

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 2300 of the Regular Session**

*As Engrossed: H2/21/05 H4/1/05*

**A Bill**

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

HOUSE BILL 1343

4  
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 AGING  
12 AND ADULT SERVICES FOR THE BIENNIAL PERIOD ENDING  
13 JUNE 30, 2007; AND FOR OTHER PURPOSES.  
14

**Subtitle**

15  
16 AN ACT FOR THE DEPARTMENT OF HUMAN  
17 SERVICES - DIVISION OF AGING AND ADULT  
18 SERVICES APPROPRIATION FOR THE 2005-2007  
19 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 Aging and Adult Services for the  
27 2005-2007 biennium, the following maximum number of regular employees whose  
28 salaries shall be governed by the provisions of the Uniform Classification  
29 and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor,  
30 and all laws amendatory thereto. Provided, however, that any position to  
31 which a specific maximum annual salary is set out herein in dollars, shall be  
32 exempt from the provisions of said Uniform Classification and Compensation  
33 Act. All persons occupying positions authorized herein are hereby governed  
34 by the provisions of the Regular Salaries Procedures and Restrictions Act  
35 (Arkansas Code §21-5-101), or its successor.



				Maximum	Maximum Annual	
				No. of	Salary Rate	
	Item	Class			Fiscal Years	
	No.	Code	Title	Employees	2005-2006	2006-2007
6	(1)	8868	DHS DEPUTY DIRECTOR ADULT SERVICES	1	\$96,708	\$99,068
7	(2)	8960	AGING & ADULT SVCS ASST DEP DIR	1	\$65,358	\$67,149
8	(3)	8930	AGING & ADULT SVCS ASST DEP DIR	1	\$63,284	\$65,036
9	(4)	923Z	DHS PRGM ADMINISTRATOR	7	GRADE 23	
10	(5)	L019	NUTRITIONIST CONSULTANT	1	GRADE 21	
11	(6)	L082	NURSING SERVICES SPECIALIST	3	GRADE 21	
12	(7)	697Z	DHS PRGM MANAGER	2	GRADE 21	
13	(8)	R115	OFFICE ON AGING PROGRAM SUPERVISOR	8	GRADE 21	
14	(9)	M127	SR REHABILITATION COUNSELOR	4	GRADE 20	
15	(10)	M005	FAMILY SERVICE WORKER SPECIALIST	21	GRADE 20	
16	(11)	L070	NURSE II	43	GRADE 20	
17	(12)	R266	MANAGEMENT PROJECT ANALYST II	7	GRADE 20	
18	(13)	M086	SOCIAL WORKER I	2	GRADE 19	
19	(14)	R134	PLANNING SPECIALIST II	1	GRADE 18	
20	(15)	R264	MANAGEMENT PROJECT ANALYST I	1	GRADE 18	
21	(16)	D034	PROGRAMMER ANALYST	1	GRADE 18	
22	(17)	R010	ADMINISTRATIVE ASSISTANT II	7	GRADE 17	
23	(18)	M079	SOCIAL SERVICE WORKER I	1	GRADE 15	
24	(19)	K153	SECRETARY II	<u>5</u>	GRADE 13	
25			MAX. NO. OF EMPLOYEES	117		

26

27 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of  
 28 Human Services - Division of Aging and Adult Services for the 2005-2007  
 29 biennium, the following maximum number of part-time or temporary employees,  
 30 to be known as "Extra Help", payable from funds appropriated herein for such  
 31 purposes: eighteen (18) temporary or part-time employees, when needed, at  
 32 rates of pay not to exceed those provided in the Uniform Classification and  
 33 Compensation Act, or its successor, or this act for the appropriate  
 34 classification.

35

36 SECTION 3. APPROPRIATION - MEALS ON WHEELS. There is hereby appropriated,

1 to the Department of Human Services - Division of Aging and Adult Services,  
 2 to be payable from the Aging and Adult Services Fund Account, for the Meals  
 3 on Wheels Program and transportation services for the elderly of the  
 4 Department of Human Services - Division of Aging and Adult Services for the  
 5 biennial period ending June 30, 2007, the following:

7 ITEM	FISCAL YEARS	
8 <u>NO.</u>	2005-2006	2006-2007
9 (01) TRANSPORTATION SERVICES	\$ <u>3,500,000</u>	\$ <u>3,500,000</u>

10

11 SECTION 4. APPROPRIATION - OPERATIONS. There is hereby appropriated, to  
 12 the Department of Human Services - Division of Aging and Adult Services, to  
 13 be payable from the paying account as determined by the Chief Fiscal Officer  
 14 of the State, for personal services and operating expenses of the Department  
 15 of Human Services - Division of Aging and Adult Services for the biennial  
 16 period ending June 30, 2007, the following:

17

18 ITEM	FISCAL YEARS	
19 <u>NO.</u>	2005-2006	2006-2007
20 (01) REGULAR SALARIES	\$ 4,781,222	\$ 4,922,485
21 (02) EXTRA HELP	140,868	140,868
22 (03) PERSONAL SERVICES MATCHING	1,403,580	1,431,387
23 (04) OVERTIME	1,200	1,200
24 (05) MAINT. & GEN. OPERATION		
25 (A) OPER. EXPENSE	1,282,613	1,282,613
26 (B) CONF. & TRAVEL	55,000	55,000
27 (C) PROF. FEES	1,651,795	1,651,795
28 (D) CAP. OUTLAY	0	0
29 (E) DATA PROC.	0	0
30 (06) PROJECT GRANTS	14,473,645	14,473,645
31 (07) RETIRED & SENIOR VOLUNTEER PROGRAM	75,000	75,000
32 (08) NURSING HOME CARE ALTERNATIVES	12,121,709	12,121,709
33 (09) COMMUNITY BASED CARE	121,970	121,970
34 (10) OLDER WORKER PROGRAM	1,132,006	1,132,006
35 (11) NUTRITION PROGRAMS	9,508,750	9,508,750
36 (12) PURCHASE DATA PROCESSING	30,000	30,000

1	(13) SENIOR CITIZEN CENTERS	<u>5,000,000</u>	<u>5,000,000</u>
2	TOTAL AMOUNT APPROPRIATED	<u>\$ 51,779,358</u>	<u>\$ 51,948,428</u>

3  
 4 SECTION 5. APPROPRIATION - ARKANSAS SENIOR OLYMPICS. There is hereby  
 5 appropriated, to the Department of Human Services - Division of Aging and  
 6 Adult Services, to be payable from the Aging and Adult Services Fund Account,  
 7 for matching funds for the Arkansas Senior Olympics of the Department of  
 8 Human Services - Division of Aging and Adult Services for the biennial period  
 9 ending June 30, 2007, the following:

10	ITEM	FISCAL YEARS	
11			
12	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
13	(01) STATE MATCH	<u>\$ 70,000</u>	<u>\$ 70,000</u>

14  
 15 SECTION 6. APPROPRIATION - BLUE AND YOU GRANT. There is hereby  
 16 appropriated, to the Department of Human Services - Division of Aging and  
 17 Adult Services, to be payable from the cash fund deposited in the State  
 18 Treasury as determined by the Chief Fiscal Officer of the State, for grants  
 19 and aid by the Blue and You Foundation of the Department of Human Services -  
 20 Division of Aging and Adult Services for the biennial period ending June 30,  
 21 2007, the following:

22	ITEM	FISCAL YEARS	
23			
24	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
25	(01) BLUE & YOU GRANT	<u>\$ 300,000</u>	<u>\$ 300,000</u>

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 27 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND  
 29 ADULT SERVICES - CARRY FORWARD. Any unexpended balance of funds and  
 30 appropriation authorized ~~in Section 3~~ for elderly transportation including  
 31 the Meals on Wheels Program which remains at the close of the fiscal year  
 32 ending June 30, ~~2003~~ 2005 or June 30, ~~2004~~ 2006 or both, shall be carried  
 33 forward into the next fiscal year, there to be used for the same purpose.

34 The provisions of this section shall be in effect only from July 1, ~~2003~~  
 35 2005 through June 30, ~~2005~~ 2007.

36

1 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND  
3 ADULT SERVICES - MATCHING FUNDS. The funds appropriated for state match for  
4 the Arkansas Senior Olympics Program in this Act shall be paid on a two-to-  
5 one state/local matching basis. The Senior Arkansas Sports Organization must  
6 certify its portion of the match to the Division of Aging and Adult Services  
7 before any funds appropriated for state match for the Arkansas Senior  
8 Olympics Program in this Act are disbursed.

9 The provisions of this section shall be in effect only from July 1, ~~2003~~  
10 2005 through June 30, ~~2005~~ 2007.

11  
12 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND  
14 ADULT SERVICES - STATE MATCH AUTHORIZED. The Director of the Department of  
15 Human Services is authorized to use State funds appropriated in this Act to  
16 match Federal funds available under Title III and Title V of the Older  
17 Americans Act, Social Services Block Grant, or such other federal funds as  
18 may become available.

19 The provisions of this section shall be in effect only from July 1, ~~2003~~  
20 2005 through June 30, ~~2005~~ 2007.

21  
22 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND  
24 ADULT SERVICES - GRANT/CONTRACT DISBURSEMENT GUIDELINES. All appropriations  
25 for state and federal funding contained herein for the Division of Aging and  
26 Adult Services and that are distributed under grant or contract methodologies  
27 may be disbursed by the Department of Human Services in the same manner as  
28 authorized under federal regulations for the disbursement of Title III Older  
29 Americans Act funds. Otherwise, all disbursements shall comply with the  
30 provisions of this Act.

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 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND  
36 ADULT SERVICES - NURSING HOME CARE ALTERNATIVES. Funding for "Nursing Home

1 Care Alternatives", as it appears in the Aging and Adult Services -  
2 Operations appropriation may be used for home delivered meals, adult day  
3 care, homemaker/chore, respite care, personal care, health promotion, and  
4 other community based activities. These funds may also be used to match  
5 Medicaid community based programs.

6 The provisions of this section shall be in effect only from July 1, 2003  
7 2005 through June 30, ~~2005~~ 2007.

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9 *SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*  
10 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SENIOR*  
11 *CITIZEN CENTERS. The five million dollars (\$5,000,000) appropriated each*  
12 *fiscal year in this act for Senior Citizen Centers shall be distributed in*  
13 *the same manner as the funding formula requirements set out in the federal*  
14 *Older Americans Act funding law. The additional funding provided by this*  
15 *provision shall supplement and not supplant any monies currently funding*  
16 *services for Senior Citizen Centers.*

17 *The requirements in this section shall only be implemented in accordance*  
18 *with any necessary approval by the Centers for Medicare and Medicaid*  
19 *Services, and in the event that additional general revenue funding is*  
20 *provided by the General Assembly for these purposes. Should additional*  
21 *funding provided for these purposes be insufficient to provide for the*  
22 *increases in full, the increases shall be provided to the extent that funding*  
23 *is made available.*

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

26

27 *SECTION 13. COMPLIANCE WITH OTHER LAWS.* Disbursement of funds authorized  
28 by this act shall be limited to the appropriation for such agency and funds  
29 made available by law for the support of such appropriations; and the  
30 restrictions of the State Procurement Law, the General Accounting and  
31 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
32 Procedures and Restrictions Act, or their successors, and other fiscal  
33 control laws of this State, where applicable, and regulations promulgated by  
34 the Department of Finance and Administration, as authorized by law, shall be  
35 strictly complied with in disbursement of said funds.

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1 SECTION 14. LEGISLATIVE INTENT. It is the intent of the General Assembly  
 2 that any funds disbursed under the authority of the appropriations contained  
 3 in this act shall be in compliance with the stated reasons for which this act  
 4 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
 5 and Legislative Recommendations contained in the budget manuals prepared by  
 6 the Department of Finance and Administration, letters, or summarized oral  
 7 testimony in the official minutes of the Arkansas Legislative Council or  
 8 Joint Budget Committee which relate to its passage and adoption.

9  
 10 SECTION 15. 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, 2005 is essential to the operation of  
 14 the agency for which the appropriations in this Act are provided, and that in  
 15 the event of an extension of the Regular Session, the delay in the effective  
 16 date of this Act beyond July 1, 2005 could work irreparable harm upon the  
 17 proper administration and provision of essential governmental programs.  
 18 Therefore, an emergency is hereby declared to exist and this Act being  
 19 necessary for the immediate preservation of the public peace, health and  
 20 safety shall be in full force and effect from and after July 1, 2005.

21  
 22 /s/ Joint Budget Committee

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 25 APPROVED: 4/14/2005

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