)	V051	STOREROOM SUPV/STORE SUPV	4	GRADE 15
15	(117)	X350	HLTH CARE ANALYST I	1	GRADE 15
16	(118)	V039	PURCHASE AGENT I/ASST PURCHASE AGEN	4	GRADE 15
17	(119)	L184	DIETETIC TECHNICIAN	1	GRADE 14
18	(120)	M036	FOSTER GRANDPARENT SUPERVISOR	1	GRADE 14
19	(121)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	11	GRADE 14
20	(122)	K117	MEDICAL OR LEGAL SECRETARY	29	GRADE 14
21	(123)	G014	CHDC LAUNDRY OPERATIONS MANAGER	1	GRADE 14
22	(124)	H023	COMMISSARY MANAGER	1	GRADE 14
23	(125)	G139	WATER FILTER/WASTE DISPOS PLNT OPER	3	GRADE 13
24	(126)	H049	SUPERVISOR OF COOKING	5	GRADE 13
25	(127)	G115	NURSERY ASST & GROUNDSKEEPER SUPV	1	GRADE 13
26	(128)	E027	INSTITUTIONAL TEACHER ASSISTANT	88	GRADE 13
27	(129)	E017	INSTITUTION ASSISTANT LIBRARIAN	1	GRADE 13
28	(130)	K153	SECRETARY II	70	GRADE 13
29	(131)	L059	LIFE SKILLS TRAINER II	806	GRADE 13
30	(132)	L091	OCCUPATIONAL THERAPY WORKER	6	GRADE 13
31	(133)	L093	ORTHOTIST AIDE	5	GRADE 13
32	(134)	M067	SOCIAL SERVICE AIDE II	3	GRADE 13
33	(135)	M047	RECREATIONAL ACTIVITY LEADER I	1	GRADE 13
34	(136)	R125	PERSONNEL OFFICER	4	GRADE 13
35	(137)	K089	PERSONNEL ASSISTANT	2	GRADE 12
36	(138)	K039	DOCUMENT EXAMINER II	13	GRADE 12

1	(139)	C013	SWITCHBOARD OPERATOR SUPERVISOR	1	GRADE 12
2	(140)	H047	MEAT CUTTER II/BUTCHER II	1	GRADE 11
3	(141)	L025	DENTAL ASSISTANT	1	GRADE 11
4	(142)	L057	LIFE SKILLS TRAINER I	278	GRADE 11
5	(143)	K155	SECRETARY I	23	GRADE 11
6	(144)	Y001	APPRENTICE TRADESMAN	6	GRADE 11
7	(145)	V029	INVENTORY CONTROL CLERK	1	GRADE 10
8	(146)	K023	CLERICAL ASSISTANT	3	GRADE 10
9	(147)	K037	DOCUMENT EXAMINER I	4	GRADE 10
10	(148)	L097	PHARMACY ASST	2	GRADE 10
11	(149)	H027	COOK II	40	GRADE 10
12	(150)	H005	BAKER II	6	GRADE 10
13	(151)	G013	WAREHOUSE WORKER	3	GRADE 10
14	(152)	G006	MOTOR VEHICLE OPERATOR	5	GRADE 10
15	(153)	C011	SWITCHBOARD OPERATOR II	12	GRADE 09
16	(154)	L105	PHYSICAL THERAPY AIDE	5	GRADE 09
17	(155)	L089	OCCUPATIONAL THERAPY AIDE	1	GRADE 09
18	(156)	Y045	INSTITUTIONAL BEAUTICIAN	3	GRADE 09
19	(157)	L063	LIFE SKILLS TRAINER TRAINEE	8	GRADE 08
20	(158)	G010	LAUNDRY SUPERVISOR	5	GRADE 08
21	(159)	G039	CUSTODIAL SUPV II	4	GRADE 08
22	(160)	G045	EQUIPMENT OPERATOR	11	GRADE 08
23	(161)	G109	BLDG/EQUIP MAINT REPAIRMAN II	21	GRADE 08
24	(162)	H019	CANTEEN SUPERVISOR	2	GRADE 08
25	(163)	H025	COOK I	1	GRADE 08
26	(164)	H053	FOOD SERVICE WORKER III	10	GRADE 08
27	(165)	G177	MAINTENANCE WORKER SUPERVISOR	1	GRADE 07
28	(166)	G191	CLOTHING SHOP OPERATOR	1	GRADE 07
29	(167)	C009	SWITCHBOARD OPERATOR I	4	GRADE 07
30	(168)	K015	OFFICE CLERK	3	GRADE 07
31	(169)	H043	FOOD SERVICE WORKER II	41	GRADE 05
32	(170)	G175	MAINTENANCE WORKER II	6	GRADE 05
33	(171)	Y095	SEAMSTRESS II	1	GRADE 05
34	(172)	V049	STOCK CLERK II	6	GRADE 05
35	(173)	G035	CUSTODIAL WRKR II	81	GRADE 04
36	(174)	G008	LAUNDRY WORKER	27	GRADE 04

1	(175)	H039	FOOD SERVICE WORKER I	5	GRADE 03
2	(176)	G171	CUSTODIAL WRKR I	<u>3</u>	GRADE 03
3			MAX. NO. OF EMPLOYEES	2,591	

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5 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of  
6 Human Services - Division of Developmental Disabilities Services for the  
7 2005-2007 biennium, the following maximum number of part-time or temporary  
8 employees, to be known as "Extra Help", payable from funds appropriated  
9 herein for such purposes: two hundred eighty-nine (289) temporary or part-  
10 time employees, when needed, at rates of pay not to exceed those provided in  
11 the Uniform Classification and Compensation Act, or its successor, or this  
12 act for the appropriate classification.

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14 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA  
16 HELP - DEVELOPMENTAL DISABILITIES SERVICES. It is hereby authorized for the  
17 Department of Human Services - Division of Developmental Disabilities  
18 Services for the ~~2003-2005~~ 2005-2007 biennium, that of the extra help  
19 positions authorized herein for the Department of Human Services - Division  
20 of Developmental Disabilities Services, 89 of those positions, when utilized  
21 in a manner which is reimbursable under Title XIX or other federal funds, are  
22 specifically exempt from limitation of hours, either by Act or Regulation.

23 The provisions of this section shall be in effect only from July 1, ~~2003~~  
24 2005 through June 30, ~~2005~~ 2007.

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26 SECTION 4. APPROPRIATION - SPECIAL OLYMPICS. There is hereby appropriated,  
27 to the Department of Human Services - Division of Developmental Disabilities  
28 Services, to be payable from the Developmental Disabilities Services Fund  
29 Account, for grants to the Arkansas Special Olympics for the biennial period  
30 ending June 30, 2007, the following:

31	ITEM	FISCAL YEARS	
32	NO.	<u>2005-2006</u>	<u>2006-2007</u>
33	(01) GRANTS-SPECIAL OLYMPICS	<u>\$ 94,459</u>	<u>\$ 94,459</u>

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36 SECTION 5. APPROPRIATION - OPERATIONS. There is hereby appropriated, to

1 the Department of Human Services - Division of Developmental Disabilities  
 2 Services, to be payable from the paying account as determined by the Chief  
 3 Fiscal Officer of the State, for personal services and operating expenses of  
 4 the Department of Human Services - Division of Developmental Disabilities  
 5 Services for the biennial period ending June 30, 2007, the following:

7 ITEM	FISCAL YEARS	
8 NO.	2005-2006	2006-2007
9 (01) REGULAR SALARIES	\$ 66,819,841	\$ 68,875,812
10 (02) EXTRA HELP	4,178,972	4,178,972
11 (03) PERSONAL SERVICES MATCHING	23,498,539	23,903,031
12 (04) OVERTIME	202,360	202,360
13 (05) EXTRA SALARIES	9,000	9,000
14 (06) MAINT. & GEN. OPERATION		
15 (A) OPER. EXPENSE	17,097,871	17,097,871
16 (B) CONF. & TRAVEL	80,000	80,000
17 (C) PROF. FEES	298,698	298,698
18 (D) CAP. OUTLAY	900,000	900,000
19 (E) DATA PROC.	0	0
20 (07) GRANTS/PATIENT SERVICES	11,391,169	11,391,169
21 (08) FOSTER GRANDPARENTS STIPENDS	402,000	402,000
22 (09) DATA PURCHASE SERVICES	850,159	850,159
23 (10) VOCATIONAL TRAINEES	177,368	177,368
24 (11) CHILDREN AND ADOLESCENT SERVICES	67,529	67,529
25 (12) PURCHASE OF SERVICES	<u>6,651,453</u>	<u>6,651,453</u>
26 TOTAL AMOUNT APPROPRIATED	<u>\$ 132,624,959</u>	<u>\$ 135,085,422</u>

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28 SECTION 6. APPROPRIATION - COMMUNITY PROGRAMS. There is hereby  
 29 appropriated, to the Department of Human Services - Division of Developmental  
 30 Disabilities Services, to be payable from the Developmental Disabilities  
 31 Services-Dog Track Special Revenue Fund, for expenses of the private non-  
 32 profit community based programs licensed by the Department of Human Services  
 33 - Division of Developmental Disabilities Services for the biennial period  
 34 ending June 30, 2007, the following:

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36 ITEM	FISCAL YEARS	
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NO.	2005-2006	2006-2007
(01) COMMUNITY PROGRAMS	\$ 50,000	\$ 50,000

SECTION 7. APPROPRIATION - GRANTS-IN-AID. There is hereby appropriated, to the Department of Human Services - Division of Developmental Disabilities Services, to be payable from the Developmental Disabilities Services Fund Account, for grants-in-aid to the community providers of services to the developmentally disabled of the Department of Human Services - Division of Developmental Disabilities Services for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) GRANTS TO COMMUNITY PROVIDERS	\$ 15,446,362	\$ 15,909,753

SECTION 8. APPROPRIATION - INTER-DIVISIONAL PROGRAMS. There is hereby appropriated, to the Department of Human Services - Division of Developmental Disabilities Services, to be payable from the Developmental Disabilities Services Fund Account, for integrated services and programs developed by the various divisions, for services and programs developed in conjunction with other state agencies and for the development and implementation of an integrated case management system for the Department of Human Services for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) INTER-DIVISIONAL PROGRAMS	\$ 441,469	\$ 441,469

SECTION 9. APPROPRIATION - GRANTS - STATE. There is hereby appropriated, to the Department of Human Services - Division of Developmental Disabilities Services, to be payable from the Department of Human Services Grants Fund Account, for grant payments of the Department of Human Services - Division of Developmental Disabilities Services for the biennial period ending June 30, 2007, the following:

ITEM	FISCAL YEARS
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NO.	2005-2006	2006-2007
(01) CHILDREN'S MEDICAL SERVICES	\$ 1,729,279	\$ 1,729,279

SECTION 10. APPROPRIATION - GRANTS - FEDERAL. There is hereby appropriated, to the Department of Human Services - Division of Developmental Disabilities Services, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for federally funded grants of the Department of Human Services - Division of Developmental Disabilities Services for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) CHILDREN'S MEDICAL SERVICES-FEDERAL	\$ 1,377,338	\$ 1,377,338

SECTION 11. APPROPRIATION - BOONEVILLE HUMAN DEVELOPMENT CENTER. There is hereby appropriated, to the Department of Human Services - Division of Developmental Disabilities Services, to be payable from the General Improvement Fund or its successor fund or fund accounts, the following:

(A) For improvements to the Booneville Human Development Center, the sum of .....\$100,000.

SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DEVELOPMENTAL DISABILITIES - GRANTS TO COMMUNITY BASED PROVIDERS. Funds allocated under the appropriation for community-based services, for Grants to Community Providers, in the Developmental Disabilities Services - Grants-in-Aid appropriation in this act shall be used only to provide services through private community based services licensed or certified by the Arkansas Division of Developmental Disabilities Services (DDS). Non-profit community-based programs licensed by the Division of Developmental Disabilities Services are quasi-governmental instrumentalities of the state which provide supports and services to individuals who have a developmental disability or delay, who would otherwise require supports and services through state-operated programs and facilities owned by the State of Arkansas. When DDS licensed providers are involved in delivering services which are Medicaid reimbursable, they must enroll as a provider with the Arkansas Medicaid

1 Program and must bill the Arkansas Medicaid Program for all covered services  
2 for eligible individuals.

3 Services which are covered by the Arkansas State Medicaid Program or under  
4 the Alternative Community Services Waiver Program (ACS) will be utilized to  
5 the maximum extent possible for any individual who is eligible for Medicaid  
6 coverage. It is the intent of this section that DDS, as a general policy,  
7 maximize the use of Medicaid funding available for appropriate services.

8 The State shall require each provider funded from this Appropriation for  
9 community based services, including funding from the Grants/Patient Services  
10 Line, in the Developmental Disabilities Services - Operations appropriation,  
11 ~~the Early Intervention Line, in the Developmental Disabilities Services -~~  
12 ~~Operations appropriation,~~ or from the Grants to Community Providers Line, in  
13 the Developmental Disabilities Services - Grants-in-Aid appropriation, to  
14 screen each individual to whom services are provided for a determination of  
15 eligibility or ineligibility for Medicaid coverage within thirty days of the  
16 first date that services are provided. It is the intent of this section to  
17 insure that wherever possible and appropriate, Medicaid funds are utilized  
18 for covered or waived services to individuals who are eligible for coverage  
19 under the Arkansas Medicaid Program or the ACS Waiver.

20 Nothing in this Act shall prevent the Division or any provider from  
21 extending emergency services when appropriate measures have been taken in a  
22 timely manner to secure Medicaid eligibility.

23 *In the event that components of community-based services now funded*  
24 *from state and/or federal funds are extended to unserved or underserved areas*  
25 *of the state, or in the event that new services categories/codes are made*  
26 *available, to be funded from state and/or federal funds all non-profit*  
27 *community programs licensed by the Division of Developmental Disabilities*  
28 *Services shall be granted an opportunity to make application to expand their*  
29 *service base to unserved or underserved areas or shall be granted an*  
30 *opportunity to make application to offer new services that the State intends*  
31 *to offer. When the Division of Developmental Disabilities Services*  
32 *determines that state and/or federal funding for new or expanded services are*  
33 *to be available, it shall ~~develop a Request for Proposal (RFP) process which~~*  
34 *~~includes a provision to provide~~ written notice by certified mail of its*  
35 *intent to existing licensed providers who are already providing services.*  
36 *~~and to the general public.~~ If no existing licensed providers respond in*

1 writing to Division of Developmental Disabilities Services within thirty days  
2 that they will provide the new or expanded services, Division of  
3 Developmental Disabilities Services shall provide notice to the general  
4 public that a new entity will be allowed to develop services and obtain  
5 licensure to provide the new or expanded services. Nothing in this Act shall  
6 restrict the Division's discretion to award new or expanded services to the  
7 existing community based service licensed providers making application for  
8 the same pursuant to this section. The intent of this section is to avoid  
9 unnecessary duplication of administrative costs and services in the extension  
10 or expansion of services.

11 The provisions of this section shall be in effect only from July 1, ~~2003~~  
12 2005 through June 30, ~~2005~~ 2007.

13  
14 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
16 DEVELOPMENTAL DISABILITIES - VOCATIONAL TRAINEES. The Division of  
17 Developmental Disabilities Services of the Department of Human Services is  
18 hereby authorized for the ~~2003-2005~~ 2005-2007 biennium to provide employment  
19 opportunities for people with developmental disabilities residing at the  
20 Human Development Centers who work less than a competitive employment level.

21 The provisions of this section shall be in effect only from July 1, ~~2003~~  
22 2005 through June 30, ~~2005~~ 2007.

23  
24 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
26 DEVELOPMENTAL DISABILITIES - CARRY FORWARD. The unexpended balances in  
27 appropriations made from federal funds, for Developmental Disabilities, as  
28 provided for in this Act on June 30, ~~2004~~ 2006 shall be carried forward and  
29 made available for expenditures for the same purpose for the fiscal year  
30 ending June 30, ~~2005~~ 2007.

31 The provisions of this section shall be in effect only from July 1, ~~2003~~  
32 2005 through June 30, ~~2005~~ 2007.

33  
34 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GRANTS IN  
36 AID-CONDITIONS FOR RECEIVING FUNDS. Private nonprofit community based

1 programs licensed by the Department of Human Services, Developmental  
2 Disabilities Services, are eligible to receive funds appropriated for Grants  
3 to Community Providers in the Developmental Disabilities Services - Grants-  
4 in-Aid appropriation of this Act, and as a condition of receiving such funds  
5 they shall:

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

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

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

13 4. Establish and maintain community support programs designed to provide  
14 coordinated care and treatment to ensure ongoing involvement and  
15 individualized services for persons with disabilities. Every community  
16 support program shall provide services for persons with disabilities who  
17 reside within the respective area of the program.

18 The provisions of this section shall be in effect only from July 1, ~~2003~~  
19 2005 through June 30, ~~2005~~ 2007.

20

21 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
23 DEVELOPMENTAL DISABILITIES – TIMBER AND LAND SALES PROCEEDS - CAPITAL  
24 IMPROVEMENTS AND EQUIPMENT. The Division of Developmental Disabilities  
25 Services is authorized to have cash fund accounts for capital improvements to  
26 physical plants and for the purchase of capital equipment, and for the  
27 operation of the six human development centers operated by the Department of  
28 Human Services, Division of Developmental Disabilities Services. The cash  
29 funds shall be held by the Department of Human Services, Division of  
30 Developmental Disabilities Services from the proceeds of the sale of land and  
31 the sale of timber that may be harvested from land owned by the Division of  
32 Developmental Disabilities Services. The sale of land and the harvesting of  
33 timber is specifically authorized to provide funds to finance capital  
34 improvements to the physical plants, for the purchase of major capital  
35 equipment, and for the operation of any of the six human development centers  
36 from which the land or timber is sold.

1 The Division of Developmental Disabilities Services shall report all income  
2 derived from the sale of land and timber management to the Chief Fiscal  
3 Officer of the State and the Arkansas Legislative Council. Any contracts  
4 initiated for the sale of land or the harvesting of timber shall be submitted  
5 to the Review Subcommittee of the Arkansas Legislative Council for prior  
6 review. All expenditures of funds derived from the sale of land and the sale  
7 of timber will be expended in accordance with relevant state purchasing laws.

8 The provisions of this section shall be in effect only from July 1, ~~2003~~  
9 2005 through June 30, ~~2005~~ 2007.

10  
11 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HUMAN  
13 DEVELOPMENT CENTERS AND COMMUNITY PROVIDERS.

14 (A) The Developmental Disabilities Services Board or the Department of Human  
15 Services shall not close any of the state administered Human Development  
16 Centers that provide therapy and residential services.

17 (B) The Department of Human Services shall continue to accept clients for  
18 whom it has determined that therapy and residential services are needed at  
19 state administered Human Development Centers and Community Programs licensed  
20 by DDS shall continue to accept clients for whom it has been determined in  
21 accordance with federal law that are in need of services in the community.

22 (C) Except for use as federal matching funds, no funds for community based  
23 services licensed by DDS shall be transferred from Grants to Community  
24 Providers line item of the Developmental Disabilities Services - Grants-in-  
25 Aid appropriation unless the transfer(s) directly benefits community based  
26 services for persons with developmental disabilities or from the  
27 appropriation for the Human Development Centers unless the transfer(s)  
28 directly benefits the Human Development Centers.

29 (D) Nor shall any general revenue funding as of March 1, ~~2003~~ 2005 from the  
30 Grants to Community Providers line item of the Developmental Disabilities  
31 Services - Grants-in-Aid appropriation for persons with developmental  
32 disabilities or from any other general revenues as of March 1, ~~2003~~ 2005,  
33 applied as federal matching funds for community based services licensed by  
34 DDS on March 1, ~~2003~~ 2005 be reduced below the approved funding level on  
35 March 1, ~~2003~~ 2005; nor shall the general revenues applied as federal  
36 matching funds for the Human Development Centers be reduced below the

1 approved funding level on March 1, ~~2003~~ 2005.

2  
3 *SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*  
4 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GRANTS TO*  
5 *COMMUNITY PROVIDERS. (a) Of the total amount appropriated each fiscal year*  
6 *for Grants to Community Providers by Section 7 of this Act, five million*  
7 *dollars (\$5,000,000) in fiscal year 2005-2006 and five million four hundred*  
8 *sixty three thousand three hundred ninety one dollars (\$5,463,391) in fiscal*  
9 *year 2006-2007 shall first be used for Medicaid match for rate increases, for*  
10 *adult developmental day treatment clinic services and pre-school for*  
11 *individuals being served in community-based programs licensed by the Division*  
12 *of Developmental Disabilities Services of the Department of Human Services.*

13  
14 *(b) Of the amounts specified in subsection (a) of this section each fiscal*  
15 *year, any unexpended balance of funds that may remain after complying with*  
16 *the provisions of subsection (a) shall be used for matching funds for rate*  
17 *increases for developmental day treatment clinic services transportation*  
18 *provided by developmental day treatment clinic services licensed by the*  
19 *Division of Developmental Disabilities Services, and for matching funds for*  
20 *rate increases for Developmental Disabilities Services Home and Community*  
21 *Services, Group Home and Apartment Conversion Waiver Beds.*

22  
23 *The legislative intent of this section is to enable the Department of Human*  
24 *Services - Division of Disabilities Services to provide a rate increase*  
25 *during the 2005-06 fiscal year of not less than ten percent (10%) of the*  
26 *current rates, and to provide an additional three percent (3%) rate increase*  
27 *during the 2006-2007 fiscal year for adult developmental day treatment clinic*  
28 *services and preschool developmental day treatment clinic services provided*  
29 *by community-based programs licensed by the Division of Developmental*  
30 *Disabilities Division of the Department of Human Services which function as*  
31 *governmental instrumentalities of the state to provide individuals with*  
32 *developmental disabilities a viable option to institutional care.*

33  
34 *Further, if funds remain after complying with (a) herein, it is the*  
35 *legislative intent of this section to ensure that the rate for developmental*  
36 *day treatment clinic service transportation is increased above the current*

1 rate established in 2001, and to increase the Home and Community Based  
2 Services Group and Apartment Conversion Waiver Bed rates set in 1995.

3  
4 Any funds not applied for matching Medicaid rate increases are to be  
5 disbursed to community-based programs as supplemental funds to the Grants to  
6 Community Provider contracts. The additional funding provided by this  
7 provision shall supplement and not supplant any monies currently funding  
8 services in community based programs.

9  
10 The requirements in this section shall only be implemented in accordance  
11 with any necessary approval by the Centers for Medicare and Medicaid  
12 Services, and in the event that additional general revenue funding is  
13 provided by the General Assembly for these purposes. Should additional  
14 funding provided for these purposes be insufficient to provide for the  
15 increases in full, the increases shall be provided to the extent that funding  
16 is made available.

17  
18 The provisions of this section shall be in effect only from July 1, 2005  
19 through June 30, 2007.

20  
21 SECTION 19. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
22 by this act shall be limited to the appropriation for such agency and funds  
23 made available by law for the support of such appropriations; and the  
24 restrictions of the State Procurement 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  
27 control laws of this State, where applicable, and regulations promulgated by  
28 the Department of Finance and Administration, as authorized by law, shall be  
29 strictly complied with in disbursement of said funds.

30  
31 SECTION 20. LEGISLATIVE INTENT. It is the intent of the General Assembly  
32 that any funds disbursed under the authority of the appropriations contained  
33 in this act shall be in compliance with the stated reasons for which this act  
34 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
35 and Legislative Recommendations contained in the budget manuals prepared by  
36 the Department of Finance and Administration, letters, or summarized oral

1 testimony in the official minutes of the Arkansas Legislative Council or  
2 Joint Budget Committee which relate to its passage and adoption.

3  
4 SECTION 21. EMERGENCY CLAUSE. It is found and determined by the General  
5 Assembly, that the Constitution of the State of Arkansas prohibits the  
6 appropriation of funds for more than a two (2) year period; that the  
7 effectiveness of this Act on July 1, 2005 is essential to the operation of  
8 the agency for which the appropriations in this Act are provided, and that in  
9 the event of an extension of the Regular Session, the delay in the effective  
10 date of this Act beyond July 1, 2005 could work irreparable harm upon the  
11 proper administration and provision of essential governmental programs.  
12 Therefore, an emergency is hereby declared to exist and this Act being  
13 necessary for the immediate preservation of the public peace, health and  
14 safety shall be in full force and effect from and after July 1, 2005.

15  
16 */s/ Joint Budget Committee*

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19 *APPROVED: 4/13/2005*  
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