

**Stricken language will be deleted and underlined language will be added.
Act 275 of the Fiscal Session**

1 State of Arkansas
2 87th General Assembly
3 Fiscal Session, 2010

A Bill

SENATE BILL 27

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
12 DEVELOPMENTAL DISABILITIES SERVICES FOR THE
13 FISCAL YEAR ENDING JUNE 30, 2011; AND FOR OTHER
14 PURPOSES.

Subtitle

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16
17 AN ACT FOR THE DEPARTMENT OF HUMAN
18 SERVICES - DIVISION OF DEVELOPMENTAL
19 DISABILITIES SERVICES APPROPRIATION FOR
20 THE 2010-2011 FISCAL YEAR.
21
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for
27 the Department of Human Services - Division of Developmental Disabilities
28 Services for the 2010-2011 fiscal year, the following maximum number of
29 regular employees whose salaries shall be governed by the provisions of the
30 Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et
31 seq.), or its successor, and all laws amendatory thereto. Provided, however,
32 that any position to which a specific maximum annual salary is set out herein
33 in dollars, shall be exempt from the provisions of said Uniform
34 Classification and Compensation Act. All persons occupying positions
35 authorized herein are hereby governed by the provisions of the Regular
36 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its

1 successor.

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				Maximum	Maximum Annual
				No. of	Salary Rate
Item	Class				Fiscal Year
No.	Code	Title		Employees	2010-2011
(1)	L008N	PHYSICIAN SPECIALIST		7	GRADE N917
(2)	L011N	DENTIST		3	GRADE N916
(3)	N020N	DHS DDS COMMISSIONER		1	GRADE N910
(4)	N081N	DHS DDS SUPT HDC/CONWAY		1	GRADE N907
(5)	N086N	DHS DDS DIR EVAL PLAN & MGMT SYSTEM		1	GRADE N906
(6)	L017N	DHS ALEXANDER CHIEF PSYCHOLOGIST		1	GRADE N905
(7)	N110N	DHS ASST DIR CONTRACT MONITORING UN		1	GRADE N905
(8)	N126N	DHS DDS SUPT HDC		5	GRADE N904
(9)	L018N	NURSE PRACTITIONER		1	GRADE N904
(10)	N145N	DHS ASSISTANT DIRECTOR CMS		1	GRADE N902
(11)	N144N	DHS DDS DIR CLIENT SERVICES		1	GRADE N902
(12)	N143N	DHS DDS DIVISION MANAGER		1	GRADE N902
(13)	L001C	PSYCHOLOGIST SUPERVISOR		1	GRADE C129
(14)	L003C	PSYCHOLOGIST		2	GRADE C127
(15)	M005C	DHS ASSISTANT SUPERINTENDENT - CONWAY		1	GRADE C125
(16)	L009C	NURSE MANAGER		6	GRADE C125
(17)	L015C	CLINICAL SPEECH PATHOLOGIST		11	GRADE C124
(18)	L019C	REGISTERED NURSE COORDINATOR		6	GRADE C123
(19)	G099C	DHS PROGRAM ADMINISTRATOR		7	GRADE C122
(20)	L027C	REGISTERED NURSE SUPERVISOR		14	GRADE C122
(21)	A050C	AGENCY FISCAL MANAGER		1	GRADE C121
(22)	M009C	LICENSED CERTIFIED SOCIAL WORKER		3	GRADE C121
(23)	L036C	NURSE INSTRUCTOR		1	GRADE C121
(24)	R014C	PERSONNEL MANAGER		1	GRADE C121
(25)	L033C	PSYCHOLOGICAL EXAMINER		22	GRADE C121
(26)	M016C	DHS FIELD MANAGER		1	GRADE C120
(27)	A055C	DHS INSTITUTION BUSINESS MANAGER		7	GRADE C120
(28)	L040C	DIETARY SERVICES DIRECTOR		1	GRADE C120
(29)	E026C	EDUCATION & INSTRUCTION COORDINATOR		3	GRADE C120
(30)	L038C	REGISTERED NURSE		33	GRADE C120

1	(31)	E024C	TEACHER SUPERVISOR	2	GRADE C120
2	(32)	E023C	TRAINING PROJECT MANAGER	1	GRADE C120
3	(33)	L045C	AUDIOLOGIST	1	GRADE C119
4	(34)	R021C	BUDGET ANALYST	1	GRADE C119
5	(35)	G152C	DHS PROGRAM MANAGER	20	GRADE C119
6	(36)	G147C	GRANTS COORDINATOR	1	GRADE C119
7	(37)	A065C	PAYROLL SERVICES COORDINATOR	1	GRADE C119
8	(38)	X062C	QUALITY ASSURANCE COORDINATOR	3	GRADE C119
9	(39)	A060C	SENIOR AUDITOR	1	GRADE C119
10	(40)	R024C	ASST PERSONNEL MANAGER	1	GRADE C118
11	(41)	E038C	EDUCATION & INSTRUCTION ANALYST	1	GRADE C118
12	(42)	A074C	FISCAL SUPPORT SUPERVISOR	1	GRADE C118
13	(43)	M026C	LICENSED SOCIAL WORKER	7	GRADE C118
14	(44)	L047C	MEDICAL TECHNOLOGIST SUPERVISOR	1	GRADE C118
15	(45)	M025C	PROGRAM ELIGIBILITY COORDINATOR I	1	GRADE C118
16	(46)	M024C	RESIDENTIAL SERVICES MANAGER	17	GRADE C118
17	(47)	V013C	CENTRAL WAREHOUSE OPERATIONS MGR	2	GRADE C117
18	(48)	E044C	CERTIFIED BACHELORS TEACHER	17	GRADE C117
19	(49)	G183C	DHS PROGRAM COORDINATOR	66	GRADE C117
20	(50)	G182C	DHS/DDS PROGRAM COORDINATOR	40	GRADE C117
21	(51)	L055C	DIETICIAN	1	GRADE C117
22	(52)	S019C	DIRECTOR MAINTENANCE	1	GRADE C117
23	(53)	G180C	GRANTS ANALYST	5	GRADE C117
24	(54)	R025C	HUMAN RESOURCES ANALYST	2	GRADE C117
25	(55)	S017C	MAINTENANCE COORDINATOR	1	GRADE C117
26	(56)	X095C	QUALITY ASSURANCE ANALYST	1	GRADE C117
27	(57)	E041C	SENIOR LIBRARIAN	2	GRADE C117
28	(58)	X094C	SERVICES & PROGRAM LICENSING SPECIAL	17	GRADE C117
29	(59)	E040C	STAFF DEVELOPMENT COORDINATOR	5	GRADE C117
30	(60)	V014C	BUYER	2	GRADE C116
31	(61)	E048C	EDUCATION & INSTRUCTION SPECIALIST	1	GRADE C116
32	(62)	C037C	ADMINISTRATIVE ANALYST	4	GRADE C115
33	(63)	R033C	BENEFITS ANALYST	1	GRADE C115
34	(64)	M057C	CHAPLAIN	1	GRADE C115
35	(65)	D079C	COMPUTER SUPPORT TECHNICIAN	3	GRADE C115
36	(66)	G210C	DHS PROGRAM SPECIALIST	29	GRADE C115

1	(67)	S033C	MAINTENANCE SUPERVISOR	5	GRADE C115
2	(68)	C028C	MEDICAL RECORDS SUPERVISOR	1	GRADE C115
3	(69)	L061C	MEDICAL TECHNOLOGIST	2	GRADE C115
4	(70)	A090C	PAYROLL SERVICES SPECIALIST	1	GRADE C115
5	(71)	V015C	PURCHASING SPECIALIST	4	GRADE C115
6	(72)	L060C	REHABILITATION INSTRUCTOR SUPERVISOR	24	GRADE C115
7	(73)	S031C	SKILLED TRADESMAN	28	GRADE C115
8	(74)	M054C	SOCIAL SERVICE WORKER	1	GRADE C115
9	(75)	S030C	WATER FILTER/WASTE DISPOSAL PLANT OPER	2	GRADE C115
10	(76)	S041C	BOILER OPERATOR	4	GRADE C114
11	(77)	S044C	FOOD PREPARATION MANAGER	6	GRADE C114
12	(78)	M066C	PROGRAM ELIGIBILITY SPECIALIST	7	GRADE C114
13	(79)	M065C	RECREATIONAL ACTIVITY SUPERVISOR	1	GRADE C114
14	(80)	M063C	RESIDENTIAL CARE PROGRAM COORD	15	GRADE C114
15	(81)	E051C	STAFF DEVELOPMENT SPECIALIST	9	GRADE C114
16	(82)	B099C	STATIONARY ENGINEER	1	GRADE C114
17	(83)	L071C	DENTAL HYGIENIST	1	GRADE C113
18	(84)	R036C	HUMAN RESOURCES SPECIALIST	8	GRADE C113
19	(85)	V020C	INVENTORY CONTROL MANAGER	1	GRADE C113
20	(86)	S047C	LANDSCAPE SUPERVISOR	1	GRADE C113
21	(87)	L069C	LICENSED PRACTICAL NURSE	148	GRADE C113
22	(88)	L066C	REHABILITATION INSTRUCTOR	122	GRADE C113
23	(89)	C056C	ADMINISTRATIVE SPECIALIST III	47	GRADE C112
24	(90)	S053C	AUTO/DIESEL MECHANIC	1	GRADE C112
25	(91)	T081C	COMMISSARY MANAGER	1	GRADE C112
26	(92)	A098C	FISCAL SUPPORT SPECIALIST	5	GRADE C112
27	(93)	S050C	MAINTENANCE SPECIALIST	11	GRADE C112
28	(94)	V022C	PURCHASING TECHNICIAN	1	GRADE C112
29	(95)	M071C	RESIDENTIAL CARE SHIFT COORDINATOR	15	GRADE C112
30	(96)	S056C	FOOD PREPARATION SUPERVISOR	5	GRADE C111
31	(97)	M076C	RECREATIONAL ACTIVITY LEADER II	28	GRADE C111
32	(98)	M073C	RESIDENTIAL CARE SUPERVISOR	71	GRADE C111
33	(99)	V023C	STOREROOM SUPERVISOR	5	GRADE C111
34	(100)	M078C	VOLUNTEER SERVICES COORDINATOR	1	GRADE C111
35	(101)	L078C	FAMILY SERVICES ASSISTANT	1	GRADE C110
36	(102)	R038C	HUMAN RESOURCES ASSISTANT	6	GRADE C110

1	(103)	L075C	ORTHOTIST AIDE	5	GRADE C110
2	(104)	L074C	THERAPY ASSISTANT	1	GRADE C110
3	(105)	V025C	WAREHOUSE SPECIALIST	3	GRADE C110
4	(106)	C073C	ADMINISTRATIVE SPECIALIST II	98	GRADE C109
5	(107)	S061C	CHDC LAUNDRY OPERATIONS MANAGER	1	GRADE C109
6	(108)	L081C	DENTAL ASSISTANT	1	GRADE C109
7	(109)	L080C	DIETETIC TECHNICIAN	1	GRADE C109
8	(110)	C066C	PATIENT ACCOUNT SPECIALIST	6	GRADE C109
9	(111)	M082C	RECREATIONAL ACTIVITY LEADER I	1	GRADE C109
10	(112)	M081C	RESIDENTIAL CARE SHIFT SUPERVISOR	58	GRADE C109
11	(113)	E056C	TEACHER ASSISTANT	101	GRADE C109
12	(114)	C075C	DHS PROGRAM ASSISTANT	4	GRADE C108
13	(115)	A102C	FISCAL SUPPORT TECHNICIAN	3	GRADE C108
14	(116)	V027C	INVENTORY CONTROL TECHNICIAN	1	GRADE C108
15	(117)	S065C	MAINTENANCE ASSISTANT	25	GRADE C108
16	(118)	M083C	RESIDENTIAL CARE TECHNICIAN	799	GRADE C108
17	(119)	S070C	EQUIPMENT TECHNICIAN	3	GRADE C107
18	(120)	C087C	ADMINISTRATIVE SPECIALIST I	58	GRADE C106
19	(121)	S076C	INSTITUTIONAL BEAUTICIAN	3	GRADE C106
20	(122)	L086C	PHARMACY ASSISTANT	2	GRADE C106
21	(123)	L085C	PHYSICAL THERAPY AIDE	5	GRADE C106
22	(124)	V029C	PURCHASING ASSISTANT	1	GRADE C106
23	(125)	L087C	RESIDENTIAL CARE ASSISTANT	304	GRADE C106
24	(126)	L084C	THERAPY AIDE	3	GRADE C106
25	(127)	V028C	WAREHOUSE WORKER	1	GRADE C106
26	(128)	S081C	APPRENTICE TRADESMAN	6	GRADE C105
27	(129)	S082C	CANTEEN SUPERVISOR	2	GRADE C105
28	(130)	S080C	EQUIPMENT OPERATOR	9	GRADE C105
29	(131)	S083C	BAKER	6	GRADE C104
30	(132)	S086C	COOK	41	GRADE C104
31	(133)	S085C	FOOD PREPARATION SPECIALIST	11	GRADE C104
32	(134)	S084C	INSTITUTIONAL SERVICES SUPERVISOR	7	GRADE C104
33	(135)	S087C	INSTITUTIONAL SERVICES ASSISTANT	109	GRADE C103
34	(136)	S089C	FOOD PREPARATION TECHNICIAN	46	GRADE C102
35	(137)	V031C	STOCK CLERK	<u>5</u>	GRADE C102
36			MAX. NO. OF EMPLOYEES	2,726	

SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for the Department of Human Services - Division of Developmental Disabilities Services for the 2010-2011 fiscal year, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: two hundred (200) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 3. APPROPRIATION - 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 fiscal year ending June 30, 2011, the following:

ITEM NO.		FISCAL YEAR 2010-2011
(01)	REGULAR SALARIES	\$ 80,625,371
(02)	EXTRA HELP	1,089,645
(03)	PERSONAL SERVICES MATCHING	29,732,364
(04)	OVERTIME	854,062
(05)	EXTRA SALARIES	27,000
(06)	MAINT. & GEN. OPERATION	
	(A) OPER. EXPENSE	27,976,625
	(B) CONF. & TRAVEL	112,615
	(C) PROF. FEES	2,478,698
	(D) CAP. OUTLAY	3,732,771
	(E) DATA PROC.	0
(07)	GRANTS/PATIENT SERVICES	6,752,051
(08)	FOSTER GRANDPARENTS STIPENDS	289,851
(09)	DATA PROCESSING SERVICES	719,883
(10)	VOCATIONAL TRAINEES	294,000
(11)	CHILDREN AND ADOLESCENT SERVICES	67,529
(12)	PURCHASE OF SERVICES	8,341,018

1	(13) AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009	1,078,762
2	(14) GRANTS/PATIENT SERVICES – ARRA OF 2009	<u>6,821,238</u>
3	TOTAL AMOUNT APPROPRIATED	<u>\$ 170,993,483</u>

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5 SECTION 4. APPROPRIATION - SPECIAL OLYMPICS. There is hereby appropriated,
 6 to the Department of Human Services - Division of Developmental Disabilities
 7 Services, to be payable from the Developmental Disabilities Services Fund
 8 Account, for grants to the Arkansas Special Olympics for the fiscal year
 9 ending June 30, 2011, the following:

10

11	ITEM	FISCAL YEAR
12	<u>NO.</u>	<u>2010-2011</u>
13	(01) GRANTS-SPECIAL OLYMPICS	<u>\$ 179,666</u>

14

15 SECTION 5. APPROPRIATION - COMMUNITY PROGRAMS. There is hereby
 16 appropriated, to the Department of Human Services - Division of Developmental
 17 Disabilities Services, to be payable from the Developmental Disabilities
 18 Services-Dog Track Special Revenue Fund, for expenses of the private non-
 19 profit community based programs licensed by the Department of Human Services
 20 - Division of Developmental Disabilities Services for the fiscal year ending
 21 June 30, 2011, the following:

22

23	ITEM	FISCAL YEAR
24	<u>NO.</u>	<u>2010-2011</u>
25	(01) COMMUNITY PROGRAMS	<u>\$ 50,000</u>

26

27 SECTION 6. APPROPRIATION - GRANTS-IN-AID. There is hereby appropriated, to
 28 the Department of Human Services - Division of Developmental Disabilities
 29 Services, to be payable from the Developmental Disabilities Services Fund
 30 Account, for grants-in-aid to the community providers of services to the
 31 developmentally disabled by the Department of Human Services - Division of
 32 Developmental Disabilities Services for the fiscal year ending June 30, 2011,
 33 the following:

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35	ITEM	FISCAL YEAR
36	<u>NO.</u>	<u>2010-2011</u>

1 (01) GRANTS TO COMMUNITY PROVIDERS \$ 15,909,753

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3 SECTION 7. APPROPRIATION - INTER-DIVISIONAL PROGRAMS. There is hereby
 4 appropriated, to the Department of Human Services - Division of Developmental
 5 Disabilities Services, to be payable from the Developmental Disabilities
 6 Services Fund Account, for integrated services and programs developed by the
 7 various divisions, for services and programs developed in conjunction with
 8 other state agencies and for the development and implementation of an
 9 integrated case management system for the Department of Human Services for
 10 the fiscal year ending June 30, 2011, the following:

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12 ITEM	FISCAL YEAR
13 <u>NO.</u>	<u>2010-2011</u>
14 (01) INTER-DIVISIONAL PROGRAMS	\$ <u>109,190</u>

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16 SECTION 8. APPROPRIATION - GRANTS - STATE. There is hereby appropriated,
 17 to the Department of Human Services - Division of Developmental Disabilities
 18 Services, to be payable from the Department of Human Services Grants Fund
 19 Account, for grant payments of the Department of Human Services - Division of
 20 Developmental Disabilities Services for the fiscal year ending June 30, 2011,
 21 the following:

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23 ITEM	FISCAL YEAR
24 <u>NO.</u>	<u>2010-2011</u>
25 (01) CHILDREN'S MEDICAL SERVICES	\$ <u>1,729,279</u>

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27 SECTION 9. APPROPRIATION - GRANTS - FEDERAL. There is hereby appropriated,
 28 to the Department of Human Services - Division of Developmental Disabilities
 29 Services, to be payable from the federal funds as designated by the Chief
 30 Fiscal Officer of the State, for federally funded grants of the Department of
 31 Human Services - Division of Developmental Disabilities Services for the
 32 fiscal year ending June 30, 2011, the following:

33

34 ITEM	FISCAL YEAR
35 <u>NO.</u>	<u>2010-2011</u>
36 (01) CHILDREN'S MEDICAL SERVICES-FEDERAL	\$ <u>1,377,338</u>

SECTION 10. APPROPRIATION - AUTISM TREATMENT AND COORDINATION. 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 grant payments of the Department of Human Services - Division of Developmental Disabilities Services for the fiscal year ending June 30, 2011, the following:

ITEM	FISCAL YEAR
NO.	2010-2011
(01) AUTISM TREATMENT AND COORDINATION	
GRANTS AND AID	\$ <u>1,500,000</u>

SECTION 11. 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 Program and must bill the Arkansas Medicaid Program for all covered services for eligible individuals.

Services which are covered by the Arkansas State Medicaid Program or under the Alternative Community Services Waiver Program (ACS) will be utilized to the maximum extent possible for any individual who is eligible for Medicaid coverage. It is the intent of this section that DDS, as a general policy, maximize the use of Medicaid funding available for appropriate services. The State shall require each provider funded from this Appropriation for

1 community based services, including funding from the Grants/Patient Services
 2 Line, in the Developmental Disabilities Services - Operations appropriation,
 3 or from the Grants to Community Providers Line, in the Developmental
 4 Disabilities Services - Grants-in-Aid appropriation, to screen each
 5 individual to whom services are provided for a determination of eligibility
 6 or ineligibility for Medicaid coverage within thirty days of the first date
 7 that services are provided. It is the intent of this section to insure that
 8 wherever possible and appropriate, Medicaid funds are utilized for covered or
 9 waived services to individuals who are eligible for coverage under the
 10 Arkansas Medicaid Program or the ACS Waiver.

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

14 The provisions of this section shall be in effect only from July 1, ~~2007~~
 15 2010 through June 30, ~~2009~~ 2011.

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17 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 19 DEVELOPMENTAL DISABILITIES - VOCATIONAL TRAINEES. The Division of
 20 Developmental Disabilities Services of the Department of Human Services is
 21 hereby authorized to provide employment opportunities for people with
 22 developmental disabilities residing at the Human Development Centers who work
 23 less than a competitive employment level.

24 The provisions of this section shall be in effect only from July 1, ~~2007~~
 25 2010 through June 30, ~~2009~~ 2011.

26

27 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GRANTS IN
 29 AID - CONDITIONS FOR RECEIVING FUNDS. Private non-profit community-based
 30 programs licensed by the Department of Human Services, Developmental
 31 Disabilities Services, are eligible to receive funds appropriated for Grants
 32 to Community Providers in the Developmental Disabilities Services - Grants-
 33 in-Aid appropriation of this Act, and as a condition of receiving such funds
 34 they shall:

35 1. Meet minimum standards of performance in the delivery of services to
 36 people with disabilities as defined by the Department of Human Services,

1 Developmental Disabilities Services.

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

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

6 4. Establish and maintain community support programs designed to provide
7 coordinated care and treatment to ensure ongoing involvement and
8 individualized services for persons with disabilities. Every community
9 support program shall provide services for persons with disabilities who
10 reside within the respective area of the program.

11 The provisions of this section shall be in effect only from July 1, ~~2007~~
12 2010 through June 30, ~~2009~~ 2011.

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14 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
16 DEVELOPMENTAL DISABILITIES – TIMBER SALES PROCEEDS - CAPITAL IMPROVEMENTS AND
17 EQUIPMENT. The Division of Developmental Disabilities Services is authorized
18 to use the administrative operating accounts for capital improvements to
19 physical plants and for the purchase of capital equipment. The funds shall be
20 held by the Department of Human Services, Division of Developmental
21 Disabilities Services from the proceeds of the sale of timber that may be
22 harvested from land owned by the Division of Developmental Disabilities
23 Services. All funds deposited and all expenses shall be tracked separately.
24 The harvesting of timber is specifically authorized to provide funds to
25 finance capital improvements to the physical plants and for the purchase of
26 major capital equipment.

27 The Division of Developmental Disabilities Services shall report all
28 income derived from timber management to the Chief Fiscal Officer of the
29 State and the Arkansas Legislative Council. Any contracts initiated for the
30 harvesting of timber shall be submitted to the Review Subcommittee of the
31 Arkansas Legislative Council for prior review. All expenditures of funds
32 derived from the sale of timber will be expended in accordance with relevant
33 state purchasing laws.

34 The provisions of this section shall be in effect only from July 1, ~~2007~~
35 2010 through June 30, ~~2009~~ 2011.

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1 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HUMAN
3 DEVELOPMENT CENTERS AND COMMUNITY PROVIDERS.

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

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

12 (C) Except for use as federal matching funds, no funds for community based
13 services licensed by DDS shall be transferred from Grants to Community
14 Providers line item of the Developmental Disabilities Services - Grants-in-
15 Aid appropriation unless the transfer(s) directly benefits community based
16 services for persons with developmental disabilities or from the
17 appropriation for the Human Development Centers unless the transfer(s)
18 directly benefits the Human Development Centers.

19 (D) Nor shall any general revenue funding as of March 1, 2007 from the
20 Grants to Community Providers line item of the Developmental Disabilities
21 Services - Grants-in-Aid appropriation for persons with developmental
22 disabilities or from any other general revenues as of March 1, 2007, applied
23 as federal matching funds for community based services licensed by DDS on
24 March 1, 2007 be reduced below the approved funding level on March 1, 2007;
25 nor shall the general revenues applied as federal matching funds for the
26 Human Development Centers be reduced below the approved funding level on
27 March 1, 2007.

28
29 SECTION 16. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
30 by this act shall be limited to the appropriation for such agency and funds
31 made available by law for the support of such appropriations; and the
32 restrictions of the State Procurement Law, the General Accounting and
33 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
34 Procedures and Restrictions Act, or their successors, and other fiscal
35 control laws of this State, where applicable, and regulations promulgated by
36 the Department of Finance and Administration, as authorized by law, shall be

1 strictly complied with in disbursement of said funds.

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3 SECTION 17. LEGISLATIVE INTENT. It is the intent of the General Assembly
4 that any funds disbursed under the authority of the appropriations contained
5 in this act shall be in compliance with the stated reasons for which this act
6 was adopted, as evidenced by the Agency Requests, Executive Recommendations
7 and Legislative Recommendations contained in the budget manuals prepared by
8 the Department of Finance and Administration, letters, or summarized oral
9 testimony in the official minutes of the Arkansas Legislative Council or
10 Joint Budget Committee which relate to its passage and adoption.

11
12 SECTION 18. EMERGENCY CLAUSE. It is found and determined by the General
13 Assembly, that the Constitution of the State of Arkansas prohibits the
14 appropriation of funds for more than a one (1) year period; that the
15 effectiveness of this Act on July 1, 2010 is essential to the operation of
16 the agency for which the appropriations in this Act are provided, and that in
17 the event of an extension of the legislative session, the delay in the
18 effective date of this Act beyond July 1, 2010 could work irreparable harm
19 upon the proper administration and provision of essential governmental
20 programs. Therefore, an emergency is hereby declared to exist and this Act
21 being necessary for the immediate preservation of the public peace, health
22 and safety shall be in full force and effect from and after July 1, 2010.

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25 **APPROVED: 2/26/2010**
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