

1 State of Arkansas
2 88th General Assembly
3 Fiscal Session, 2012
4

A Bill

HOUSE BILL 1067

5 By: Joint Budget Committee
6

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, 2013; AND FOR OTHER PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE DEPARTMENT OF HUMAN SERVICES
15 - ADMINISTRATION APPROPRIATION FOR THE
16 2012-2013 FISCAL YEAR.
17
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 2012-2013 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
				2012-2013
31	(1)	U011U DHS DIRECTOR	1	\$156,317
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	

24

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 2012-2013 fiscal year, the following maximum number of
 28 regular employees.

29

30				Maximum Annual
31			Maximum	Salary Rate
32	Item	Class	No. of	Fiscal Year
33	No.	Code	Title	Employees
				2012-2013
34	(1)	N016N	DHS DEP DIR ADMINISTRATIVE SVCS	1 GRADE N911
35	(2)	N040N	DHS CHIEF INFORMATION OFFICER	1 GRADE N909
36	(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	

5

6 SECTION 3. REGULAR SALARIES - COMMUNITY SERVICE AND NONPROFIT SUPPORT.

7 There is hereby established for the Department of Human Services - Division
 8 of Community Service and Nonprofit Support for the 2012-2013 fiscal year, the
 9 following maximum number of regular employees.

10

11				Maximum	Maximum Annual
12				Salary Rate	
13	Item	Class		No. of	Fiscal Year
14	No.	Code	Title	Employees	2012-2013
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 2012-2013 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 2012-2013 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, 2013, the following:

21

22 ITEM	FISCAL YEAR
23 <u>NO.</u>	<u>2012-2013</u>
24 (01) REGULAR SALARIES	\$8,771,879
25 (02) EXTRA HELP	200,348
26 (03) PERSONAL SERVICES MATCHING	2,669,637
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>\$12,940,746</u>

35
 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, 2013, the following:

7 ITEM	FISCAL YEAR
8 <u>NO.</u>	<u>2012-2013</u>
9 (01) REGULAR SALARIES	\$14,358,321
10 (02) EXTRA HELP	64,480
11 (03) PERSONAL SERVICES MATCHING	4,695,491
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	10,311,696
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>\$34,556,971</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, 2013, the following:

31 ITEM	FISCAL YEAR
32 <u>NO.</u>	<u>2012-2013</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, 2013, the
 5 following:

7 ITEM	FISCAL YEAR
8 <u>NO.</u>	<u>2012-2013</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, 2013, the following:

18 ITEM	FISCAL YEAR
19 <u>NO.</u>	<u>2012-2013</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, 2013, the
 34 following:

36 ITEM	FISCAL YEAR
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1	<u>NO.</u>	<u>2012-2013</u>
2	(01) PURCHASE OF SERVICES	<u>\$139,733</u>

3

4 SECTION 12. APPROPRIATION - COMMUNITY SERVICE AND NONPROFIT SUPPORT -

5 OPERATIONS. There is hereby appropriated, to the Department of Human

6 Services - Division of Community Service and Nonprofit Support, to be payable

7 from the paying account as determined by the Chief Fiscal Officer of the

8 State, for personal services and operating expenses of the Department of

9 Human Services - Division of Community Service and Nonprofit Support for the

10 fiscal year ending June 30, 2013, the following:

11	ITEM	FISCAL YEAR
12	<u>NO.</u>	<u>2012-2013</u>
13	(01) REGULAR SALARIES	\$966,119
14	(02) PERSONAL SERVICES MATCHING	315,116
15	(03) OVERTIME	1,000
16	(04) MAINT. & GEN. OPERATION	
17	(A) OPER. EXPENSE	192,730
18	(B) CONF. & TRAVEL	22,000
19	(C) PROF. FEES	10,000
20	(D) CAP. OUTLAY	0
21	(E) DATA PROC.	0
22	(05) DELTA SERVICE CORPS GRANTS	2,410,704
23	(06) DATA PROCESSING SERVICES	<u>8,200</u>
24	TOTAL AMOUNT APPROPRIATED	<u>\$3,925,869</u>

25

26

27 SECTION 13. APPROPRIATION - COMMUNITY SERVICE AND NONPROFIT SUPPORT -

28 CASH. There is hereby appropriated, to the Department of Human Services -

29 Division of Community Service and Nonprofit Support, to be payable from the

30 cash fund deposited in the State Treasury as determined by the Chief Fiscal

31 Officer of the State, for operating expenses of the Department of Human

32 Services - Division of Community Service and Nonprofit Support for the fiscal

33 year ending June 30, 2013, the following:

34	ITEM	FISCAL YEAR
35	<u>NO.</u>	<u>2012-2013</u>

1	(01) MAINT. & GEN. OPERATION	
2	(A) OPER. EXPENSE	\$7,703
3	(B) CONF. & TRAVEL	2,865
4	(C) PROF. FEES	1,432
5	(D) CAP. OUTLAY	0
6	(E) DATA PROC.	<u>0</u>
7	TOTAL AMOUNT APPROPRIATED	<u><u>\$12,000</u></u>

8

9 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

11 DIRECTOR'S OFFICE/OFFICE OF CHIEF COUNSEL - PURCHASE OF EVIDENCE. Upon
 12 approval by the Chief Fiscal Officer of the State, the Chief Counsel for the
 13 Department of Human Services may transfer an amount up to but not to exceed
 14 \$12,000 and deposit same in a bank account for the purpose of purchasing
 15 evidence in the course of investigating the illegal use of food
 16 stamps/Electronic Benefit Transfer (EBT) cards. The funds so transferred
 17 shall be subject to accounting in a manner substantially similar to that
 18 employed by the Arkansas State Police for such transactions; provided
 19 however, that information tending to identify participants in such
 20 transactions shall be exempt from the Arkansas Freedom of Information Act.

21 The provisions of this section shall be in effect only from July 1, ~~2010~~
 22 2012 through June 30, ~~2011~~ 2013.

23

24 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HUMAN
 26 SERVICES RENOVATION FUND. Department of Human Services Renovation Fund.

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

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

33 (c) The fund shall consist of:

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

36 (2) General revenues transferred from the Division of Youth Services, the

1 Division of Behavioral Health, and the Division of Developmental Disabilities
2 Services for the purposes of repairing, renovating, equipping, acquiring and
3 constructing Department of Human Services facilities with an annual maximum
4 of five million dollars (\$5,000,000). The projects for which these transfers
5 are authorized must be projects which were unanticipated during the preceding
6 regular session of the Arkansas General Assembly and must be projects which,
7 if not carried out in the interim period between regular sessions of the
8 Arkansas General Assembly would cause greater harm to the facilities, clients
9 or programs of the Department of Human Services than to wait until the next
10 regular session.

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

13 (d)(1) At the request of the Director of the Department of Human
14 Services, and upon certification of the availability of such funds, the Chief
15 Fiscal Officer of the State shall initiate the necessary transfer documents
16 to reflect the transfer on the books of record of the Treasurer of State, the
17 Auditor of State, the Chief Fiscal Officer of the State, and the Department
18 of Human Services.

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

23 (e) Provided, that any non-general revenue funding that may remain in
24 the fund at the end of any fiscal year shall be carried over into the next
25 fiscal year and all obligated general revenue funding that may remain in the
26 fund at the end of any fiscal year shall be carried over into the next fiscal
27 year to satisfy such legal and contractual obligations that have been entered
28 into prior to the end of the fiscal year.

29 (f) Determining the amount of funds appropriated to a state agency is
30 the prerogative of the General Assembly and is usually accomplished by
31 delineating specific line items and by identifying the appropriation and
32 funding attached to that line item. The General Assembly has determined that
33 the Department of Human Services could be operated more efficiently if some
34 flexibility is given to that agency. That flexibility is being accomplished
35 by providing transfer authority in subsection (d) of this section, and since
36 the General Assembly has granted the agency broad powers under the transfer

1 authority concept, it is both necessary and appropriate that the General
2 Assembly maintain oversight of the utilization of the transfer authority by
3 requiring prior approval of the Legislative Council in the utilization of
4 this transfer authority. Therefore, the requirement of approval by the
5 Legislative Council is not a severable part of this section. If the
6 requirement of approval by the Legislative Council is ruled unconstitutional
7 by a court jurisdiction, this entire section is void.

8 The provisions of this section shall be in effect only from July 1, ~~2010~~
9 2012 through June 30, ~~2011~~ 2013.

10
11 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
13 AUTHORITY. The Director of the Department of Human Services shall have
14 transfer authority provided by the following:

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

19 (b) MATCH TRANSFER. The Director of the Department of Human Services,
20 with the approval of the Chief Fiscal Officer of the State, is authorized to
21 effect inter-agency and inter-divisional fund transfers for the purpose of
22 providing the State's matching share for payments made to that Division or
23 Office or its service providers for services eligible for federal
24 reimbursement under programs administered by the Department of Human
25 Services. The Department of Human Services shall report to the Legislative
26 Council or Joint Budget Committee on a quarterly basis all fund transfers
27 made in accordance with the authority granted by this section; and

28 (c) YOUTH SERVICES - HOUSING AND SEPARATION APPROPRIATION PROVISIONS.
29 The Division of Youth Services (DYS) is authorized to fulfill its
30 responsibility to house offenders between the ages of 18 and 21 and to
31 separate juvenile offenders by age and seriousness of offense by either
32 employing additional state employees and providing the corresponding
33 operating expenses or entering into professional services contracts. If the
34 Division of Youth Services determines that the Division needs to employ state
35 employees to fulfill the housing and separation requirements, they may
36 transfer up to the total amount appropriated for the DYS - Residential

1 Services Program appropriation to the appropriate DYS appropriation and line
2 items, upon approval of the Chief Fiscal Officer of the State, and prior
3 review by the Legislative Council; and

4 (d) REALLOCATION OF RESOURCES: (1) The Department of Human Services
5 (DHS) provides hundreds of different services to over 1 million Arkansans.
6 The specific mix of service needs and the funding and staffing required to
7 provide them can vary significantly based on many factors, including natural
8 disasters, changing federal mandates and funding sources, demographic shifts,
9 fluctuating court-ordered services, social trends, and job market variations
10 such as nursing shortages. The impact of these factors through the course of
11 any fiscal year make it very difficult for the Department to accurately
12 predict the exact needs for funding, appropriation and positions in each of
13 its over 100 different appropriations. To ensure that it can respond quickly
14 to changing client needs and make the most effective use of the resources
15 allocated to it, the Department of Human Services shall be authorized to
16 utilize the reallocation of resource authority to make the proper adjustments
17 to the budgets within the Department. Therefore, upon determination by the
18 Director of the Department of Human Services that a reallocation of resources
19 within the department is necessary for the efficient and effective operation
20 of the department, the director, with approval of the Governor, shall have
21 the authority to request, from the Chief Fiscal Officer of the State, a
22 transfer of positions, appropriations, line item appropriations, and funds
23 within or between existing and newly created divisions, offices, sections, or
24 units of the department. Provided, however, that no transfer of funds or
25 appropriation that provides direct support or matching support for the
26 Arkansas Medicaid Program shall be made to any other fund account or
27 appropriation that does not directly support the Arkansas Medicaid Program.
28 Further, no positions, funds, or appropriation authorized during the budget
29 process for the Division of Children and Family Services compliance with
30 initiatives established under the Angela R. consent decree shall be
31 transferred to any other division. Nothing in this provision is intended to
32 prevent the one-time transfers of savings in any other program to the
33 Arkansas Medicaid Program, with the exception of the provisions previously
34 cited for the Division of Children and Family Services – Angela R. consent
35 decree. The Division of Developmental Disabilities – Grants to Community
36 Providers line item of the Developmental Disabilities Services - Grants-in-

1 Aid appropriation may not be decreased. The appropriation, funding, and
2 positions provided for the six Human Development Centers shall remain at a
3 level sufficient to ensure quality care for the Centers' residents. The
4 exemptions provided in this subsection whereby certain DHS Programs and
5 Divisions are protected from appropriation, fund, or position transfers are
6 applicable only to the reallocation or transfer authority granted herein, and
7 not by any reductions which are applicable to all state programs.

8 The Director of the Department of Human Services shall submit any requests
9 for transfers to and must receive approval of the requests for transfers from
10 the Chief Fiscal Officer of the State, the Governor, and the Arkansas
11 Legislative Council prior to the effective date of the transfers. Provided,
12 however, that the Department of Human Services shall be limited to submitting
13 no more than two reallocation of resources transfer requests during any
14 fiscal year. In each Departmental request no single division will request
15 reallocation for more than one purpose as listed in this section. Transfer
16 authority for unforeseen purposes shall further be limited to no more than 5%
17 of the total appropriation, funding, and positions authorized for the
18 Department. Reallocation of resources transfers may include multiple items
19 but shall be limited to the following purposes:

- 20 i). Medicaid Program
- 21 ii). Facilities and institutions costs, including operational expenses and
22 construction/renovation/equipping expenses
- 23 iii). Departmental grants and contracts
- 24 iv). Court ordered settlements and payments
- 25 v). Payment of administrative expenses, including but not limited to,
26 overtime and other costs of personnel for critical services or functions
27 necessary to carry out the mission of the agency
- 28 vi). Restructuring efforts as deemed necessary to comply with new and/or
29 unanticipated federal or state mandates
- 30 vii). Redirecting internal resources, both direct and/or indirect, to meet
31 client needs and services

32 Determining the maximum number of employees and the maximum amount of
33 appropriation and general revenue funding for a state agency each fiscal year
34 is the prerogative of the General Assembly. This is usually accomplished by
35 delineating such maximums in the appropriation act(s) for a state agency and
36 the general revenue allocations authorized for each fund and fund account by

1 amendment to the Revenue Stabilization law. Further, the General Assembly has
 2 determined that the Department of Human Services may operate more efficiently
 3 if some flexibility is provided to the Department of Human Services
 4 authorizing broad powers under the Reallocation of Resources provisions
 5 herein. Therefore, it is both necessary and appropriate that the General
 6 Assembly maintain oversight by requiring prior approval of the Legislative
 7 Council or Joint Budget Committee as provided by this section. The
 8 requirement of approval by the Legislative Council or Joint Budget Committee
 9 is not a severable part of this section. If the requirement of approval by
 10 the Legislative Council or Joint Budget Committee is ruled unconstitutional
 11 by a court of competent jurisdiction, this entire section is void.

12 (2) If it is determined that the requested reallocation of resources
 13 transfers should be made, the Chief Fiscal Officer of the State shall then
 14 initiate the necessary transfer documents to reflect the transfers upon the
 15 fiscal records of the Treasurer of State, the Auditor of State, the Chief
 16 Fiscal Officer of the State, and the Department of Human Services. In
 17 addition, the Chief Fiscal Officer of the State, together with the Co-
 18 Chairpersons of the Legislative Council or Joint Budget Committee, may
 19 approve, on an emergency basis, requests for utilization of this Section
 20 without prior approval of the Arkansas Legislative Council, with any such
 21 actions reported at the next meeting of the Arkansas Legislative Council.

22 The provisions of this section shall be in effect only from July 1, ~~2010~~
 23 2012 through June 30, ~~2011~~ 2013.

24
 25 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 27 NURSING/DIRECT CARE EDUCATION STIPEND PROGRAM. Special provision for a
 28 Nursing/Direct Care Education Stipend Program for the Department of Human
 29 Services is hereby authorized to pay from State and Federal Funds
 30 appropriated in each division Act. This program is for eligible nursing
 31 students who are attending accredited nursing institutions to become
 32 Registered or Licensed Practical Nurses, as well as Certified Nursing
 33 Assistants, Residential Care Assistants, Residential Care Technicians,
 34 Residential Care Supervisors and Behavioral Health Aides.

35 The stipend is \$5,000 per person per year. Any student who is awarded
 36 and accepts a stipend is under employment commitment to the respective DHS

1 Division and is required to work for that division, in a full-time employee
 2 status effective immediately upon graduation. The student employment
 3 commitment is equal to the number of years the stipend was awarded and
 4 accepted. In the event of Employee/Student default of the employment
 5 commitment, the Employee/Student will be considered in breach of contract and
 6 repayment of the stipend will be required as specified in the Stipend
 7 Contract.

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

10 The provisions of this section shall be in effect only from July 1, ~~2010~~
 11 2012 through June 30, ~~2011~~ 2013.

12
 13 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

15 NURSING/DIRECT CARE RECRUITMENT/RETENTION BONUSES. Special provision to
 16 provide Nursing/Direct Care Recruitment and Retention Bonuses for the
 17 Department of Human Services is hereby authorized to pay from State and
 18 Federal funds appropriated for each respective division. Nursing/direct care
 19 service recruitment/retention bonuses are in addition to the maximum annual
 20 amounts provided in the Regular Salaries Section of the respective Division
 21 Act for Registered Nurse, Licensed Practical Nurse, Certified Nursing
 22 Assistant, Residential Care Assistant, Residential Care Technician,
 23 Residential Care Supervisor and Behavioral Health Aide. New hire nurses must
 24 be licensed by the Arkansas State Board of Nursing. The total
 25 recruitment/retention bonus payment commitment for eligible nurses shall not
 26 exceed \$4,000 per Registered Nurse and \$2,000 per Licensed Practical Nurse
 27 and \$1,000 per Certified Nursing Assistant, Residential Care Assistant,
 28 Residential Care Technician, Residential Care Supervisor and Behavioral
 29 Health Aide.

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

- 32
 33 Registered Nurse Classifications
 34 \$1,000 after completing 6 months probationary employment
 35 \$1,500 after completing 1st year employment
 36 \$1,500 after completing 2nd year employment

1
 2 Licensed Practical Nurse Classifications
 3 \$ 500 after completing 6 months probationary employment
 4 \$ 500 after completing 1st year employment
 5 \$1,000 after completing 2nd year employment

6
 7 Certified Nursing Assistant/Residential Care Assistant/Residential Care
 8 Technician/Residential Care Supervisor/Behavioral Health Aide
 9 Classifications
 10 \$ 500 after completing 6 month probationary employment
 11 \$ 500 after completing 1st year employment

12
 13 Any qualified person hired and offered bonus payment described herein
 14 will forfeit the balance of the payments if he/she voluntarily resigns or is
 15 terminated for cause from employment from the Department of Human Services
 16 prior to completing the required employment commitment time periods outlined
 17 above.

18 The provisions of this section shall be in effect only from July 1, ~~2010~~
 19 2012 through June 30, ~~2011~~ 2013.

20
 21 SECTION 19. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
 22 authorized by this act shall be limited to the appropriation for such agency
 23 and funds made available by law for the support of such appropriations; and
 24 the restrictions of the State Procurement Law, the General Accounting and
 25 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
 26 Procedures and Restrictions Act, or their successors, and other fiscal
 27 control laws of this State, where applicable, and regulations promulgated by
 28 the Department of Finance and Administration, as authorized by law, shall be
 29 strictly complied with in disbursement of said funds.

30
 31 SECTION 20. LEGISLATIVE INTENT. It is the intent of the General
 32 Assembly that any funds disbursed under the authority of the appropriations
 33 contained in this act shall be in compliance with the stated reasons for
 34 which this act was adopted, as evidenced by the Agency Requests, Executive
 35 Recommendations and Legislative Recommendations contained in the budget
 36 manuals prepared by the Department of Finance and Administration, letters, or

1 summarized oral testimony in the official minutes of the Arkansas Legislative
 2 Council or Joint Budget Committee which relate to its passage and adoption.

3
 4 SECTION 21. EMERGENCY CLAUSE. It is found and determined by the
 5 General Assembly, that the Constitution of the State of Arkansas prohibits
 6 the appropriation of funds for more than a one (1) year period; that the
 7 effectiveness of this Act on July 1, 2012 is essential to the operation of
 8 the agency for which the appropriations in this Act are provided, and that in
 9 the event of an extension of the legislative session, the delay in the
 10 effective date of this Act beyond July 1, 2012 could work irreparable harm
 11 upon the proper administration and provision of essential governmental
 12 programs. Therefore, an emergency is hereby declared to exist and this Act
 13 being necessary for the immediate preservation of the public peace, health
 14 and safety shall be in full force and effect from and after July 1, 2012.

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 17 **APPROVED: 02/24/2012**
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