

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

A Bill

SENATE BILL 88

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 - DIVISION OF DEVELOPMENTAL DISABILITIES
11 SERVICES FOR THE FISCAL YEAR ENDING JUNE 30, 2013;
12 AND FOR OTHER PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE DEPARTMENT OF HUMAN SERVICES
16 - DIVISION OF DEVELOPMENTAL DISABILITIES
17 SERVICES APPROPRIATION FOR THE 2012-2013
18 FISCAL YEAR.
19
20
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established
25 for the Department of Human Services - Division of Developmental Disabilities
26 Services for the 2012-2013 fiscal year, the following maximum number of
27 regular employees.
28

Item	Class		Maximum	Maximum Annual
No.	Code	Title	No. of	Salary Rate
			Employees	Fiscal Year
				2012-2013
33	(1)	L005N PSYCHIATRIC SPECIALIST	1	GRADE N919
34	(2)	L008N PHYSICIAN SPECIALIST	13	GRADE N917
35	(3)	L011N DENTIST	3	GRADE N916
36	(4)	L016N REGISTERED PHARMACIST	1	GRADE N911



1	(5)	N020N	DHS DDS COMMISSIONER	1	GRADE N910
2	(6)	N081N	DHS DDS SUPT HDC/CONWAY	1	GRADE N907
3	(7)	N175N	DDS ASSIST DIR RESIDENTIAL SERVICES	1	GRADE N907
4	(8)	N086N	DHS DDS DIR EVAL PLAN & MGMT SYSTEM	1	GRADE N906
5	(9)	L017N	DHS ALEXANDER CHIEF PSYCHOLOGIST	2	GRADE N905
6	(10)	N126N	DHS DDS SUPT HDC	5	GRADE N904
7	(11)	N145N	DHS ASSISTANT DIRECTOR CMS	1	GRADE N902
8	(12)	N144N	DHS DDS DIR CLIENT SERVICES	1	GRADE N902
9	(13)	N143N	DHS DDS DIVISION MANAGER	2	GRADE N902
10	(14)	L001C	PSYCHOLOGIST SUPERVISOR	2	GRADE C129
11	(15)	D007C	INFORMATION SYSTEMS MANAGER	1	GRADE C128
12	(16)	L003C	PSYCHOLOGIST	5	GRADE C127
13	(17)	M005C	DHS ASSISTANT SUPERINTENDENT-CONWAY	1	GRADE C125
14	(18)	L009C	NURSE MANAGER	6	GRADE C125
15	(19)	L015C	CLINICAL SPEECH PATHOLOGIST	15	GRADE C124
16	(20)	L019C	REGISTERED NURSE COORDINATOR	6	GRADE C123
17	(21)	L021C	NURSING HOME ASST ADMINISTRATOR	4	GRADE C123
18	(22)	G099C	DHS PROGRAM ADMINISTRATOR	10	GRADE C122
19	(23)	L027C	REGISTERED NURSE SUPERVISOR	16	GRADE C122
20	(24)	A050C	AGENCY FISCAL MANAGER	1	GRADE C121
21	(25)	M009C	LICENSED CERTIFIED SOCIAL WORKER	14	GRADE C121
22	(26)	L036C	NURSE INSTRUCTOR	6	GRADE C121
23	(27)	R014C	PERSONNEL MANAGER	1	GRADE C121
24	(28)	V004C	PROCUREMENT MANAGER	1	GRADE C121
25	(29)	L033C	PSYCHOLOGICAL EXAMINER	24	GRADE C121
26	(30)	A055C	DHS INSTITUTION BUSINESS MANAGER	6	GRADE C120
27	(31)	L040C	DIETARY SERVICES DIRECTOR	1	GRADE C120
28	(32)	E026C	EDUCATION & INSTRUCTION COORDINATOR	3	GRADE C120
29	(33)	L038C	REGISTERED NURSE	35	GRADE C120
30	(34)	E024C	TEACHER SUPERVISOR	1	GRADE C120
31	(35)	E023C	TRAINING PROJECT MANAGER	1	GRADE C120
32	(36)	L045C	AUDIOLOGIST	1	GRADE C119
33	(37)	R021C	BUDGET ANALYST	1	GRADE C119
34	(38)	G152C	DHS PROGRAM MANAGER	20	GRADE C119
35	(39)	G147C	GRANTS COORDINATOR	1	GRADE C119
36	(40)	A065C	PAYROLL SERVICES COORDINATOR	1	GRADE C119

1	(41)	X062C	QUALITY ASSURANCE COORDINATOR	3	GRADE C119
2	(42)	A060C	SENIOR AUDITOR	1	GRADE C119
3	(43)	M020C	LICENSED PROFESSIONAL COUNSELOR	6	GRADE C119
4	(44)	E038C	EDUCATION & INSTRUCTION ANALYST	1	GRADE C118
5	(45)	M026C	LICENSED SOCIAL WORKER	5	GRADE C118
6	(46)	L047C	MEDICAL TECHNOLOGIST SUPERVISOR	1	GRADE C118
7	(47)	M025C	PROGRAM ELIGIBILITY COORDINATOR I	3	GRADE C118
8	(48)	M024C	RESIDENTIAL SERVICES MANAGER	16	GRADE C118
9	(49)	V013C	CENTRAL WAREHOUSE OPERATIONS MGR	1	GRADE C117
10	(50)	E044C	CERTIFIED BACHELORS TEACHER	11	GRADE C117
11	(51)	M043C	DDS PROGRAM COORDINATOR	3	GRADE C117
12	(52)	G183C	DHS PROGRAM COORDINATOR	70	GRADE C117
13	(53)	M042C	DHS STAFF SUPERVISOR	1	GRADE C117
14	(54)	G182C	DHS/DDS PROGRAM COORDINATOR	38	GRADE C117
15	(55)	L055C	DIETICIAN	1	GRADE C117
16	(56)	S019C	DIRECTOR MAINTENANCE	1	GRADE C117
17	(57)	G180C	GRANTS ANALYST	5	GRADE C117
18	(58)	R025C	HUMAN RESOURCES ANALYST	2	GRADE C117
19	(59)	S017C	MAINTENANCE COORDINATOR	3	GRADE C117
20	(60)	X095C	QUALITY ASSURANCE ANALYST	5	GRADE C117
21	(61)	E041C	SENIOR LIBRARIAN	2	GRADE C117
22	(62)	X094C	SERVICES & PROGRAM LICENSING SPECIAL	17	GRADE C117
23	(63)	E040C	STAFF DEVELOPMENT COORDINATOR	8	GRADE C117
24	(64)	V014C	BUYER	2	GRADE C116
25	(65)	E048C	EDUCATION & INSTRUCTION SPECIALIST	3	GRADE C116
26	(66)	S022C	SKILLED TRADES SUPERVISOR	1	GRADE C116
27	(67)	S021C	WATER FILTER/WASTE DISPOSAL PLNT SUPV	1	GRADE C116
28	(68)	C037C	ADMINISTRATIVE ANALYST	4	GRADE C115
29	(69)	R033C	BENEFITS ANALYST	1	GRADE C115
30	(70)	M057C	CHAPLAIN	1	GRADE C115
31	(71)	D079C	COMPUTER SUPPORT TECHNICIAN	3	GRADE C115
32	(72)	G210C	DHS PROGRAM SPECIALIST	26	GRADE C115
33	(73)	S033C	MAINTENANCE SUPERVISOR	3	GRADE C115
34	(74)	C028C	MEDICAL RECORDS SUPERVISOR	1	GRADE C115
35	(75)	L061C	MEDICAL TECHNOLOGIST	2	GRADE C115
36	(76)	A090C	PAYROLL SERVICES SPECIALIST	1	GRADE C115

1	(77)	V015C	PURCHASING SPECIALIST	4	GRADE C115
2	(78)	L060C	REHAB INSTRUCTOR SUPERVISOR	27	GRADE C115
3	(79)	S031C	SKILLED TRADESMAN	23	GRADE C115
4	(80)	M054C	SOCIAL SERVICE WORKER	1	GRADE C115
5	(81)	S030C	WATER FILTER/WASTE DISPOSAL PLNT OPER	2	GRADE C115
6	(82)	S041C	BOILER OPERATOR	3	GRADE C114
7	(83)	S044C	FOOD PREPARATION MANAGER	5	GRADE C114
8	(84)	M066C	PROGRAM ELIGIBILITY SPECIALIST	4	GRADE C114
9	(85)	M065C	RECREATIONAL ACTIVITY SUPERVISOR	3	GRADE C114
10	(86)	M063C	RESIDENTIAL CARE PROGRAM COORDINATOR	17	GRADE C114
11	(87)	E051C	STAFF DEVELOPMENT SPECIALIST	5	GRADE C114
12	(88)	S099C	STATIONARY ENGINEER	1	GRADE C114
13	(89)	L071C	DENTAL HYGIENIST	1	GRADE C113
14	(90)	R036C	HUMAN RESOURCES SPECIALIST	7	GRADE C113
15	(91)	V020C	INVENTORY CONTROL MANAGER	1	GRADE C113
16	(92)	S047C	LANDSCAPE SUPERVISOR	1	GRADE C113
17	(93)	L069C	LICENSED PRACTICAL NURSE	142	GRADE C113
18	(94)	S046C	MAINTENANCE TECHNICIAN	4	GRADE C113
19	(95)	L066C	REHABILITATION INSTRUCTOR	127	GRADE C113
20	(96)	C056C	ADMINISTRATIVE SPECIALIST III	49	GRADE C112
21	(97)	S053C	AUTO/DIESEL MECHANIC	1	GRADE C112
22	(98)	A098C	FISCAL SUPPORT SPECIALIST	3	GRADE C112
23	(99)	S050C	MAINTENANCE SPECIALIST	6	GRADE C112
24	(100)	V022C	PURCHASING TECHNICIAN	1	GRADE C112
25	(101)	M071C	RESIDENTIAL CARE SHIFT COORDINATOR	18	GRADE C112
26	(102)	S056C	FOOD PREPARATION SUPERVISOR	5	GRADE C111
27	(103)	M076C	RECREATIONAL ACTIVITY LEADER II	26	GRADE C111
28	(104)	M073C	RESIDENTIAL CARE SUPERVISOR	71	GRADE C111
29	(105)	V023C	STOREROOM SUPERVISOR	5	GRADE C111
30	(106)	M078C	VOLUNTEER SERVICES COORDINATOR	1	GRADE C111
31	(107)	M090C	DHS PROGRAM ASSISTANT	4	GRADE C110
32	(108)	L078C	FAMILY SERVICES ASSISTANT	1	GRADE C110
33	(109)	R038C	HUMAN RESOURCES ASSISTANT	4	GRADE C110
34	(110)	L075C	ORTHOTIST AIDE	5	GRADE C110
35	(111)	L074C	THERAPY ASSISTANT	1	GRADE C110
36	(112)	V025C	WAREHOUSE SPECIALIST	6	GRADE C110

1	(113)	C073C	ADMINISTRATIVE SPECIALIST II	93	GRADE C109
2	(114)	S061C	CHDC LAUNDRY OPERATIONS MANAGER	1	GRADE C109
3	(115)	L081C	DENTAL ASSISTANT	1	GRADE C109
4	(116)	L080C	DIETETIC TECHNICIAN	1	GRADE C109
5	(117)	C066C	PATIENT ACCOUNT SPECIALIST	6	GRADE C109
6	(118)	M082C	RECREATIONAL ACTIVITY LEADER I	1	GRADE C109
7	(119)	M081C	RESIDENTIAL CARE SHIFT SUPERVISOR	105	GRADE C109
8	(120)	E056C	TEACHER ASSISTANT	104	GRADE C109
9	(121)	A102C	FISCAL SUPPORT TECHNICIAN	3	GRADE C108
10	(122)	V027C	INVENTORY CONTROL TECHNICIAN	1	GRADE C108
11	(123)	S065C	MAINTENANCE ASSISTANT	22	GRADE C108
12	(124)	M083C	RESIDENTIAL CARE TECHNICIAN	761	GRADE C108
13	(125)	S070C	EQUIPMENT TECHNICIAN	3	GRADE C107
14	(126)	C087C	ADMINISTRATIVE SPECIALIST I	53	GRADE C106
15	(127)	S076C	INSTITUTIONAL BEAUTICIAN	3	GRADE C106
16	(128)	L086C	PHARMACY ASSISTANT	2	GRADE C106
17	(129)	L085C	PHYSICAL THERAPY AIDE	5	GRADE C106
18	(130)	V029C	PURCHASING ASSISTANT	1	GRADE C106
19	(131)	M089C	RESIDENTIAL CARE ASSISTANT	288	GRADE C106
20	(132)	L084C	THERAPY AIDE	4	GRADE C106
21	(133)	V028C	WAREHOUSE WORKER	1	GRADE C106
22	(134)	S081C	APPRENTICE TRADESMAN	5	GRADE C105
23	(135)	S082C	CANTEEN SUPERVISOR	2	GRADE C105
24	(136)	S080C	EQUIPMENT OPERATOR	9	GRADE C105
25	(137)	S083C	BAKER	4	GRADE C104
26	(138)	S086C	COOK	36	GRADE C104
27	(139)	S085C	FOOD PREPARATION SPECIALIST	11	GRADE C104
28	(140)	S084C	INSTITUTIONAL SERVICES SUPERVISOR	6	GRADE C104
29	(141)	S087C	INSTITUTIONAL SERVICES ASSISTANT	98	GRADE C103
30	(142)	S089C	FOOD PREPARATION TECHNICIAN	39	GRADE C102
31	(143)	V031C	STOCK CLERK	<u>1</u>	GRADE C102
32			MAX. NO. OF EMPLOYEES	2,725	

33

34 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for
 35 the Department of Human Services - Division of Developmental Disabilities
 36 Services for the 2012-2013 fiscal year, the following maximum number of part-

1 time or temporary employees, to be known as "Extra Help", payable from funds
 2 appropriated herein for such purposes: two hundred (200) temporary or part-
 3 time employees, when needed, at rates of pay not to exceed those provided in
 4 the Uniform Classification and Compensation Act, or its successor, or this
 5 act for the appropriate classification.

6
 7 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated,
 8 to the Department of Human Services - Division of Developmental Disabilities
 9 Services, to be payable from the paying account as determined by the Chief
 10 Fiscal Officer of the State, for personal services and operating expenses of
 11 the Department of Human Services - Division of Developmental Disabilities
 12 Services for the fiscal year ending June 30, 2013, the following:

14	ITEM	FISCAL YEAR
15	<u>NO.</u>	<u>2012-2013</u>
16	(01) REGULAR SALARIES	\$83,354,367
17	(02) EXTRA HELP	1,889,645
18	(03) PERSONAL SERVICES MATCHING	30,858,561
19	(04) OVERTIME	2,310,000
20	(05) EXTRA SALARIES	27,000
21	(06) MAINT. & GEN. OPERATION	
22	(A) OPER. EXPENSE	26,745,210
23	(B) CONF. & TRAVEL	103,253
24	(C) PROF. FEES	918,147
25	(D) CAP. OUTLAY	392,417
26	(E) DATA PROC.	0
27	(07) GRANTS/PATIENT SERVICES	6,752,051
28	(08) FOSTER GRANDPARENTS STIPENDS	280,000
29	(09) DATA PROCESSING SERVICES	719,883
30	(10) VOCATIONAL TRAINEES	316,000
31	(11) CHILDREN AND ADOLESCENT SERVICES	67,191
32	(12) PURCHASE OF SERVICES	<u>9,850,322</u>
33	TOTAL AMOUNT APPROPRIATED	<u>\$164,584,047</u>

34
 35 SECTION 4. APPROPRIATION - SPECIAL OLYMPICS. There is hereby
 36 appropriated, to the Department of Human Services - Division of Developmental

1 Disabilities Services, to be payable from the Developmental Disabilities
 2 Services Fund Account, for grants to the Arkansas Special Olympics for the
 3 fiscal year ending June 30, 2013, the following:

4

5 ITEM	FISCAL YEAR
6 <u>NO.</u>	<u>2012-2013</u>
7 (01) GRANTS-SPECIAL OLYMPICS	<u>\$178,768</u>

8

9 SECTION 5. APPROPRIATION - COMMUNITY PROGRAMS. There is hereby
 10 appropriated, to the Department of Human Services - Division of Developmental
 11 Disabilities Services, to be payable from the Developmental Disabilities
 12 Services-Dog Track Special Revenue Fund, for expenses of the private non-
 13 profit community based programs licensed by the Department of Human Services
 14 - Division of Developmental Disabilities Services for the fiscal year ending
 15 June 30, 2013, the following:

16

17 ITEM	FISCAL YEAR
18 <u>NO.</u>	<u>2012-2013</u>
19 (01) COMMUNITY PROGRAMS	<u>\$50,000</u>

20

21 SECTION 6. APPROPRIATION - GRANTS-IN-AID. There is hereby
 22 appropriated, to the Department of Human Services - Division of Developmental
 23 Disabilities Services, to be payable from the Developmental Disabilities
 24 Services Fund Account, for grants-in-aid to the community providers of
 25 services to the developmentally disabled by the Department of Human Services
 26 - Division of Developmental Disabilities Services for the fiscal year ending
 27 June 30, 2013, the following:

28

29 ITEM	FISCAL YEAR
30 <u>NO.</u>	<u>2012-2013</u>
31 (01) GRANTS TO COMMUNITY PROVIDERS	<u>\$18,590,045</u>

32

33 SECTION 7. APPROPRIATION - INTER-DIVISIONAL PROGRAMS. There is hereby
 34 appropriated, to the Department of Human Services - Division of Developmental
 35 Disabilities Services, to be payable from the Developmental Disabilities
 36 Services Fund Account, for integrated services and programs developed by the

1 various divisions, for services and programs developed in conjunction with
 2 other state agencies and for the development and implementation of an
 3 integrated case management system for the Department of Human Services for
 4 the fiscal year ending June 30, 2013, the following:

6 ITEM	FISCAL YEAR
7 <u>NO.</u>	<u>2012-2013</u>
8 (01) INTER-DIVISIONAL PROGRAMS	<u>\$108,644</u>

9
 10 SECTION 8. APPROPRIATION - GRANTS - STATE. There is hereby
 11 appropriated, to the Department of Human Services - Division of Developmental
 12 Disabilities Services, to be payable from the Department of Human Services
 13 Grants Fund Account, for grant payments of the Department of Human Services -
 14 Division of Developmental Disabilities Services for the fiscal year ending
 15 June 30, 2013, the following:

17 ITEM	FISCAL YEAR
18 <u>NO.</u>	<u>2012-2013</u>
19 (01) CHILDREN'S MEDICAL SERVICES	<u>\$1,729,279</u>

20
 21 SECTION 9. APPROPRIATION - GRANTS - FEDERAL. There is hereby
 22 appropriated, to the Department of Human Services - Division of Developmental
 23 Disabilities Services, to be payable from the federal funds as designated by
 24 the Chief Fiscal Officer of the State, for federally funded grants of the
 25 Department of Human Services - Division of Developmental Disabilities
 26 Services for the fiscal year ending June 30, 2013, the following:

28 ITEM	FISCAL YEAR
29 <u>NO.</u>	<u>2012-2013</u>
30 (01) CHILDREN'S MEDICAL SERVICES-FEDERAL	<u>\$1,446,205</u>

31
 32 SECTION 10. APPROPRIATION - AUTISM TREATMENT AND COORDINATION. There
 33 is hereby appropriated, to the Department of Human Services - Division of
 34 Developmental Disabilities Services, to be payable from the Developmental
 35 Disabilities Services Fund Account, for grant payments of the Department of
 36 Human Services - Division of Developmental Disabilities Services for the

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

2

3 ITEM	FISCAL YEAR
4 <u>NO.</u>	<u>2012-2013</u>
5 (01) AUTISM TREATMENT AND COORDINATION GRANTS AND AID	<u>\$1,492,500</u>

6

7 SECTION 11. APPROPRIATION - AUTISM TREATMENT AND COORDINATION - CASH.

8 There is hereby appropriated, to the Department of Human Services - Division
 9 of Developmental Disabilities Services, to be payable from the cash fund
 10 deposited in the State Treasury as determined by the Chief Fiscal Officer of
 11 the State, for grants payments of the Department of Human Services - Division
 12 of Developmental Disabilities Services for the fiscal year ending June 30,
 13 2013, the following:

14

15 ITEM	FISCAL YEAR
16 <u>NO.</u>	<u>2012-2013</u>
17 (01) AUTISM TREATMENT AND COORDINATION GRANTS AND AID	<u>\$20,000</u>

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 - GRANTS TO COMMUNITY BASED PROVIDERS. Funds
 22 allocated under the appropriation for community-based services, for Grants to
 23 Community Providers, in the Developmental Disabilities Services - Grants-in-
 24 Aid appropriation in this act shall be used only to provide services through
 25 private community based services licensed or certified by the Arkansas
 26 Division of Developmental Disabilities Services (DDS). Non-profit community-
 27 based programs licensed by the Division of Developmental Disabilities
 28 Services are quasi-governmental instrumentalities of the state which provide
 29 supports and services to individuals who have a developmental disability or
 30 delay, who would otherwise require supports and services through state-
 31 operated programs and facilities owned by the State of Arkansas. When DDS
 32 licensed providers are involved in delivering services which are Medicaid
 33 reimbursable, they must enroll as a provider with the Arkansas Medicaid
 34 Program and must bill the Arkansas Medicaid Program for all covered services
 35 for eligible individuals.

36 Services which are covered by the Arkansas State Medicaid Program or

1 under the Alternative Community Services Waiver Program (ACS) will be
 2 utilized to the maximum extent possible for any individual who is eligible
 3 for Medicaid coverage. It is the intent of this section that DDS, as a
 4 general policy, maximize the use of Medicaid funding available for
 5 appropriate services.

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

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

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

22
 23 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

25 DEVELOPMENTAL DISABILITIES - VOCATIONAL TRAINEES. The Division of
 26 Developmental Disabilities Services of the Department of Human Services is
 27 hereby authorized to provide employment opportunities for people with
 28 developmental disabilities residing at the Human Development Centers who work
 29 less than a competitive employment level.

30 The provisions of this section shall be in effect only from July 1, ~~2010~~
 31 2012 through June 30, ~~2011~~ 2013.

32
 33 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GRANTS IN

35 AID - CONDITIONS FOR RECEIVING FUNDS. Private non-profit community-based
 36 programs licensed by the Department of Human Services, Developmental

1 Disabilities Services, are eligible to receive funds appropriated for Grants
2 to Community Providers in the Developmental Disabilities Services - Grants-
3 in-Aid appropriation of this Act, and as a condition of receiving such funds
4 they shall:

5 1. Meet minimum standards of performance in the delivery of services to
6 people with disabilities as defined by the Department of Human Services,
7 Developmental Disabilities Services.

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

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

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

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

19

20 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

22 DEVELOPMENTAL DISABILITIES – TIMBER SALES PROCEEDS - CAPITAL IMPROVEMENTS AND
23 EQUIPMENT. The Division of Developmental Disabilities Services is authorized
24 to use the administrative operating accounts for capital improvements to
25 physical plants and for the purchase of capital equipment. The funds shall be
26 held by the Department of Human Services, Division of Developmental
27 Disabilities Services from the proceeds of the sale of timber that may be
28 harvested from land owned by the Division of Developmental Disabilities
29 Services. All funds deposited and all expenses shall be tracked separately.
30 The harvesting of timber is specifically authorized to provide funds to
31 finance capital improvements to the physical plants and for the purchase of
32 major capital equipment.

33 The Division of Developmental Disabilities Services shall report all
34 income derived from timber management to the Chief Fiscal Officer of the
35 State and the Arkansas Legislative Council. Any contracts initiated for the
36 harvesting of timber shall be submitted to the Review Subcommittee of the

1 Arkansas Legislative Council for prior review. All expenditures of funds
 2 derived from the sale of timber will be expended in accordance with relevant
 3 state purchasing laws.

4 The provisions of this section shall be in effect only from July 1, ~~2010~~
 5 2012 through June 30, ~~2011~~ 2013.

6
 7 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HUMAN
 9 DEVELOPMENT CENTERS AND COMMUNITY PROVIDERS.

10 (A) The Developmental Disabilities Services Board or the Department of
 11 Human Services shall not close any of the state administered Human
 12 Development Centers which are located at Conway, Arkadelphia, Jonesboro,
 13 Booneville, and Warren.

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

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

27 (D) Nor shall any general revenue funding as of July 1, ~~2011~~ 2012 from
 28 the Grants to Community Providers line item of the Developmental Disabilities
 29 Services - Grants-in-Aid appropriation for persons with developmental
 30 disabilities or from any other general revenues as of July 1, ~~2011~~ 2012,
 31 applied as federal matching funds for community based services licensed by
 32 DDS on July 1, ~~2011~~ 2012 be reduced below the approved funding level on July
 33 1, ~~2011~~ 2012; nor shall the general revenues applied as federal matching
 34 funds for the Human Development Centers be reduced below the approved funding
 35 level on July 1, ~~2011~~ 2012.

36

1 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AUTISM
3 TREATMENT AND COORDINATION. The Department of Human Services - Division of
4 Developmental Disabilities Services shall promulgate rules and regulations
5 regarding the licensure and oversight of Applied Behavior Analysts as
6 described in Arkansas Code § 23-99-418. The rules and regulations shall
7 include a requirement for a licensure application fee equal to that charged
8 to applicants to be licensed as a psychologist as described in Arkansas Code
9 § 17-97-309. Proceeds from this fee are declared as cash funds.

10
11 SECTION 18. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
12 authorized by this act shall be limited to the appropriation for such agency
13 and funds made available by law for the support of such appropriations; and
14 the restrictions of the State Procurement Law, the General Accounting and
15 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
16 Procedures and Restrictions Act, or their successors, and other fiscal
17 control laws of this State, where applicable, and regulations promulgated by
18 the Department of Finance and Administration, as authorized by law, shall be
19 strictly complied with in disbursement of said funds.

20
21 SECTION 19. LEGISLATIVE INTENT. It is the intent of the General
22 Assembly that any funds disbursed under the authority of the appropriations
23 contained in this act shall be in compliance with the stated reasons for
24 which this act was adopted, as evidenced by the Agency Requests, Executive
25 Recommendations and Legislative Recommendations contained in the budget
26 manuals prepared by the Department of Finance and Administration, letters, or
27 summarized oral testimony in the official minutes of the Arkansas Legislative
28 Council or Joint Budget Committee which relate to its passage and adoption.

29
30 SECTION 20. EMERGENCY CLAUSE. It is found and determined by the
31 General Assembly, that the Constitution of the State of Arkansas prohibits
32 the appropriation of funds for more than a one (1) year period; that the
33 effectiveness of this Act on July 1, 2012 is essential to the operation of
34 the agency for which the appropriations in this Act are provided, and that in
35 the event of an extension of the legislative session, the delay in the
36 effective date of this Act beyond July 1, 2012 could work irreparable harm

1 upon the proper administration and provision of essential governmental
2 programs. Therefore, an emergency is hereby declared to exist and this Act
3 being necessary for the immediate preservation of the public peace, health
4 and safety shall be in full force and effect from and after July 1, 2012.

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7 **APPROVED: 02/29/2012**
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