

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 1419 of the Regular Session**

1 State of Arkansas  
2 87th General Assembly  
3 Regular Session, 2009  
4

*As Engrossed: S4/6/09*

**A Bill**

SENATE BILL 289

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, 2010; AND FOR OTHER  
14 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 2009-2010 FISCAL YEAR.  
22  
23

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

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 2009-2010 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



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

3					Maximum Annual
4					Salary Rate
5					Maximum
6	Item	Class			No. of
7	No.	Code	Title	Employees	Fiscal Year
					2009-2010
8	(1)	L008N	PHYSICIAN SPECIALIST	7	GRADE N917
9	(2)	L011N	DENTIST	3	GRADE N916
10	(3)	N020N	DHS DDS COMMISSIONER	1	GRADE N910
11	(4)	N081N	DHS DDS SUPT HDC/CONWAY	1	GRADE N907
12	(5)	N086N	DHS DDS DIR EVAL PLAN & MGMT SYSTEM	1	GRADE N906
13	(6)	L017N	DHS ALEXANDER CHIEF PSYCHOLOGIST	1	GRADE N905
14	(7)	N110N	DHS ASST DIR CONTRACT MONITORING UN	1	GRADE N905
15	(8)	N126N	DHS DDS SUPT HDC	5	GRADE N904
16	(9)	L018N	NURSE PRACTITIONER	1	GRADE N904
17	(10)	N145N	DHS ASSISTANT DIRECTOR CMS	1	GRADE N902
18	(11)	N144N	DHS DDS DIR CLIENT SERVICES	1	GRADE N902
19	(12)	N143N	DHS DDS DIVISION MANAGER	1	GRADE N902
20	(13)	L001C	PSYCHOLOGIST SUPERVISOR	1	GRADE C129
21	(14)	L003C	PSYCHOLOGIST	2	GRADE C127
22	(15)	M005C	DHS ASSISTANT SUPERINTENDENT - CONWAY	1	GRADE C125
23	(16)	L009C	NURSE MANAGER	5	GRADE C125
24	(17)	L015C	CLINICAL SPEECH PATHOLOGIST	10	GRADE C124
25	(18)	L019C	REGISTERED NURSE COORDINATOR	6	GRADE C123
26	(19)	G099C	DHS PROGRAM ADMINISTRATOR	7	GRADE C122
27	(20)	L027C	REGISTERED NURSE SUPERVISOR	14	GRADE C122
28	(21)	A050C	AGENCY FISCAL MANAGER	1	GRADE C121
29	(22)	M009C	LICENSED CERTIFIED SOCIAL WORKER	3	GRADE C121
30	(23)	L036C	NURSE INSTRUCTOR	1	GRADE C121
31	(24)	R014C	PERSONNEL MANAGER	1	GRADE C121
32	(25)	L033C	PSYCHOLOGICAL EXAMINER	22	GRADE C121
33	(26)	M016C	DHS FIELD MANAGER	1	GRADE C120
34	(27)	A055C	DHS INSTITUTION BUSINESS MANAGER	7	GRADE C120
35	(28)	L040C	DIETARY SERVICES DIRECTOR	1	GRADE C120
36	(29)	E026C	EDUCATION & INSTRUCTION COORDINATOR	3	GRADE C120

1	(30)	L038C	REGISTERED NURSE	32	GRADE C120
2	(31)	E024C	TEACHER SUPERVISOR	2	GRADE C120
3	(32)	E023C	TRAINING PROJECT MANAGER	1	GRADE C120
4	(33)	L045C	AUDIOLOGIST	1	GRADE C119
5	(34)	R021C	BUDGET ANALYST	1	GRADE C119
6	(35)	G152C	DHS PROGRAM MANAGER	22	GRADE C119
7	(36)	G147C	GRANTS COORDINATOR	1	GRADE C119
8	(37)	A065C	PAYROLL SERVICES COORDINATOR	1	GRADE C119
9	(38)	X062C	QUALITY ASSURANCE COORDINATOR	3	GRADE C119
10	(39)	A060C	SENIOR AUDITOR	1	GRADE C119
11	(40)	R024C	ASST PERSONNEL MANAGER	1	GRADE C118
12	(41)	E038C	EDUCATION & INSTRUCTION ANALYST	1	GRADE C118
13	(42)	A074C	FISCAL SUPPORT SUPERVISOR	1	GRADE C118
14	(43)	M026C	LICENSED SOCIAL WORKER	7	GRADE C118
15	(44)	L047C	MEDICAL TECHNOLOGIST SUPERVISOR	1	GRADE C118
16	(45)	M025C	PROGRAM ELIGIBILITY COORDINATOR I	1	GRADE C118
17	(46)	M024C	RESIDENTIAL SERVICES MANAGER	17	GRADE C118
18	(47)	V013C	CENTRAL WAREHOUSE OPERATIONS MGR	2	GRADE C117
19	(48)	E044C	CERTIFIED BACHELORS TEACHER	17	GRADE C117
20	(49)	G183C	DHS PROGRAM COORDINATOR	66	GRADE C117
21	(50)	G182C	DHS/DDS PROGRAM COORDINATOR	40	GRADE C117
22	(51)	L055C	DIETICIAN	1	GRADE C117
23	(52)	S019C	DIRECTOR MAINTENANCE	1	GRADE C117
24	(53)	G180C	GRANTS ANALYST	5	GRADE C117
25	(54)	R025C	HUMAN RESOURCES ANALYST	2	GRADE C117
26	(55)	S017C	MAINTENANCE COORDINATOR	1	GRADE C117
27	(56)	X095C	QUALITY ASSURANCE ANALYST	1	GRADE C117
28	(57)	E041C	SENIOR LIBRARIAN	2	GRADE C117
29	(58)	X094C	SERVICES & PROGRAM LICENSING SPECIAL	17	GRADE C117
30	(59)	E040C	STAFF DEVELOPMENT COORDINATOR	5	GRADE C117
31	(60)	V014C	BUYER	1	GRADE C116
32	(61)	E048C	EDUCATION & INSTRUCTION SPECIALIST	1	GRADE C116
33	(62)	C037C	ADMINISTRATIVE ANALYST	4	GRADE C115
34	(63)	R033C	BENEFITS ANALYST	1	GRADE C115
35	(64)	M057C	CHAPLAIN	1	GRADE C115
36	(65)	D079C	COMPUTER SUPPORT TECHNICIAN	3	GRADE C115

1	(66)	G210C	DHS PROGRAM SPECIALIST	29	GRADE C115
2	(67)	S033C	MAINTENANCE SUPERVISOR	5	GRADE C115
3	(68)	C028C	MEDICAL RECORDS SUPERVISOR	1	GRADE C115
4	(69)	L061C	MEDICAL TECHNOLOGIST	2	GRADE C115
5	(70)	A090C	PAYROLL SERVICES SPECIALIST	1	GRADE C115
6	(71)	V015C	PURCHASING SPECIALIST	5	GRADE C115
7	(72)	L060C	REHAB INSTRUCTOR SUPERVISOR	24	GRADE C115
8	(73)	S031C	SKILLED TRADESMAN	28	GRADE C115
9	(74)	M054C	SOCIAL SERVICE WORKER	1	GRADE C115
10	(75)	S030C	WATER FILTER/WASTE DISP PLANT OPER	2	GRADE C115
11	(76)	S041C	BOILER OPERATOR	4	GRADE C114
12	(77)	S044C	FOOD PREPARATION MANAGER	6	GRADE C114
13	(78)	M066C	PROGRAM ELIGIBILITY SPECIALIST	7	GRADE C114
14	(79)	M065C	RECREATIONAL ACTIVITY SUPERVISOR	1	GRADE C114
15	(80)	M063C	RESIDENTIAL CARE PROGRAM COORD	15	GRADE C114
16	(81)	E051C	STAFF DEVELOPMENT SPECIALIST	9	GRADE C114
17	(82)	B099C	STATIONARY ENGINEER	1	GRADE C114
18	(83)	L071C	DENTAL HYGIENIST	1	GRADE C113
19	(84)	R036C	HUMAN RESOURCES SPECIALIST	8	GRADE C113
20	(85)	V020C	INVENTORY CONTROL MANAGER	1	GRADE C113
21	(86)	S047C	LANDSCAPE SUPERVISOR	1	GRADE C113
22	(87)	L069C	LICENSED PRACTICAL NURSE	146	GRADE C113
23	(88)	L066C	REHABILITATION INSTRUCTOR	119	GRADE C113
24	(89)	C056C	ADMINISTRATIVE SPECIALIST III	50	GRADE C112
25	(90)	S053C	AUTO/DIESEL MECHANIC	1	GRADE C112
26	(91)	T081C	COMMISSARY MANAGER	1	GRADE C112
27	(92)	A098C	FISCAL SUPPORT SPECIALIST	5	GRADE C112
28	(93)	S050C	MAINTENANCE SPECIALIST	11	GRADE C112
29	(94)	V022C	PURCHASING TECHNICIAN	1	GRADE C112
30	(95)	M071C	RESIDENTIAL CARE SHIFT COORDINATOR	15	GRADE C112
31	(96)	S056C	FOOD PREPARATION SUPERVISOR	5	GRADE C111
32	(97)	M076C	RECREATIONAL ACTIVITY LEADER II	28	GRADE C111
33	(98)	M073C	RESIDENTIAL CARE SUPERVISOR	71	GRADE C111
34	(99)	V023C	STOREROOM SUPERVISOR	5	GRADE C111
35	(100)	M078C	VOLUNTEER SERVICES COORDINATOR	1	GRADE C111
36	(101)	L078C	FAMILY SERVICES ASSISTANT	1	GRADE C110

1	(102)	R038C	HUMAN RESOURCES ASSISTANT	6	GRADE C110
2	(103)	L075C	ORTHOTIST AIDE	5	GRADE C110
3	(104)	L074C	THERAPY ASSISTANT	1	GRADE C110
4	(105)	V025C	WAREHOUSE SPECIALIST	3	GRADE C110
5	(106)	C073C	ADMINISTRATIVE SPECIALIST II	97	GRADE C109
6	(107)	S061C	CHDC LAUNDRY OPERATIONS MANAGER	1	GRADE C109
7	(108)	L081C	DENTAL ASSISTANT	1	GRADE C109
8	(109)	L080C	DIETETIC TECHNICIAN	1	GRADE C109
9	(110)	C066C	PATIENT ACCOUNT SPECIALIST	6	GRADE C109
10	(111)	M082C	RECREATIONAL ACTIVITY LEADER I	1	GRADE C109
11	(112)	M081C	RESIDENTIAL CARE SHIFT SUPERVISOR	58	GRADE C109
12	(113)	E056C	TEACHER ASSISTANT	101	GRADE C109
13	(114)	M084C	BEHAVIORAL HEALTH AIDE	1	GRADE C108
14	(115)	C075C	DHS PROGRAM ASSISTANT	4	GRADE C108
15	(116)	A102C	FISCAL SUPPORT TECHNICIAN	3	GRADE C108
16	(117)	V027C	INVENTORY CONTROL TECHNICIAN	1	GRADE C108
17	(118)	S065C	MAINTENANCE ASSISTANT	25	GRADE C108
18	(119)	M083C	RESIDENTIAL CARE TECHNICIAN	799	GRADE C108
19	(120)	S070C	EQUIPMENT TECHNICIAN	3	GRADE C107
20	(121)	C087C	ADMINISTRATIVE SPECIALIST I	58	GRADE C106
21	(122)	S076C	INSTITUTIONAL BEAUTICIAN	3	GRADE C106
22	(123)	L086C	PHARMACY ASSISTANT	2	GRADE C106
23	(124)	L085C	PHYSICAL THERAPY AIDE	5	GRADE C106
24	(125)	V029C	PURCHASING ASSISTANT	1	GRADE C106
25	(126)	L087C	RESIDENTIAL CARE ASSISTANT	304	GRADE C106
26	(127)	L084C	THERAPY AIDE	3	GRADE C106
27	(128)	V028C	WAREHOUSE WORKER	4	GRADE C106
28	(129)	S081C	APPRENTICE TRADESMAN	6	GRADE C105
29	(130)	S082C	CANTEEN SUPERVISOR	2	GRADE C105
30	(131)	S080C	EQUIPMENT OPERATOR	9	GRADE C105
31	(132)	S083C	BAKER	6	GRADE C104
32	(133)	S086C	COOK	41	GRADE C104
33	(134)	S085C	FOOD PREPARATION SPECIALIST	11	GRADE C104
34	(135)	S084C	INSTITUTIONAL SERVICES SUPERVISOR	7	GRADE C104
35	(136)	S087C	INSTITUTIONAL SERVICES ASSISTANT	109	GRADE C103
36	(137)	S089C	FOOD PREPARATION TECHNICIAN	46	GRADE C102

1 (138) V031C STOCK CLERK 5 GRADE C102  
 2 MAX. NO. OF EMPLOYEES 2,726  
 3

4 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for the  
 5 Department of Human Services - Division of Developmental Disabilities  
 6 Services for the 2009-2010 fiscal year, the following maximum number of part-  
 7 time or temporary employees, to be known as "Extra Help", payable from funds  
 8 appropriated herein for such purposes: two hundred (200) temporary or part-  
 9 time employees, when needed, at rates of pay not to exceed those provided in  
 10 the Uniform Classification and Compensation Act, or its successor, or this  
 11 act for the appropriate classification.  
 12

13 *SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated, to*  
 14 *the Department of Human Services - Division of Developmental Disabilities*  
 15 *Services, to be payable from the paying account as determined by the Chief*  
 16 *Fiscal Officer of the State, for personal services and operating expenses of*  
 17 *the Department of Human Services - Division of Developmental Disabilities*  
 18 *Services for the fiscal year ending June 30, 2010, the following:*  
 19

20 <i>ITEM</i>	<i>FISCAL YEAR</i>
21 <u><i>NO.</i></u>	<u><i>2009-2010</i></u>
22 (01) REGULAR SALARIES	\$ 78,895,549
23 (02) EXTRA HELP	1,089,645
24 (03) PERSONAL SERVICES MATCHING	29,395,645
25 (04) OVERTIME	849,302
26 (05) EXTRA SALARIES	27,000
27 (06) MAINT. & GEN. OPERATION	
28 (A) OPER. EXPENSE	28,102,214
29 (B) CONF. & TRAVEL	110,615
30 (C) PROF. FEES	2,478,698
31 (D) CAP. OUTLAY	3,856,998
32 (E) DATA PROC.	0
33 (07) GRANTS/PATIENT SERVICES	6,752,051
34 (08) FOSTER GRANDPARENTS STIPENDS	289,851
35 (09) DATA PROCESSING SERVICES	719,883
36 (10) VOCATIONAL TRAINEES	283,000

1	(11) CHILDREN AND ADOLESCENT SERVICES	67,529
2	(12) PURCHASE OF SERVICES	7,924,514
3	(13) AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009	1,078,762
4	(14) GRANTS/PATIENT SERVICES - ARRA OF 2009	<u>6,821,238</u>
5	TOTAL AMOUNT APPROPRIATED	<u>\$ 168,742,494</u>

6

7 SECTION 4. APPROPRIATION - SPECIAL OLYMPICS. There is hereby appropriated,  
8 to the Department of Human Services - Division of Developmental Disabilities  
9 Services, to be payable from the Developmental Disabilities Services Fund  
10 Account, for grants to the Arkansas Special Olympics for the fiscal year  
11 ending June 30, 2010, the following:

12		
13	ITEM	FISCAL YEAR
14	<u>NO.</u>	<u>2009-2010</u>
15	(01) GRANTS-SPECIAL OLYMPICS	<u>\$ 179,666</u>

16

17 SECTION 5. APPROPRIATION - COMMUNITY PROGRAMS. There is hereby  
18 appropriated, to the Department of Human Services - Division of Developmental  
19 Disabilities Services, to be payable from the Developmental Disabilities  
20 Services-Dog Track Special Revenue Fund, for expenses of the private non-  
21 profit community based programs licensed by the Department of Human Services  
22 - Division of Developmental Disabilities Services for the fiscal year ending  
23 June 30, 2010, the following:

24		
25	ITEM	FISCAL YEAR
26	<u>NO.</u>	<u>2009-2010</u>
27	(01) COMMUNITY PROGRAMS	<u>\$ 50,000</u>

28

29 SECTION 6. APPROPRIATION - GRANTS-IN-AID. There is hereby appropriated, to  
30 the Department of Human Services - Division of Developmental Disabilities  
31 Services, to be payable from the Developmental Disabilities Services Fund  
32 Account, for grants-in-aid to the community providers of services to the  
33 developmentally disabled by the Department of Human Services - Division of  
34 Developmental Disabilities Services for the fiscal year ending June 30, 2010,  
35 the following:

36

1	ITEM	FISCAL YEAR
2	<u>NO.</u>	<u>2009-2010</u>
3	(01) GRANTS TO COMMUNITY PROVIDERS	<u>\$ 15,909,753</u>

4

5 SECTION 7. APPROPRIATION - INTER-DIVISIONAL PROGRAMS. There is hereby  
6 appropriated, to the Department of Human Services - Division of Developmental  
7 Disabilities Services, to be payable from the Developmental Disabilities  
8 Services Fund Account, for integrated services and programs developed by the  
9 various divisions, for services and programs developed in conjunction with  
10 other state agencies and for the development and implementation of an  
11 integrated case management system for the Department of Human Services for  
12 the fiscal year ending June 30, 2010, the following:

13

14	ITEM	FISCAL YEAR
15	<u>NO.</u>	<u>2009-2010</u>
16	(01) INTER-DIVISIONAL PROGRAMS	<u>\$ 109,190</u>

17

18 SECTION 8. APPROPRIATION - GRANTS - STATE. There is hereby appropriated,  
19 to the Department of Human Services - Division of Developmental Disabilities  
20 Services, to be payable from the Department of Human Services Grants Fund  
21 Account, for grant payments of the Department of Human Services - Division of  
22 Developmental Disabilities Services for the fiscal year ending June 30, 2010,  
23 the following:

24

25	ITEM	FISCAL YEAR
26	<u>NO.</u>	<u>2009-2010</u>
27	(01) CHILDREN'S MEDICAL SERVICES	<u>\$ 1,729,279</u>

28

29 SECTION 9. APPROPRIATION - GRANTS - FEDERAL. There is hereby appropriated,  
30 to the Department of Human Services - Division of Developmental Disabilities  
31 Services, to be payable from the federal funds as designated by the Chief  
32 Fiscal Officer of the State, for federally funded grants of the Department of  
33 Human Services - Division of Developmental Disabilities Services for the  
34 fiscal year ending June 30, 2010, the following:

35

36	ITEM	FISCAL YEAR
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1	<u>NO.</u>	<u>2009-2010</u>
2	(01) CHILDREN'S MEDICAL SERVICES-FEDERAL	\$ <u>1,377,338</u>

3

4       *SECTION 10. APPROPRIATION - AUTISM TREATMENT AND COORDINATION. There is*  
5 *hereby appropriated, to the Department of Human Services - Division of*  
6 *Developmental Disabilities Services, to be payable from the Developmental*  
7 *Disabilities Services Fund Account, for grant payments of the Department of*  
8 *Human Services - Division of Developmental Disabilities Services for the*  
9 *fiscal year ending June 30, 2010, the following:*

10		
11	<i>ITEM</i>	<i>FISCAL YEAR</i>
12	<u>NO.</u>	<u>2009-2010</u>
13	(01) AUTISM TREATMENT AND COORDINATION	
14	GRANTS AND AID	\$ <u>1,500,000</u>

15

16       SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
18 DEVELOPMENTAL DISABILITIES - GRANTS TO COMMUNITY BASED PROVIDERS. Funds  
19 allocated under the appropriation for community-based services, for Grants to  
20 Community Providers, in the Developmental Disabilities Services - Grants-in-  
21 Aid appropriation in this act shall be used only to provide services through  
22 private community based services licensed or certified by the Arkansas  
23 Division of Developmental Disabilities Services (DDS). Non-profit community-  
24 based programs licensed by the Division of Developmental Disabilities  
25 Services are quasi-governmental instrumentalities of the state which provide  
26 supports and services to individuals who have a developmental disability or  
27 delay, who would otherwise require supports and services through state-  
28 operated programs and facilities owned by the State of Arkansas. When DDS  
29 licensed providers are involved in delivering services which are Medicaid  
30 reimbursable, they must enroll as a provider with the Arkansas Medicaid  
31 Program and must bill the Arkansas Medicaid Program for all covered services  
32 for eligible individuals.

33       Services which are covered by the Arkansas State Medicaid Program or under  
34 the Alternative Community Services Waiver Program (ACS) will be utilized to  
35 the maximum extent possible for any individual who is eligible for Medicaid  
36 coverage. It is the intent of this section that DDS, as a general policy,

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

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

16 The provisions of this section shall be in effect only from July 1, ~~2007~~  
17 2009 through June 30, ~~2009~~ 2010.

18

19 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

21 DEVELOPMENTAL DISABILITIES - VOCATIONAL TRAINEES. The Division of  
22 Developmental Disabilities Services of the Department of ~~Health and~~ Human  
23 Services is hereby authorized to provide employment opportunities for people  
24 with developmental disabilities residing at the Human Development Centers who  
25 work less than a competitive employment level.

26 The provisions of this section shall be in effect only from July 1, ~~2007~~  
27 2009 through June 30, ~~2009~~ 2010.

28

29 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GRANTS IN

31 AID - CONDITIONS FOR RECEIVING FUNDS. Private non-profit community-based  
32 programs licensed by the Department of ~~Health and~~ Human Services,  
33 Developmental Disabilities Services, are eligible to receive funds  
34 appropriated for Grants to Community Providers in the Developmental  
35 Disabilities Services - Grants-in-Aid appropriation of this Act, and as a  
36 condition of receiving such funds they shall:

1 1. Meet minimum standards of performance in the delivery of services to  
2 people with disabilities as defined by the Department of ~~Health and Human~~  
3 Services, Developmental Disabilities Services.

4 2. Supply statistical and financial data to the Department of ~~Health and~~  
5 Human Services, Developmental Disabilities Services.

6 3. Establish and maintain a sound financial management system in accordance  
7 with guidelines as set forth by the Department of ~~Health and Human~~ Services.

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

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

15  
16 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
18 DEVELOPMENTAL DISABILITIES – TIMBER SALES PROCEEDS - CAPITAL IMPROVEMENTS AND  
19 EQUIPMENT. The Division of Developmental Disabilities Services is authorized  
20 to use the administrative operating accounts for capital improvements to  
21 physical plants and for the purchase of capital equipment. The funds shall be  
22 held by the Department of ~~Health and Human~~ Services, Division of  
23 Developmental Disabilities Services from the proceeds of the sale of timber  
24 that may be harvested from land owned by the Division of Developmental  
25 Disabilities Services. All funds deposited and all expenses shall be tracked  
26 separately. The harvesting of timber is specifically authorized to provide  
27 funds to finance capital improvements to the physical plants and for the  
28 purchase of major capital equipment.  
29 The Division of Developmental Disabilities Services shall report all income  
30 derived from timber management to the Chief Fiscal Officer of the State and  
31 the Arkansas Legislative Council. Any contracts initiated for the harvesting  
32 of timber shall be submitted to the Review Subcommittee of the Arkansas  
33 Legislative Council for prior review. All expenditures of funds derived from  
34 the sale of timber will be expended in accordance with relevant state  
35 purchasing laws.

36 The provisions of this section shall be in effect only from July 1, ~~2007~~

1 2009 through June 30, ~~2009~~ 2010.

2

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

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

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

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

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

30

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

1 control laws of this State, where applicable, and regulations promulgated by  
2 the Department of Finance and Administration, as authorized by law, shall be  
3 strictly complied with in disbursement of said funds.  
4

5 SECTION 17. LEGISLATIVE INTENT. It is the intent of the General Assembly  
6 that any funds disbursed under the authority of the appropriations contained  
7 in this act shall be in compliance with the stated reasons for which this act  
8 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
9 and Legislative Recommendations contained in the budget manuals prepared by  
10 the Department of Finance and Administration, letters, or summarized oral  
11 testimony in the official minutes of the Arkansas Legislative Council or  
12 Joint Budget Committee which relate to its passage and adoption.  
13

14 SECTION 18. EMERGENCY CLAUSE. It is found and determined by the General  
15 Assembly, that the Constitution of the State of Arkansas prohibits the  
16 appropriation of funds for more than a one (1) year period; that the  
17 effectiveness of this Act on July 1, 2009 is essential to the operation of  
18 the agency for which the appropriations in this Act are provided, and that in  
19 the event of an extension of the Regular Session, the delay in the effective  
20 date of this Act beyond July 1, 2009 could work irreparable harm upon the  
21 proper administration and provision of essential governmental programs.  
22 Therefore, an emergency is hereby declared to exist and this Act being  
23 necessary for the immediate preservation of the public peace, health and  
24 safety shall be in full force and effect from and after July 1, 2009.  
25

26 /s/ Joint Budget Committee  
27

28 **APPROVED: 4/9/2009**  
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