

Stricken language will be deleted and underlined language will be added.
Act 1449 of the Regular Session

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

As Engrossed: H4/16/13
A Bill

HOUSE BILL 1214

5 By: Joint Budget Committee
6

7 **For An Act To Be Entitled**

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE DEPARTMENT OF HUMAN
10 SERVICES - DIVISION OF COUNTY OPERATIONS FOR THE
11 FISCAL YEAR ENDING JUNE 30, 2014; AND FOR OTHER
12 PURPOSES.
13
14

15 **Subtitle**

16 AN ACT FOR THE DEPARTMENT OF HUMAN
17 SERVICES - DIVISION OF COUNTY OPERATIONS
18 APPROPRIATION FOR THE 2013-2014 FISCAL
19 YEAR.
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 County Operations for the
26 2013-2014 fiscal year, the following maximum number of regular employees.
27

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2013-2014
32	(1) L013N	GENERAL PHYSICIAN	5	GRADE N916
33	(2) N018N	DHS DEP DIR COUNTY OPERATIONS	1	GRADE N910
34	(3) N102N	DHS/DCO ASSISTANT DIRECTOR	2	GRADE N906
35	(4) N101N	DHS/DCO ASST DEP DIR PGM & ADMN SPT	1	GRADE N906
36	(5) N108N	DHS/DCO ASST DEP DIR	2	GRADE N905



1	(6)	N141N	DHS/DCO AREA DIRECTOR	6	GRADE N902
2	(7)	D007C	INFORMATION SYSTEMS MANAGER	1	GRADE C128
3	(8)	G022C	DHS DIRECTOR OF EMERGENCY OPERATIONS	1	GRADE C127
4	(9)	A024C	DHS DIVISION CHIEF FISCAL OFFICER	1	GRADE C125
5	(10)	G100C	DHS COUNTY ADMINISTRATOR III	9	GRADE C122
6	(11)	G099C	DHS PROGRAM ADMINISTRATOR	3	GRADE C122
7	(12)	G111C	DHS COUNTY ADMINISTRATOR II	29	GRADE C121
8	(13)	G130C	DHS COUNTY ADMINISTRATOR I	39	GRADE C120
9	(14)	G129C	DHS/DCO PROGRAM MANAGER	10	GRADE C120
10	(15)	M014C	PROGRAM ELIGIBILITY COORDINATOR III	9	GRADE C120
11	(16)	E023C	TRAINING PROJECT MANAGER	1	GRADE C120
12	(17)	G152C	DHS PROGRAM MANAGER	9	GRADE C119
13	(18)	G147C	GRANTS COORDINATOR	2	GRADE C119
14	(19)	D061C	INFORMATION SYSTEMS COORD SPECIALIST	7	GRADE C119
15	(20)	M018C	PROGRAM ELIGIBILITY COORDINATOR II	32	GRADE C119
16	(21)	M025C	PROGRAM ELIGIBILITY COORDINATOR I	34	GRADE C118
17	(22)	R027C	BUDGET SPECIALIST	5	GRADE C117
18	(23)	G183C	DHS PROGRAM COORDINATOR	3	GRADE C117
19	(24)	M042C	DHS STAFF SUPERVISOR	4	GRADE C117
20	(25)	G180C	GRANTS ANALYST	10	GRADE C117
21	(26)	G178C	POLICY DEVELOPMENT COORDINATOR	7	GRADE C117
22	(27)	M038C	PROGRAM ELIGIBILITY ANALYST	12	GRADE C117
23	(28)	M037C	PROGRAM ELIGIBILITY SUPERVISOR	101	GRADE C117
24	(29)	X095C	QUALITY ASSURANCE ANALYST	6	GRADE C117
25	(30)	E040C	STAFF DEVELOPMENT COORDINATOR	4	GRADE C117
26	(31)	A088C	ASSETS COORDINATOR	1	GRADE C116
27	(32)	E046C	TRAINING INSTRUCTOR	13	GRADE C116
28	(33)	C037C	ADMINISTRATIVE ANALYST	4	GRADE C115
29	(34)	V016C	COMMODITY SPECIALIST	3	GRADE C115
30	(35)	D079C	COMPUTER SUPPORT TECHNICIAN	9	GRADE C115
31	(36)	G210C	DHS PROGRAM SPECIALIST	9	GRADE C115
32	(37)	X136C	QUALITY ASSURANCE REVIEWER	32	GRADE C115
33	(38)	D086C	CALL CENTER ANALYST	9	GRADE C114
34	(39)	M066C	PROGRAM ELIGIBILITY SPECIALIST	896	GRADE C114
35	(40)	X154C	PUBLIC ASSISTANCE INVESTIGATOR	20	GRADE C114
36	(41)	C056C	ADMINISTRATIVE SPECIALIST III	8	GRADE C112

1	(42)	A098C	FISCAL SUPPORT SPECIALIST	1	GRADE C112
2	(43)	C054C	LOCAL OFFICE ADMIN SPECIALIST	34	GRADE C112
3	(44)	V021C	SURPLUS PROPERTY AGENT	1	GRADE C112
4	(45)	D092C	CALL CENTER SPECIALIST	5	GRADE C110
5	(46)	C062C	LOCAL OFFICE ADMIN ASSISTANT	459	GRADE C110
6	(47)	C073C	ADMINISTRATIVE SPECIALIST II	15	GRADE C109
7	(48)	C072C	ADMINISTRATIVE SUPPORT SPECIALIST	1	GRADE C109
8	(49)	C087C	ADMINISTRATIVE SPECIALIST I	<u>5</u>	GRADE C106
9			MAX. NO. OF EMPLOYEES	1,881	

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11 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for
 12 the Department of Human Services - Division of County Operations for the
 13 2013-2014 fiscal year, the following maximum number of part-time or temporary
 14 employees, to be known as "Extra Help", payable from funds appropriated
 15 herein for such purposes: thirty-seven (37) temporary or part-time
 16 employees, when needed, at rates of pay not to exceed those provided in the
 17 Uniform Classification and Compensation Act, or its successor, or this act
 18 for the appropriate classification.

19

20 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated,
 21 to the Department of Human Services - Division of County Operations, to be
 22 payable from the paying account as determined by the Chief Fiscal Officer of
 23 the State, for personal services and operating expenses of the Department of
 24 Human Services - Division of County Operations - Operations for the fiscal
 25 year ending June 30, 2014, the following:

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27	ITEM	FISCAL YEAR
28	<u>NO.</u>	<u>2013-2014</u>
29	(01) REGULAR SALARIES	\$63,386,609
30	(02) EXTRA HELP	234,052
31	(03) PERSONAL SERVICES MATCHING	23,998,640
32	(04) OVERTIME	25,000
33	(05) MAINT. & GEN. OPERATION	
34	(A) OPER. EXPENSE	23,121,923
35	(B) CONF. & TRAVEL	178,831
36	(C) PROF. FEES	6,150,207

1	(D) CAP. OUTLAY	122,400
2	(E) DATA PROC.	0
3	(06) DATA PROCESSING SERVICES	<u>8,109,883</u>
4	TOTAL AMOUNT APPROPRIATED	<u>\$125,327,545</u>

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6 SECTION 4. APPROPRIATION - COMMODITY DISTRIBUTION AND SALVAGE CONTAINER

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

8 Division of County Operations, to be payable from the cash fund deposited in

9 the State Treasury as determined by the Chief Fiscal Officer of the State,

10 for operating expenses of the Department of Human Services - Division of

11 County Operations - Commodity Distribution and Salvage Container - Cash for

12 the fiscal year ending June 30, 2014, the following:

14	ITEM	FISCAL YEAR
15	<u>NO.</u>	<u>2013-2014</u>
16	(01) MAINT. & GEN. OPERATION	
17	(A) OPER. EXPENSE	\$165,510
18	(B) CONF. & TRAVEL	9,490
19	(C) PROF. FEES	0
20	(D) CAP. OUTLAY	0
21	(E) DATA PROC.	<u>0</u>
22	TOTAL AMOUNT APPROPRIATED	<u>\$175,000</u>

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24 SECTION 5. APPROPRIATION - GRANTS - FEDERAL. There is hereby

25 appropriated, to the Department of Human Services - Division of County

26 Operations, to be payable from the federal funds as designated by the Chief

27 Fiscal Officer of the State, for federally funded grants of the Department of

28 Human Services - Division of County Operations - Grants - Federal for the

29 fiscal year ending June 30, 2014, the following:

31	ITEM	FISCAL YEAR
32	<u>NO.</u>	<u>2013-2014</u>
33	(01) SHELTER PLUS CARE PROGRAM	\$1,906,932
34	(02) WEATHERIZATION PROGRAM	8,000,000
35	(03) EMERGENCY FOOD PROGRAM	779,219
36	(04) LOW INCOME ENERGY ASSISTANCE PROGRAM	29,480,110

1	(05) REFUGEE RESETTLEMENT PROGRAM	12,000
2	(06) HOMELESS ASSISTANCE GRANT	<u>2,846,487</u>
3	TOTAL AMOUNT APPROPRIATED	<u>\$43,024,748</u>

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5 SECTION 6. APPROPRIATION - GRANTS - STATE. There is hereby
 6 appropriated, to the Department of Human Services - Division of County
 7 Operations, to be payable from the Department of Human Services Grants Fund
 8 Account, for grant payments of the Department of Human Services - Division of
 9 County Operations - Grants - State for the fiscal year ending June 30, 2014,
 10 the following:

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12	ITEM	FISCAL YEAR
13	<u>NO.</u>	<u>2013-2014</u>
14	(01) AID TO AGED, BLIND, DISABLED	<u>\$4,000</u>

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16 SECTION 7. APPROPRIATION - GRANTS. There is hereby appropriated, to
 17 the Department of Human Services - Division of County Operations, to be
 18 payable from the paying account as determined by the Chief Fiscal Officer of
 19 the State, for grant payments of the Department of Human Services - Division
 20 of County Operations - Grants for the fiscal year ending June 30, 2014, the
 21 following:

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23	ITEM	FISCAL YEAR
24	<u>NO.</u>	<u>2013-2014</u>
25	(01) TANF BLOCK GRANT	\$22,117,650
26	(02) COMMUNITY SERVICE BLOCK GRANT	9,137,390
27	(03) SUPPLEMENTAL NUTRITION ASSISTANCE	
28	PROGRAM (SNAP)	<u>343,235</u>
29	TOTAL AMOUNT APPROPRIATED	<u>\$31,598,275</u>

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31 SECTION 8. APPROPRIATION - HUNGER COALITION. There is hereby
 32 appropriated, to the Department of Human Services - Division of County
 33 Operations, to be payable from the County Operations Fund Account, for grants
 34 payments of the Department of Human Services - Division of County Operations
 35 - Hunger Coalition for the fiscal year ending June 30, 2014, the following:

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ITEM	FISCAL YEAR
NO.	2013-2014
(01) HUNGER COALITION GRANTS AND AID	<u>\$995,113</u>

SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INTER-AGENCY TRANSFER OF STATE GENERAL REVENUE FOR TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) PROGRAMS. Upon the request of the Director of the Department of Human Services and the Director of the Department of Workforce Services (DWS), the Chief Fiscal Officer of the State may approve up to \$3,640,650 in State General Revenue appropriated to DWS for the TANF Program to be transferred to the Department of Human Services - Division of County Operations in support of Arkansas' Temporary Assistance for Needy Families (TANF) Programs or any related Separate State Programs. The Director of the Department of Workforce Services shall provide a report of all transfers made to the DHS - Division of County Operations to the Performance Evaluation and Expenditure Review Committee of the Arkansas Legislative Council and/or Joint Budget Committee. The report must include the justification for and the amount of the completed transfers.

The provisions of this section shall be in effect only from July 1, ~~2012~~ 2013 through June 30, ~~2013~~ 2014.

SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DIVISION OF COUNTY OPERATIONS - STATE AND FEDERAL DISASTER DECLARATIONS. It will be permissible for the Division of County Operations to implement the following exemptions in the event that a State or Federal Disaster is declared: (1) Exceed the 240 hour per quarter limit on the purchase of temporary help; and, (2) Waive the 1,000 hour limit per State Fiscal Year for Extra Help positions.

The provisions of this section shall be in effect only from July 1, ~~2012~~ 2013 through June 30, ~~2013~~ 2014.

SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MEDICAID PRIMARY CARE CASE MANAGEMENT PROGRAM.

1 (a) The General Assembly finds that:

2 (1) The Arkansas Delta is an area that is medically underserved
3 and has some of the worst health outcomes in our state, with a large number
4 of recipients who are in the top quartile of costs;

5 (2)(A) There has been much success in other states, particularly
6 in the Louisiana Delta with improvements in health outcomes and saving money
7 through the use of an intensive care-coordination, shared-savings model of
8 care.

9 (B) This success has come through contracting with private
10 companies that specialize in working with those individuals who meet certain
11 criteria and are at a minimum in the top quartile of costs to the Medicaid
12 program;

13 (3) Medicaid is one of the largest percentage expenditures of
14 Arkansas tax dollars, and there is a need for reforming approaches to the use
15 of these dollars; and

16 (4) The approach created in this section to dealing with this
17 population has never been implemented in Arkansas.

18 (b)(1)(A) The Department of Human Services shall contract with an
19 experienced vendor to implement a two-year Medicaid Primary Care Case
20 Management shared-savings pilot program in the Arkansas Delta region to begin
21 January 1, 2014.

22 (B) The department shall give preference to a vendor that:

23 (i) Demonstrates experience with the type of model
24 established under this section in the type of geographic area specified in
25 subsection (e) of this section;

26 (ii) Has demonstrated customer satisfaction as
27 documented through independent Consumer Assessment of Healthcare Providers
28 and Systems survey; and

29 (iii) Maintains a Utilization Review Accreditation
30 Commission accreditation for its Health Utilization Management and Case
31 Management programs.

32 (2) The pilot program shall encompass a minimum of five thousand
33 (5,000) recipients who:

34 (A) Are not currently in the Arkansas Patient-Centered
35 Medical Home Program, the federal Comprehensive Primary Care Initiative, or a
36 similar home health program;

1 (B)(i) Have catastrophic or chronic conditions as defined
2 by the Johns Hopkins Adjusted Clinical Groups System; or

3 (ii) Are women with a history of past high-risk
4 pregnancies, poor birth outcomes or preterm deliveries; and

5 (C) Whose estimated costs are in the top quartile for
6 their defined population.

7 (c) The vendor shall recruit an adequate number of primary care
8 clinics to initiate the program.

9 (d) The Medicaid Primary Care Case Management shared savings pilot
10 program shall exclude the Alternatives for Persons with Disabilities, the
11 Division of Developmental Disabilities Services Alternative Community
12 Services, Elder Choices, Living Choices Assisted Living waivers, and members
13 of the Program of All-Inclusive Care for the Elderly.

14 (e) The Medicaid Primary Care Case Management program shared savings
15 pilot program shall include without limitation the following Arkansas delta
16 counties:

17 (1) Arkansas;

18 (2) Ashley;

19 (3) Baxter;

20 (4) Bradley;

21 (5) Calhoun;

22 (6) Chicot;

23 (7) Clay;

24 (8) Cleveland;

25 (9) Crittenden;

26 (10) Cross;

27 (11) Dallas;

28 (12) Desha;

29 (13) Drew;

30 (14) Fulton;

31 (15) Grant;

32 (16) Greene;

33 (17) Independence;

34 (18) Izard;

35 (19) Jackson;

36 (20) Jefferson;

1 (21) Lawrence;

2 (22) Lee;

3 (23) Lincoln;

4 (24) Lonoke;

5 (25) Marion;

6 (26) Mississippi;

7 (27) Monroe;

8 (28) Ouachita;

9 (29) Phillips;

10 (30) Poinsett;

11 (31) Prairie;

12 (32) Randolph;

13 (33) Searcy;

14 (34) Sharp;

15 (35) St. Francis;

16 (36) Stone;

17 (37) Union;

18 (38) Van Buren; and

19 (39) Woodruff.

20 (f) The department shall require that a contracting vendor generate
21 savings in comparison to a risk-adjusted Arkansas Fee-For-Service benchmark.

22 (g) The per-member monthly fee paid to the vendor shall not decrease
23 the current primary care case management fee paid to the primary care
24 providers.

25 (h)(1) Savings realized under the Medicaid Primary Care Case
26 Management program shall be shared:

27 (A) Thirty-four percent (34%) with the department; and

28 (B)(i) Sixty-six percent (66%) with the Medicaid Primary
29 Care Case Management shared-savings pilot program vendor up to a maximum
30 sharing cap of five percent (5%) of the total cost of administrative and
31 health service expenditures as defined by the Centers for Medicare and
32 Medicaid Service.

33 (ii) Further, fifty percent (50%) of savings
34 received by the vendor shall be shared with eligible contracted network
35 primary care providers based upon meeting agreed upon performance standards.

36 (2) Twenty five percent (25%) of the Medicaid Primary Care Case

1 Management shared-savings pilot program vendor's administrative per member
2 per month fee shall be at risk and shall be paid back to the state if savings
3 are not realized.

4 (i)(1) After the Medicaid Primary Care Case Management shared-savings
5 pilot program has operated for fifteen (15) months, the department shall
6 utilize an agreed upon savings algorithm to calculate savings based on the
7 first twelve (12) months of operations, allowing three (3) months of run-out.

8 (2)(A) Savings shall be disbursed within thirty (30) calendar
9 days of final calculation.

10 (B) After the initial year of operation, savings shall be
11 calculated on a quarterly basis.

12 (j) This section does not conflict with or reduce the Medicaid
13 hospital access payments under section § 20-77-1901 et seq.

14 (k)(1) This section does not require a physician to participate in the
15 pilot program created under this section.

16 (2) A physician has the right to refuse to contract under the
17 pilot program created under this section or to terminate the contract at any
18 time without penalty.

19 (l) If requested, the vendor shall agree to support any contracted
20 physician in meeting the requirements of the Arkansas Patient-Centered
21 Medicaid Home model.

22 The provisions of this section shall be in effect only from July 1,
23 2013 through June 30, 2014.

24
25 SECTION 12. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
26 authorized by this act shall be limited to the appropriation for such agency
27 and funds made available by law for the support of such appropriations; and
28 the restrictions of the State Procurement Law, the General Accounting and
29 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
30 Procedures and Restrictions Act, or their successors, and other fiscal
31 control laws of this State, where applicable, and regulations promulgated by
32 the Department of Finance and Administration, as authorized by law, shall be
33 strictly complied with in disbursement of said funds.

34
35 SECTION 13. LEGISLATIVE INTENT. It is the intent of the General
36 Assembly that any funds disbursed under the authority of the appropriations

1 contained in this act shall be in compliance with the stated reasons for
2 which this act was adopted, as evidenced by the Agency Requests, Executive
3 Recommendations and Legislative Recommendations contained in the budget
4 manuals prepared by the Department of Finance and Administration, letters, or
5 summarized oral testimony in the official minutes of the Arkansas Legislative
6 Council or Joint Budget Committee which relate to its passage and adoption.
7

8 SECTION 14. EMERGENCY CLAUSE. It is found and determined by the
9 General Assembly, that the Constitution of the State of Arkansas prohibits
10 the appropriation of funds for more than a one (1) year period; that the
11 effectiveness of this Act on July 1, 2013 is essential to the operation of
12 the agency for which the appropriations in this Act are provided, and that in
13 the event of an extension of the legislative session, the delay in the
14 effective date of this Act beyond July 1, 2013 could work irreparable harm
15 upon the proper administration and provision of essential governmental
16 programs. Therefore, an emergency is hereby declared to exist and this Act
17 being necessary for the immediate preservation of the public peace, health
18 and safety shall be in full force and effect from and after July 1, 2013.
19

20 */s/Joint Budget Committee*
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23 **APPROVED: 04/22/2013**
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