

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

As Engrossed: H3/17/11
A Bill

HOUSE BILL 1268

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 - ADMINISTRATION FOR THE FISCAL YEAR ENDING
11 JUNE 30, 2012; AND FOR OTHER PURPOSES.
12
13

14 **Subtitle**

15 AN ACT FOR THE DEPARTMENT OF HUMAN SERVICES
16 - ADMINISTRATION APPROPRIATION FOR THE
17 2011-2012 FISCAL YEAR.
18
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. REGULAR SALARIES - DIRECTOR'S OFFICE - OFFICE OF CHIEF
23 COUNSEL. There is hereby established for the Department of Human Services -
24 Director's Office - Office of Chief Counsel for the 2011-2012 fiscal year,
25 the following maximum number of regular employees.
26

Item	Class		Maximum	Maximum Annual
No.	Code	Title	No. of	Salary Rate
			Employees	Fiscal Year
				2011-2012
31	(1)	U011U DHS DIRECTOR	1	\$152,684
32	(2)	L023N DHS DEPUTY DIRECTOR	2	GRADE N915
33	(3)	G004N DHS CHIEF ATTORNEY	1	GRADE N908
34	(4)	N128N DHS ASST DIR QUALITY ASSURANCE	1	GRADE N904
35	(5)	A007C AUDIT MANAGER	2	GRADE C129
36	(6)	G004C MANAGING ATTORNEY	3	GRADE C129



1	(7)	G025C	ATTORNEY SUPERVISOR	4	GRADE C127
2	(8)	G024C	DEPARTMENT ADMINISTRATIVE LAW JUDGE	3	GRADE C127
3	(9)	G047C	ATTORNEY SPECIALIST	53	GRADE C126
4	(10)	G042C	DHS ADMINISTRATIVE LAW JUDGE	6	GRADE C126
5	(11)	D030C	INFORMATION SYSTEMS COORDINATOR	2	GRADE C124
6	(12)	A044C	AUDIT COORDINATOR	3	GRADE C122
7	(13)	G124C	OMBUDSMAN	1	GRADE C120
8	(14)	G152C	DHS PROGRAM MANAGER	4	GRADE C119
9	(15)	A066C	INTERNAL AUDITOR	4	GRADE C119
10	(16)	A060C	SENIOR AUDITOR	13	GRADE C119
11	(17)	G170C	DHS ADMINISTRATIVE REVIEW OFFICER	6	GRADE C118
12	(18)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE C118
13	(19)	G183C	DHS PROGRAM COORDINATOR	2	GRADE C117
14	(20)	X101C	INTERNAL AFFAIRS INVESTIGATOR	1	GRADE C117
15	(21)	G179C	LEGAL SERVICES SPECIALIST	2	GRADE C117
16	(22)	X125C	FRAUD INVESTIGATOR COORDINATOR	3	GRADE C116
17	(23)	P031C	MEDIA SPECIALIST	1	GRADE C116
18	(24)	G210C	DHS PROGRAM SPECIALIST	3	GRADE C115
19	(25)	X156C	FRAUD INVESTIGATOR	6	GRADE C114
20	(26)	C046C	LEGAL SUPPORT SPECIALIST	36	GRADE C113
21	(27)	C056C	ADMINISTRATIVE SPECIALIST III	8	GRADE C112
22	(28)	C087C	ADMINISTRATIVE SPECIALIST I	<u>2</u>	GRADE C106
23			MAX. NO. OF EMPLOYEES	174	

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25 SECTION 2. REGULAR SALARIES - ADMINISTRATIVE SERVICES. There is hereby
 26 established for the Department of Human Services - Division of Administrative
 27 Services for the 2011-2012 fiscal year, the following maximum number of
 28 regular employees.

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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2011-2012
(1)	N016N	DHS DEP DIR ADMINISTRATIVE SVCS	1	GRADE N911
(2)	N040N	DHS CHIEF INFORMATION OFFICER	1	GRADE N909
(3)	N112N	DHS ASST DEP DIR FIN SUPPORT SYSTEM	1	GRADE N905

1	(4)	N111N	DHS ASST DEP DIR FOR MGR ACCOUNTING	1	GRADE N905
2	(5)	N107N	DHS/OFA ASSISTANT DIR - ACCOUNTING	1	GRADE N905
3	(6)	N109N	DHS/OFA ASSISTANT DIRECTOR	1	GRADE N905
4	(7)	R002N	DHS DIRECTOR OF HUMAN RESOURCES	1	GRADE N904
5	(8)	P004N	DHS DIRECTOR OF PUBLIC RELATIONS	1	GRADE N901
6	(9)	N167N	DHS POLICY & RESEARCH DIRECTOR	1	GRADE N901
7	(10)	G027N	DHS RESEARCH ANALYSIS MANAGER	1	GRADE N901
8	(11)	G004C	MANAGING ATTORNEY	1	GRADE C129
9	(12)	A010C	AGENCY CONTROLLER II	7	GRADE C128
10	(13)	D007C	INFORMATION SYSTEMS MANAGER	4	GRADE C128
11	(14)	A027C	ACCOUNTING OPERATIONS MANAGER	1	GRADE C125
12	(15)	R008C	DHS EMPLOYEE RELATIONS MANAGER	1	GRADE C125
13	(16)	A031C	ASSISTANT CONTROLLER	7	GRADE C124
14	(17)	R013C	AGENCY HUMAN RESOURCES MANAGER	2	GRADE C123
15	(18)	G099C	DHS PROGRAM ADMINISTRATOR	2	GRADE C122
16	(19)	A052C	ACCOUNTING COORDINATOR	4	GRADE C121
17	(20)	A047C	FINANCIAL ANALYST II	1	GRADE C121
18	(21)	G109C	GRANTS MANAGER	2	GRADE C121
19	(22)	R014C	PERSONNEL MANAGER	1	GRADE C121
20	(23)	V004C	PROCUREMENT MANAGER	1	GRADE C121
21	(24)	D052C	SOFTWARE SUPPORT ANALYST	6	GRADE C121
22	(25)	A056C	DHS FINANCIAL SECTION MANAGER	11	GRADE C120
23	(26)	E023C	TRAINING PROJECT MANAGER	1	GRADE C120
24	(27)	R021C	BUDGET ANALYST	1	GRADE C119
25	(28)	D063C	COMPUTER SUPPORT SPECIALIST	9	GRADE C119
26	(29)	R020C	DHS EMPLOYEE RELATIONS/CIVIL RIGHTS	1	GRADE C119
27	(30)	G152C	DHS PROGRAM MANAGER	3	GRADE C119
28	(31)	G147C	GRANTS COORDINATOR	2	GRADE C119
29	(32)	D061C	INFORMATION SYSTEMS COORDINATION SP	5	GRADE C119
30	(33)	A065C	PAYROLL SERVICES COORDINATOR	2	GRADE C119
31	(34)	V007C	PROCUREMENT COORDINATOR	4	GRADE C119
32	(35)	A063C	RESEARCH & STATISTICS SUPERVISOR	1	GRADE C119
33	(36)	R024C	ASSISTANT PERSONNEL MANAGER	8	GRADE C118
34	(37)	A075C	FINANCIAL ANALYST I	1	GRADE C118
35	(38)	A074C	FISCAL SUPPORT SUPERVISOR	10	GRADE C118
36	(39)	D064C	WEBSITE DEVELOPER	1	GRADE C118

1	(40)	R027C	BUDGET SPECIALIST	7	GRADE C117
2	(41)	R026C	CIVIL RIGHTS/EMPLOYEE RELATIONS COORD	5	GRADE C117
3	(42)	D071C	COMPUTER SUPPORT ANALYST	1	GRADE C117
4	(43)	G183C	DHS PROGRAM COORDINATOR	2	GRADE C117
5	(44)	G180C	GRANTS ANALYST	33	GRADE C117
6	(45)	R025C	HUMAN RESOURCES ANALYST	5	GRADE C117
7	(46)	G178C	POLICY DEVELOPMENT COORDINATOR	2	GRADE C117
8	(47)	B076C	RESEARCH PROJECT ANALYST	2	GRADE C117
9	(48)	E040C	STAFF DEVELOPMENT COORDINATOR	5	GRADE C117
10	(49)	A089C	ACCOUNTANT I	15	GRADE C116
11	(50)	R029C	HUMAN RESOURCES RECRUITER	5	GRADE C116
12	(51)	C037C	ADMINISTRATIVE ANALYST	6	GRADE C115
13	(52)	D079C	COMPUTER SUPPORT TECHNICIAN	2	GRADE C115
14	(53)	G210C	DHS PROGRAM SPECIALIST	4	GRADE C115
15	(54)	A091C	FISCAL SUPPORT ANALYST	15	GRADE C115
16	(55)	D077C	HELP DESK SPECIALIST	1	GRADE C115
17	(56)	A090C	PAYROLL SERVICES SPECIALIST	1	GRADE C115
18	(57)	S032C	PRINT SHOP SUPERVISOR	1	GRADE C115
19	(58)	V015C	PURCHASING SPECIALIST	5	GRADE C115
20	(59)	C040C	LEASING SPECIALIST	1	GRADE C114
21	(60)	A093C	STATISTICIAN	3	GRADE C114
22	(61)	D081C	TELECOMMUNICATIONS SPECIALIST	1	GRADE C114
23	(62)	V018C	WAREHOUSE MANAGER	1	GRADE C114
24	(63)	C050C	ADMINISTRATIVE SUPPORT SUPERVISOR	2	GRADE C113
25	(64)	R036C	HUMAN RESOURCES SPECIALIST	6	GRADE C113
26	(65)	V020C	INVENTORY CONTROL MANAGER	1	GRADE C113
27	(66)	C043C	RECORDS MANAGEMENT ANALYST	6	GRADE C113
28	(67)	C056C	ADMINISTRATIVE SPECIALIST III	16	GRADE C112
29	(68)	A098C	FISCAL SUPPORT SPECIALIST	31	GRADE C112
30	(69)	S054C	PRINTER	4	GRADE C111
31	(70)	R038C	HUMAN RESOURCES ASSISTANT	9	GRADE C110
32	(71)	V025C	WAREHOUSE SPECIALIST	3	GRADE C110
33	(72)	C073C	ADMINISTRATIVE SPECIALIST II	11	GRADE C109
34	(73)	C070C	DUPLICATION ASSISTANT	1	GRADE C109
35	(74)	V027C	INVENTORY CONTROL TECHNICIAN	1	GRADE C108
36	(75)	C083C	MAIL SERVICES COORDINATOR	1	GRADE C107

1	(76)	C087C	ADMINISTRATIVE SPECIALIST I	7	GRADE C106
2	(77)	V028C	WAREHOUSE WORKER	1	GRADE C106
3	(78)	C088C	MAIL SERVICES ASSISTANT	<u>5</u>	GRADE C105
4			MAX. NO. OF EMPLOYEES	338	

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6 SECTION 3. REGULAR SALARIES - VOLUNTEERISM. There is hereby
7 established for the Department of Human Services - Division of Volunteerism
8 for the 2011-2012 fiscal year, the following maximum number of regular
9 employees.

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11				Maximum Annual	
12				Maximum	Salary Rate
13	Item	Class		No. of	Fiscal Year
14	No.	Code	Title	Employees	2011-2012
15	(1)	N171N	DHS DEP DIR OFFICE OF VOLUNTEER SER	1	GRADE N902
16	(2)	G076C	ADMINISTRATIVE SERVICES MANAGER	1	GRADE C124
17	(3)	G080C	NATIONAL & COMMUNITY SERVICES EXEC	1	GRADE C123
18	(4)	G152C	DHS PROGRAM MANAGER	1	GRADE C119
19	(5)	G147C	GRANTS COORDINATOR	1	GRADE C119
20	(6)	M037C	PROGRAM ELIGIBILITY SUPERVISOR	1	GRADE C117
21	(7)	E040C	STAFF DEVELOPMENT COORDINATOR	1	GRADE C117
22	(8)	G176C	VOLUNTEER PROGRAM MANAGER	1	GRADE C117
23	(9)	C022C	BUSINESS OPERATIONS SPECIALIST	1	GRADE C116
24	(10)	G202C	VOLUNTEER PROGRAM COORDINATOR	8	GRADE C115
25	(11)	G236C	DHS/DOV AREA COORDINATOR	1	GRADE C114
26	(12)	G214C	GRANTS SPECIALIST	1	GRADE C114
27	(13)	C056C	ADMINISTRATIVE SPECIALIST III	2	GRADE C112
28	(14)	V022C	PURCHASING TECHNICIAN	1	GRADE C112
29	(15)	C073C	ADMINISTRATIVE SPECIALIST II	<u>2</u>	GRADE C109
30			MAX. NO. OF EMPLOYEES	24	

31

32 SECTION 4. EXTRA HELP - DIRECTOR'S OFFICE - OFFICE OF CHIEF COUNSEL.
33 There is hereby authorized, for the Department of Human Services - Director's
34 Office - Office of Chief Counsel for the 2011-2012 fiscal year, the following
35 maximum number of part-time or temporary employees, to be known as "Extra
36 Help", payable from funds appropriated herein for such purposes: ten (10)

1 temporary or part-time employees, when needed, at rates of pay not to exceed
 2 those provided in the Uniform Classification and Compensation Act, or its
 3 successor, or this act for the appropriate classification.

4
 5 SECTION 5. EXTRA HELP - ADMINISTRATIVE SERVICES. There is hereby
 6 authorized, for the Department of Human Services - Division of Administrative
 7 Services for the 2011-2012 fiscal year, the following maximum number of part-
 8 time or temporary employees, to be known as "Extra Help", payable from funds
 9 appropriated herein for such purposes: twenty (20) temporary or part-time
 10 employees, when needed, at rates of pay not to exceed those provided in the
 11 Uniform Classification and Compensation Act, or its successor, or this act
 12 for the appropriate classification.

13
 14 SECTION 6. APPROPRIATION - DIRECTOR'S OFFICE - OFFICE OF CHIEF COUNSEL
 15 - OPERATIONS. There is hereby appropriated, to the Department of Human
 16 Services - Director's Office - Office of Chief Counsel, to be payable from
 17 the paying account as determined by the Chief Fiscal Officer of the State,
 18 for personal services and operating expenses of the Department of Human
 19 Services - Director's Office - Office of Chief Counsel for the fiscal year
 20 ending June 30, 2012, the following:

22	ITEM	FISCAL YEAR
23	<u>NO.</u>	<u>2011-2012</u>
24	(01) REGULAR SALARIES	\$8,578,684
25	(02) EXTRA HELP	200,348
26	(03) PERSONAL SERVICES MATCHING	2,630,956
27	(04) MAINT. & GEN. OPERATION	
28	(A) OPER. EXPENSE	1,243,110
29	(B) CONF. & TRAVEL	32,472
30	(C) PROF. FEES	11,000
31	(D) CAP. OUTLAY	0
32	(E) DATA PROC.	0
33	(05) DATA PROCESSING SERVICES	<u>12,300</u>
34	TOTAL AMOUNT APPROPRIATED	<u>\$12,708,870</u>

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 36 SECTION 7. APPROPRIATION - ADMINISTRATIVE SERVICES - OPERATIONS. There

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

7 ITEM	FISCAL YEAR
8 <u>NO.</u>	<u>2011-2012</u>
9 (01) REGULAR SALARIES	\$14,100,311
10 (02) EXTRA HELP	64,480
11 (03) PERSONAL SERVICES MATCHING	4,641,803
12 (04) OVERTIME	10,000
13 (05) MAINT. & GEN. OPERATION	
14 (A) OPER. EXPENSE	3,104,383
15 (B) CONF. & TRAVEL	20,000
16 (C) PROF. FEES	10,385,172
17 (D) CAP. OUTLAY	0
18 (E) DATA PROC.	0
19 (06) DATA PROCESSING SERVICES	1,967,600
20 (07) AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009	<u>25,000</u>
21 TOTAL AMOUNT APPROPRIATED	<u>\$34,318,749</u>

22
 23 SECTION 8. APPROPRIATION - ADMINISTRATIVE SERVICES - CLIENT SPECIFIC
 24 EMERGENCY SERVICES - CASH. There is hereby appropriated, to the Department
 25 of Human Services - Division of Administrative Services, to be payable from
 26 cash funds as defined by Arkansas Code 19-4-801 of the Department of Human
 27 Services - Division of Administrative Services, for purchase of services of
 28 the Department of Human Services - Division of Administrative Services for
 29 the fiscal year ending June 30, 2012, the following:

31 ITEM	FISCAL YEAR
32 <u>NO.</u>	<u>2011-2012</u>
33 (01) PURCHASE OF SERVICES	<u>\$120,000</u>

34
 35 SECTION 9. APPROPRIATION - ADMINISTRATIVE SERVICES - VARIOUS BUILDING
 36 CONSTRUCTION. There is hereby appropriated, to the Department of Human

1 Services - Division of Administrative Services, to be payable from the
 2 Department of Human Services Renovation Fund, for construction, renovation,
 3 maintenance, equipment and repairs for various buildings operated by the
 4 Department of Human Services for the fiscal year ending June 30, 2012, the
 5 following:

7 ITEM	FISCAL YEAR
8 <u>NO.</u>	<u>2011-2012</u>
9 (01) CONSTRUCTION	<u>\$7,688,100</u>

10

11 SECTION 10. APPROPRIATION - ADMINISTRATIVE SERVICES - CONSOLIDATED
 12 COST. There is hereby appropriated, to the Department of Human Services -
 13 Division of Administrative Services, to be payable from the DHS Consolidated
 14 Cost Revolving Fund, for operating expenses of the Department of Human
 15 Services - Division of Administrative Services - Consolidated Cost for the
 16 fiscal year ending June 30, 2012, the following:

18 ITEM	FISCAL YEAR
19 <u>NO.</u>	<u>2011-2012</u>
20 (01) MAINT. & GEN. OPERATION	
21 (A) OPER. EXPENSE	\$821,500
22 (B) CONF. & TRAVEL	0
23 (C) PROF. FEES	0
24 (D) CAP. OUTLAY	0
25 (E) DATA PROC.	<u>0</u>
26 TOTAL AMOUNT APPROPRIATED	<u>\$821,500</u>

27

28 SECTION 11. APPROPRIATION - ADMINISTRATIVE SERVICES - SOCIAL SERVICES
 29 BLOCK GRANT - FEDERAL. There is hereby appropriated, to the Department of
 30 Human Services - Division of Administrative Services, to be payable from the
 31 federal funds as designated by the Chief Fiscal Officer of the State, for
 32 purchase of services of the Department of Human Services - Division of
 33 Administrative Services for the fiscal year ending June 30, 2012, the
 34 following:

36 ITEM	FISCAL YEAR
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1	<u>NO.</u>	<u>2011-2012</u>
2	(01) PURCHASE OF SERVICES	<u>\$139,733</u>

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4 SECTION 12. APPROPRIATION - ADMINISTRATIVE SERVICES - AMERICAN RECOVERY
 5 AND REINVESTMENT ACT OF 2009. There is hereby appropriated, to the
 6 Department of Human Services - Division of Administrative Services, to be
 7 payable from the paying account as determined by the Chief Fiscal Officer of
 8 the State, for Department of Human Services capital improvements, information
 9 technologies and one-time costs of the Department of Human Services -
 10 Division of Administrative Services for the fiscal year ending June 30, 2012,
 11 the following:

12

13	ITEM	FISCAL YEAR
14	<u>NO.</u>	<u>2011-2012</u>
15	(01) AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009	<u>\$21,619,313</u>

16

17 SECTION 13. APPROPRIATION - VOLUNTEERISM - OPERATIONS. There is hereby
 18 appropriated, to the Department of Human Services - Division of Volunteerism,
 19 to be payable from the paying account as determined by the Chief Fiscal
 20 Officer of the State, for personal services and operating expenses of the
 21 Department of Human Services - Division of Volunteerism for the fiscal year
 22 ending June 30, 2012, the following:

23

24	ITEM	FISCAL YEAR
25	<u>NO.</u>	<u>2011-2012</u>
26	(01) REGULAR SALARIES	\$945,074
27	(02) PERSONAL SERVICES MATCHING	310,679
28	(03) OVERTIME	1,000
29	(04) MAINT. & GEN. OPERATION	
30	(A) OPER. EXPENSE	192,730
31	(B) CONF. & TRAVEL	22,000
32	(C) PROF. FEES	10,000
33	(D) CAP. OUTLAY	0
34	(E) DATA PROC.	0
35	(05) DELTA SERVICE CORPS GRANTS	2,410,704
36	(06) DATA PROCESSING SERVICES	<u>8,200</u>

1 TOTAL AMOUNT APPROPRIATED \$3,900,387

2

3 SECTION 14. APPROPRIATION - VOLUNTEERISM - CASH. There is hereby
 4 appropriated, to the Department of Human Services - Division of Volunteerism,
 5 to be payable from the cash fund deposited in the State Treasury as
 6 determined by the Chief Fiscal Officer of the State, for operating expenses
 7 of the Department of Human Services - Division of Volunteerism for the fiscal
 8 year ending June 30, 2012, the following:

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10 ITEM	FISCAL YEAR
11 <u>NO.</u>	<u>2011-2012</u>
12 (01) MAINT. & GEN. OPERATION	
13 (A) OPER. EXPENSE	\$7,703
14 (B) CONF. & TRAVEL	2,865
15 (C) PROF. FEES	1,432
16 (D) CAP. OUTLAY	0
17 (E) DATA PROC.	<u>0</u>
18 TOTAL AMOUNT APPROPRIATED	<u>\$12,000</u>

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20 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 22 DIRECTOR'S OFFICE/OFFICE OF CHIEF COUNSEL - PURCHASE OF EVIDENCE. Upon
 23 approval by the Chief Fiscal Officer of the State, the Chief Counsel for the
 24 Department of Human Services may transfer an amount up to but not to exceed
 25 \$12,000 and deposit same in a bank account for the purpose of purchasing
 26 evidence in the course of investigating the illegal use of food
 27 stamps/Electronic Benefit Transfer (EBT) cards. The funds so transferred
 28 shall be subject to accounting in a manner substantially similar to that
 29 employed by the Arkansas State Police for such transactions; provided
 30 however, that information tending to identify participants in such
 31 transactions shall be exempt from the Arkansas Freedom of Information Act.

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

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35 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HUMAN

1 SERVICES RENOVATION FUND. Department of Human Services Renovation Fund.

2 (a) There is established on the books of the Treasurer of State, Auditor
3 of State, and the Chief Fiscal Officer of the State a fund to be known as the
4 Department of Human Services Renovation Fund.

5 (b) This fund shall be used for constructing, acquiring, renovating,
6 maintaining, repairing, and equipping facilities of the Department of Human
7 Services and for paying disallowances by the federal government.

8 (c) The fund shall consist of:

9 (1) Federal reimbursement received by the Department of Human Services and
10 deposited in the various fund accounts of the department; and

11 (2) General revenues transferred from the Division of Youth Services, the
12 Division of Behavioral Health, and the Division of Developmental Disabilities
13 Services for the purposes of repairing, renovating, equipping, acquiring and
14 constructing Department of Human Services facilities with an annual maximum
15 of five million dollars (\$5,000,000). The projects for which these transfers
16 are authorized must be projects which were unanticipated during the preceding
17 regular session of the Arkansas General Assembly and must be projects which,
18 if not carried out in the interim period between regular sessions of the
19 Arkansas General Assembly would cause greater harm to the facilities, clients
20 or programs of the Department of Human Services than to wait until the next
21 regular session.

22 (3) Other non-general revenue funds as may be available within the Department
23 of Human Services that can be used for the purposes of this fund.

24 (d)(1) At the request of the Director of the Department of Human
25 Services, and upon certification of the availability of such funds, the Chief
26 Fiscal Officer of the State shall initiate the necessary transfer documents
27 to reflect the transfer on the books of record of the Treasurer of State, the
28 Auditor of State, the Chief Fiscal Officer of the State, and the Department
29 of Human Services.

30 (2) The Director of the Department of Human Services shall submit any
31 transfer plan to and must receive approval of the plan from the Chief Fiscal
32 Officer of the State, the Governor and the Arkansas Legislative Council prior
33 to the effective date of the transfer.

34 (e) Provided, that any non-general revenue funding that may remain in
35 the fund at the end of any fiscal year shall be carried over into the next
36 fiscal year and all obligated general revenue funding that may remain in the

1 fund at the end of any fiscal year shall be carried over into the next fiscal
2 year to satisfy such legal and contractual obligations that have been entered
3 into prior to the end of the fiscal year.

4 (f) Determining the amount of funds appropriated to a state agency is
5 the prerogative of the General Assembly and is usually accomplished by
6 delineating specific line items and by identifying the appropriation and
7 funding attached to that line item. The General Assembly has determined that
8 the Department of Human Services could be operated more efficiently if some
9 flexibility is given to that agency. That flexibility is being accomplished
10 by providing transfer authority in subsection (d) of this section, and since
11 the General Assembly has granted the agency broad powers under the transfer
12 authority concept, it is both necessary and appropriate that the General
13 Assembly maintain oversight of the utilization of the transfer authority by
14 requiring prior approval of the Legislative Council in the utilization of
15 this transfer authority. Therefore, the requirement of approval by the
16 Legislative Council is not a severable part of this section. If the
17 requirement of approval by the Legislative Council is ruled unconstitutional
18 by a court jurisdiction, this entire section is void.

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

21
22 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
24 AUTHORITY. The Director of the Department of Human Services shall have
25 transfer authority provided by the following:

26 (a) DEPARTMENT OF HUMAN SERVICES RENOVATION FUND. The Director of the
27 Department of Human Services is authorized to request fund transfers
28 according to the provisions established by Arkansas Code Ann. 19-5-1020,
29 Department of Human Services Renovation Fund, as amended herein; and

30 (b) MATCH TRANSFER. The Director of the Department of Human Services,
31 with the approval of the Chief Fiscal Officer of the State, is authorized to
32 effect inter-agency and inter-divisional fund transfers for the purpose of
33 providing the State's matching share for payments made to that Division or
34 Office or its service providers for services eligible for federal
35 reimbursement under programs administered by the Department of Human
36 Services. The Department of Human Services shall report to the Legislative

1 Council or Joint Budget Committee on a quarterly basis all fund transfers
2 made in accordance with the authority granted by this section; and

3 (c) YOUTH SERVICES - HOUSING AND SEPARATION APPROPRIATION PROVISIONS.

4 The Division of Youth Services (DYS) is authorized to fulfill its
5 responsibility to house offenders between the ages of 18 and 21 and to
6 separate juvenile offenders by age and seriousness of offense by either
7 employing additional state employees and providing the corresponding
8 operating expenses or entering into professional services contracts. If the
9 Division of Youth Services determines that the Division needs to employ state
10 employees to fulfill the housing and separation requirements, they may
11 transfer up to the total amount appropriated for the DYS - Residential
12 Services Program appropriation to the appropriate DYS appropriation and line
13 items, upon approval of the Chief Fiscal Officer of the State, and prior
14 review by the Legislative Council; and

15 (d) REALLOCATION OF RESOURCES: (1) The Department of Human Services
16 (DHS) provides hundreds of different services to over 1 million Arkansans.
17 The specific mix of service needs and the funding and staffing required to
18 provide them can vary significantly based on many factors, including natural
19 disasters, changing federal mandates and funding sources, demographic shifts,
20 fluctuating court-ordered services, social trends, and job market variations
21 such as nursing shortages. The impact of these factors through the course of
22 any fiscal year make it very difficult for the Department to accurately
23 predict the exact needs for funding, appropriation and positions in each of
24 its over 100 different appropriations. To ensure that it can respond quickly
25 to changing client needs and make the most effective use of the resources
26 allocated to it, the Department of Human Services shall be authorized to
27 utilize the reallocation of resource authority to make the proper adjustments
28 to the budgets within the Department. Therefore, upon determination by the
29 Director of the Department of Human Services that a reallocation of resources
30 within the department is necessary for the efficient and effective operation
31 of the department, the director, with approval of the Governor, shall have
32 the authority to request, from the Chief Fiscal Officer of the State, a
33 transfer of positions, appropriations, line item appropriations, and funds
34 within or between existing and newly created divisions, offices, sections, or
35 units of the department. Provided, however, that no transfer of funds or
36 appropriation that provides direct support or matching support for the

1 Arkansas Medicaid Program shall be made to any other fund account or
2 appropriation that does not directly support the Arkansas Medicaid Program.
3 Further, no positions, funds, or appropriation authorized during the budget
4 process for the Division of Children and Family Services compliance with
5 initiatives established under the Angela R. consent decree shall be
6 transferred to any other division. Nothing in this provision is intended to
7 prevent the one-time transfers of savings in any other program to the
8 Arkansas Medicaid Program, with the exception of the provisions previously
9 cited for the Division of Children and Family Services – Angela R. consent
10 decree. The Division of Developmental Disabilities – Grants to Community
11 Providers line item of the Developmental Disabilities Services - Grants-in-
12 Aid appropriation may not be decreased. The appropriation, funding, and
13 positions provided for the six Human Development Centers shall remain at a
14 level sufficient to ensure quality care for the Centers' residents. The
15 exemptions provided in this subsection whereby certain DHS Programs and
16 Divisions are protected from appropriation, fund, or position transfers are
17 applicable only to the reallocation or transfer authority granted herein, and
18 not by any reductions which are applicable to all state programs.
19 The Director of the Department of Human Services shall submit any requests
20 for transfers to and must receive approval of the requests for transfers from
21 the Chief Fiscal Officer of the State, the Governor, and the Arkansas
22 Legislative Council prior to the effective date of the transfers. Provided,
23 however, that the Department of Human Services shall be limited to submitting
24 no more than two reallocation of resources transfer requests during any
25 fiscal year. In each Departmental request no single division will request
26 reallocation for more than one purpose as listed in this section. Transfer
27 authority for unforeseen purposes shall further be limited to no more than 5%
28 of the total appropriation, funding, and positions authorized for the
29 Department. Reallocation of resources transfers may include multiple items
30 but shall be limited to the following purposes:
31 i). Medicaid Program
32 ii). Facilities and institutions costs, including operational expenses and
33 construction/renovation/equipping expenses
34 iii). Departmental grants and contracts
35 iv). Court ordered settlements and payments
36 v). Payment of administrative expenses, including but not limited to,

1 overtime and other costs of personnel for critical services or functions
2 necessary to carry out the mission of the agency
3 vi). Restructuring efforts as deemed necessary to comply with new and/or
4 unanticipated federal or state mandates
5 vii). Redirecting internal resources, both direct and/or indirect, to meet
6 client needs and services

7 Determining the maximum number of employees and the maximum amount of
8 appropriation and general revenue funding for a state agency each fiscal year
9 is the prerogative of the General Assembly. This is usually accomplished by
10 delineating such maximums in the appropriation act(s) for a state agency and
11 the general revenue allocations authorized for each fund and fund account by
12 amendment to the Revenue Stabilization law. Further, the General Assembly has
13 determined that the Department of Human Services may operate more efficiently
14 if some flexibility is provided to the Department of Human Services
15 authorizing broad powers under the Reallocation of Resources provisions
16 herein. Therefore, it is both necessary and appropriate that the General
17 Assembly maintain oversight by requiring prior approval of the Legislative
18 Council or Joint Budget Committee as provided by this section. The
19 requirement of approval by the Legislative Council or Joint Budget Committee
20 is not a severable part of this section. If the requirement of approval by
21 the Legislative Council or Joint Budget Committee is ruled unconstitutional
22 by a court of competent jurisdiction, this entire section is void.

23 (2) If it is determined that the requested reallocation of resources
24 transfers should be made, the Chief Fiscal Officer of the State shall then
25 initiate the necessary transfer documents to reflect the transfers upon the
26 fiscal records of the Treasurer of State, the Auditor of State, the Chief
27 Fiscal Officer of the State, and the Department of Human Services. In
28 addition, the Chief Fiscal Officer of the State, together with the Co-
29 Chairpersons of the Legislative Council or Joint Budget Committee, may
30 approve, on an emergency basis, requests for utilization of this Section
31 without prior approval of the Arkansas Legislative Council, with any such
32 actions reported at the next meeting of the Arkansas Legislative Council.

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

35

36 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
2 NURSING/DIRECT CARE EDUCATION STIPEND PROGRAM. Special provision for a
3 Nursing/Direct Care Education Stipend Program for the Department of Human
4 Services is hereby authorized to pay from State and Federal Funds
5 appropriated in each division Act. This program is for eligible nursing
6 students who are attending accredited nursing institutions to become
7 Registered or Licensed Practical Nurses, as well as Certified Nursing
8 Assistants, Residential Care Assistants, Residential Care Technicians,
9 Residential Care Supervisors and Behavioral Health Aides.

10 The stipend is \$5,000 per person per year. Any student who is awarded
11 and accepts a stipend is under employment commitment to the respective DHS
12 Division and is required to work for that division, in a full-time employee
13 status effective immediately upon graduation. The student employment
14 commitment is equal to the number of years the stipend was awarded and
15 accepted. In the event of Employee/Student default of the employment
16 commitment, the Employee/Student will be considered in breach of contract and
17 repayment of the stipend will be required as specified in the Stipend
18 Contract.

19 Each division participating in the Education Stipend Program shall
20 determine on an annual basis, the number of student stipends available.

21 The provisions of this section shall be in effect only from July 1, ~~2010~~
22 2011 through June 30, ~~2011~~ 2012.

23
24 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

26 NURSING/DIRECT CARE RECRUITMENT/RETENTION BONUSES. Special provision to
27 provide Nursing/Direct Care Recruitment and Retention Bonuses for the
28 Department of Human Services is hereby authorized to pay from State and
29 Federal funds appropriated for each respective division. Nursing/direct care
30 service recruitment/retention bonuses are in addition to the maximum annual
31 amounts provided in the Regular Salaries Section of the respective Division
32 Act for Registered Nurse, Licensed Practical Nurse, Certified Nursing
33 Assistant, Residential Care Assistant, Residential Care Technician,
34 Residential Care Supervisor and Behavioral Health Aide. New hire nurses must
35 be licensed by the Arkansas State Board of Nursing. The total
36 recruitment/retention bonus payment commitment for eligible nurses shall not

1 exceed \$4,000 per Registered Nurse and \$2,000 per Licensed Practical Nurse
2 and \$1,000 per Certified Nursing Assistant, Residential Care Assistant,
3 Residential Care Technician, Residential Care Supervisor and Behavioral
4 Health Aide.

5 The lump sum bonus payments and employment commitment to the State will
6 be made in partial payments as follows:

7

8 Registered Nurse Classifications

9 \$1,000 after completing 6 months probationary employment

10 \$1,500 after completing 1st year employment

11 \$1,500 after completing 2nd year employment

12

13 Licensed Practical Nurse Classifications

14 \$ 500 after completing 6 months probationary employment

15 \$ 500 after completing 1st year employment

16 \$1,000 after completing 2nd year employment

17

18 Certified Nursing Assistant/Residential Care Assistant/Residential Care
19 Technician/Residential Care Supervisor/Behavioral Health Aide
20 Classifications

21 \$ 500 after completing 6 month probationary employment

22 \$ 500 after completing 1st year employment

23

24 Any qualified person hired and offered bonus payment described herein
25 will forfeit the balance of the payments if he/she voluntarily resigns or is
26 terminated for cause from employment from the Department of Human Services
27 prior to completing the required employment commitment time periods outlined
28 above.

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

31

32 SECTION 20. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
33 authorized by this act shall be limited to the appropriation for such agency
34 and funds made available by law for the support of such appropriations; and
35 the restrictions of the State Procurement Law, the General Accounting and
36 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary

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

5
6 SECTION 21. LEGISLATIVE INTENT. It is the intent of the General
7 Assembly that any funds disbursed under the authority of the appropriations
8 contained in this act shall be in compliance with the stated reasons for
9 which this act was adopted, as evidenced by the Agency Requests, Executive
10 Recommendations and Legislative Recommendations contained in the budget
11 manuals prepared by the Department of Finance and Administration, letters, or
12 summarized oral testimony in the official minutes of the Arkansas Legislative
13 Council or Joint Budget Committee which relate to its passage and adoption.

14
15 SECTION 22. EMERGENCY CLAUSE. It is found and determined by the
16 General Assembly, that the Constitution of the State of Arkansas prohibits
17 the appropriation of funds for more than a one (1) year period; that the
18 effectiveness of this Act on July 1, 2011 is essential to the operation of
19 the agency for which the appropriations in this Act are provided, and that in
20 the event of an extension of the legislative session, the delay in the
21 effective date of this Act beyond July 1, 2011 could work irreparable harm
22 upon the proper administration and provision of essential governmental
23 programs. Therefore, an emergency is hereby declared to exist and this Act
24 being necessary for the immediate preservation of the public peace, health
25 and safety shall be in full force and effect from and after July 1, 2011.

26
27 */s/Joint Budget Committee*

28
29
30 **APPROVED: 04/01/2011**