

1 State of Arkansas  
2 88th General Assembly  
3 Regular Session, 2011  
4

As Engrossed: H3/28/11  
**A Bill**

HOUSE BILL 1267

5 By: Joint Budget Committee  
6

7 **For An Act To Be Entitled**

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
9 AND OPERATING EXPENSES FOR THE DEPARTMENT OF HUMAN  
10 SERVICES - DIVISION OF AGING AND ADULT SERVICES FOR  
11 THE FISCAL YEAR ENDING JUNE 30, 2012; AND FOR OTHER  
12 PURPOSES.  
13  
14

15 **Subtitle**

16 AN ACT FOR THE DEPARTMENT OF HUMAN SERVICES  
17 - DIVISION OF AGING AND ADULT SERVICES  
18 APPROPRIATION FOR THE 2011-2012 FISCAL  
19 YEAR.  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established  
25 for the Department of Human Services - Division of Aging and Adult Services  
26 for the 2011-2012 fiscal year, the following maximum number of regular  
27 employees.  
28

				Maximum Annual
				Salary Rate
Item	Class		No. of	Fiscal Year
No.	Code	Title	Employees	2011-2012
33	(1)	N027N DHS DEPUTY DIRECTOR ADULT SERVICES	1	GRADE N909
34	(2)	N147N DHS/DAAS ASST DEP DIR	1	GRADE N902
35	(3)	N142N DHS/DAAS DEPUTY DIRECTOR	1	GRADE N902
36	(4)	N168N DHS DIR HOME & COMMUNITY BASED SVCS	1	GRADE N901



1	(5)	G101C	DHS AREA MANAGER	2	GRADE C129
2	(6)	G047C	ATTORNEY SPECIALIST	1	GRADE C126
3	(7)	A024C	DHS DIVISION CHIEF FISCAL OFFICER	1	GRADE C125
4	(8)	L009C	NURSE MANAGER	1	GRADE C125
5	(9)	G083C	DHS/DAAS DIVISION MANAGER	2	GRADE C123
6	(10)	G099C	DHS PROGRAM ADMINISTRATOR	8	GRADE C122
7	(11)	D047C	INFORMATION SYSTEMS BUSINESS ANALYS	1	GRADE C122
8	(12)	L027C	REGISTERED NURSE SUPERVISOR	11	GRADE C122
9	(13)	M016C	DHS FIELD MANAGER	5	GRADE C120
10	(14)	L038C	REGISTERED NURSE	73	GRADE C120
11	(15)	R021C	BUDGET ANALYST	1	GRADE C119
12	(16)	G152C	DHS PROGRAM MANAGER	2	GRADE C119
13	(17)	G153C	DHS/DAAS PROGRAM SUPERVISOR	4	GRADE C119
14	(18)	V007C	PROCUREMENT COORDINATOR	1	GRADE C119
15	(19)	M026C	LICENSED SOCIAL WORKER	1	GRADE C118
16	(20)	M025C	PROGRAM ELIGIBILITY COORDINATOR I	3	GRADE C118
17	(21)	M045C	ADULT PROTECTIVE SERVICES WORKER	39	GRADE C117
18	(22)	G183C	DHS PROGRAM COORDINATOR	4	GRADE C117
19	(23)	R025C	HUMAN RESOURCES ANALYST	1	GRADE C117
20	(24)	G198C	DHS/DAAS PROGRAM SPECIALIST	12	GRADE C116
21	(25)	G210C	DHS PROGRAM SPECIALIST	5	GRADE C115
22	(26)	D077C	HELP DESK SPECIALIST	1	GRADE C115
23	(27)	M066C	PROGRAM ELIGIBILITY SPECIALIST	1	GRADE C114
24	(28)	C056C	ADMINISTRATIVE SPECIALIST III	13	GRADE C112
25	(29)	C073C	ADMINISTRATIVE SPECIALIST II	<u>7</u>	GRADE C109
26			MAX. NO. OF EMPLOYEES	204	

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28 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for  
 29 the Department of Human Services - Division of Aging and Adult Services for  
 30 the 2011-2012 fiscal year, the following maximum number of part-time or  
 31 temporary employees, to be known as "Extra Help", payable from funds  
 32 appropriated herein for such purposes: eighteen (18) temporary or part-time  
 33 employees, when needed, at rates of pay not to exceed those provided in the  
 34 Uniform Classification and Compensation Act, or its successor, or this act  
 35 for the appropriate classification.

36

1 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated,  
 2 to the Department of Human Services - Division of Aging and Adult Services,  
 3 to be payable from the paying account as determined by the Chief Fiscal  
 4 Officer of the State, for personal services and operating expenses of the  
 5 Department of Human Services - Division of Aging and Adult Services for the  
 6 fiscal year ending June 30, 2012, the following:

8	ITEM	FISCAL YEAR
9	<u>NO.</u>	<u>2011-2012</u>
10	(01) REGULAR SALARIES	\$9,508,621
11	(02) EXTRA HELP	120,434
12	(03) PERSONAL SERVICES MATCHING	2,966,495
13	(04) MAINT. & GEN. OPERATION	
14	(A) OPER. EXPENSE	3,189,106
15	(B) CONF. & TRAVEL	135,100
16	(C) PROF. FEES	626,415
17	(D) CAP. OUTLAY	0
18	(E) DATA PROC.	0
19	(05) COMMUNITY BASED CARE	90,000
20	(06) NURSING HOME CARE ALTERNATIVES	6,193,872
21	(07) NUTRITION PROGRAMS	11,424,649
22	(08) OLDER WORKER PROGRAM	1,593,644
23	(09) PROJECT GRANTS	14,331,764
24	(10) RETIRED & SENIOR VOLUNTEER PROGRAM	75,000
25	(11) SENIOR CITIZEN CENTERS	<u>6,746,003</u>
26	TOTAL AMOUNT APPROPRIATED	<u>\$57,001,103</u>

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28 SECTION 4. APPROPRIATION - MEALS ON WHEELS. There is hereby  
 29 appropriated, to the Department of Human Services - Division of Aging and  
 30 Adult Services, to be payable from the Aging and Adult Services Fund Account,  
 31 for the Meals on Wheels Program and transportation services for the elderly  
 32 of the Department of Human Services - Division of Aging and Adult Services  
 33 for the fiscal year ending June 30, 2012, the following:

34

35	ITEM	FISCAL YEAR
36	<u>NO.</u>	<u>2011-2012</u>

1 (01) TRANSPORTATION SERVICES \$3,000,000

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3 SECTION 5. APPROPRIATION - ARKANSAS SENIOR OLYMPICS. There is hereby  
 4 appropriated, to the Department of Human Services - Division of Aging and  
 5 Adult Services, to be payable from the Aging and Adult Services Fund Account,  
 6 for matching funds for the Arkansas Senior Olympics of the Department of  
 7 Human Services - Division of Aging and Adult Services for the fiscal year  
 8 ending June 30, 2012, the following:

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10 ITEM	FISCAL YEAR
11 <u>NO.</u>	<u>2011-2012</u>
12 (01) STATE MATCH	<u>\$70,000</u>

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14 SECTION 6. APPROPRIATION - MS. SENIOR PAGEANT. There is hereby  
 15 appropriated, to the Department of Human Services - Division of Aging and  
 16 Adult Services, to be payable from the Aging and Adult Services Fund Account,  
 17 for expenses of the Ms. Senior Pageant by the Department of Human Services -  
 18 Division of Aging and Adult Services for the fiscal year ending June 30,  
 19 2012, the following:

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21 ITEM	FISCAL YEAR
22 <u>NO.</u>	<u>2011-2012</u>
23 (01) MS. SENIOR PAGEANT EXPENSES	<u>\$20,000</u>

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

33 The provisions of this section shall be in effect only from July 1, ~~2010~~  
 34 2011 through June 30, ~~2011~~ 2012.

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36 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND  
2 ADULT SERVICES - STATE MATCH AUTHORIZED. The Director of the Department of  
3 Human Services is authorized to use State funds appropriated in this Act to  
4 match Federal funds available under Title III and Title V of the Older  
5 Americans Act, Social Services Block Grant, or such other federal funds as  
6 may become available.

7 The provisions of this section shall be in effect only from July 1, ~~2010~~  
8 2011 through June 30, ~~2011~~ 2012.

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10 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND  
12 ADULT SERVICES - GRANT/CONTRACT DISBURSEMENT GUIDELINES. All appropriations  
13 for state and federal funding contained herein for the Division of Aging and  
14 Adult Services and that are distributed under grant or contract methodologies  
15 may be disbursed by the Department of Human Services in the same manner as  
16 authorized under federal regulations for the disbursement of Title III Older  
17 Americans Act funds. Otherwise, all disbursements shall comply with the  
18 provisions of this Act.

19 The provisions of this section shall be in effect only from July 1, ~~2010~~  
20 2011 through June 30, ~~2011~~ 2012.

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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 - NURSING HOME CARE ALTERNATIVES. Funding for "Nursing Home  
25 Care Alternatives", as it appears in the Aging and Adult Services -  
26 Operations appropriation may be used for home delivered meals, adult day  
27 care, homemaker/chore, respite care, personal care, health promotion, and  
28 other community-based activities. These funds may also be used to match  
29 Medicaid community-based programs.

30 The provisions of this section shall be in effect only from July 1, ~~2010~~  
31 2011 through June 30, ~~2011~~ 2012.

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33 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SENIOR  
35 CITIZEN CENTERS. The appropriation in this act for Senior Citizen Centers  
36 shall be distributed in the same manner as the funding formula requirements

1 set out in the federal Older Americans Act funding law. The additional  
2 funding provided by this provision shall supplement and not supplant any  
3 monies currently funding services for Senior Citizen Centers.

4 The requirements in this section shall only be implemented in accordance  
5 with any necessary approval by the Centers for Medicare and Medicaid Services  
6 and in the event that additional general revenue funding is provided by the  
7 General Assembly for these purposes. Should additional funding provided for  
8 these purposes be insufficient to provide for the increases in full, the  
9 increases shall be provided to the extent that funding is made available.

10 The provisions of this section shall be in effect only from July 1, ~~2010~~  
11 2011 through June 30, ~~2011~~ 2012.

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13 *SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*  
14 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL OR TEMPORARY LAW. AREA AGENCY*  
15 *ON AGING GRANTS. If an Area Agency on Aging has unexpended grant funds*  
16 *awarded from the Eighty-Seventh Session Projects Account of the General*  
17 *Improvement Fund and appropriated by Act 1245 of 2009 on the effective date*  
18 *of this act for grants to Area Agencies on Aging for construction,*  
19 *renovation, personal services and operating expenses, purchase of equipment,*  
20 *and major maintenance of Senior Citizen Centers, the Area Agencies on Aging*  
21 *may use the grant funds for construction, renovation, personal services and*  
22 *operating expenses, purchase of equipment, and major maintenance of the Area*  
23 *Agencies on Aging.*

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

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35 *SECTION 14. LEGISLATIVE INTENT.* It is the intent of the General  
36 Assembly that any funds disbursed under the authority of the appropriations

1 contained in this act shall be in compliance with the stated reasons for  
2 which this act was adopted, as evidenced by the Agency Requests, Executive  
3 Recommendations and Legislative Recommendations contained in the budget  
4 manuals prepared by the Department of Finance and Administration, letters, or  
5 summarized oral testimony in the official minutes of the Arkansas Legislative  
6 Council or Joint Budget Committee which relate to its passage and adoption.  
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8 SECTION 15. EMERGENCY CLAUSE. It is found and determined by the  
9 General Assembly, that the Constitution of the State of Arkansas prohibits  
10 the appropriation of funds for more than a one (1) year period; that the  
11 effectiveness of this Act on July 1, 2011 is essential to the operation of  
12 the agency for which the appropriations in this Act are provided, and that in  
13 the event of an extension of the legislative session, the delay in the  
14 effective date of this Act beyond July 1, 2011 could work irreparable harm  
15 upon the proper administration and provision of essential governmental  
16 programs. Therefore, an emergency is hereby declared to exist and this Act  
17 being necessary for the immediate preservation of the public peace, health  
18 and safety shall be in full force and effect from and after July 1, 2011.  
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20 /s/Joint Budget Committee  
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23 **APPROVED: 04/01/2011**  
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