

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017  
4

As Engrossed: H3/13/17  
**A Bill**

HOUSE BILL 1284

5 By: Joint Budget Committee  
6

7 **For An Act To Be Entitled**

8 AN ACT TO MAKE AN APPROPRIATION FOR MEDICAID  
9 EXPANSION PROGRAM FOR THE DEPARTMENT OF HUMAN  
10 SERVICES FOR THE FISCAL YEAR ENDING JUNE 30, 2018;  
11 AND FOR OTHER PURPOSES.  
12  
13

14 **Subtitle**

15 AN ACT FOR THE DEPARTMENT OF HUMAN  
16 SERVICES - MEDICAID EXPANSION PROGRAM  
17 APPROPRIATION FOR THE 2017-2018 FISCAL  
18 YEAR.  
19  
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. REGULAR SALARIES - COUNTY OPERATIONS - MEDICAID EXPANSION  
24 PROGRAM. There is hereby established for the Department of Human Services -  
25 Division of County Operations - Medicaid Expansion Program for the 2017-2018  
26 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 2017-2018
32	(1) G129C	DHS/DCO PROGRAM MANAGER	1	GRADE C120
33	(2) M037C	PROGRAM ELIGIBILITY SUPERVISOR	7	GRADE C117
34	(3) M066C	PROGRAM ELIGIBILITY SPECIALIST	44	GRADE C114
35	(4) C062C	LOCAL OFFICE ADMIN ASSISTANT	8	GRADE C110
36		MAX. NO. OF EMPLOYEES	60	



SECTION 2. REGULAR SALARIES - MEDICAL SERVICES - MEDICAID EXPANSION PROGRAM. There is hereby established for the Department of Human Services - Division of Medical Services - Medicaid Expansion Program for the 2017-2018 fiscal year, the following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2017-2018
(1)	G152C	DHS PROGRAM MANAGER	1	GRADE C119
(2)	G178C	POLICY DEVELOPMENT COORDINATOR	<u>1</u>	GRADE C117
		MAX. NO. OF EMPLOYEES	2	

SECTION 3. APPROPRIATION - COUNTY OPERATIONS - MEDICAID EXPANSION PROGRAM. There is hereby appropriated, to the Department of Human Services - Division of County Operations, to be payable from the Medicaid Expansion Program Account, for personal services and operating expenses of the Department of Human Services - Division of County Operations - Medicaid Expansion Program for the fiscal year ending June 30, 2018, the following:

ITEM NO.	FISCAL YEAR 2017-2018
(01) REGULAR SALARIES	\$1,763,826
(02) PERSONAL SERVICES MATCHING	716,377
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	295,795
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(04) DATA PROCESSING SERVICES	<u>50,000</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$2,825,998</u></u>

SECTION 4. APPROPRIATION - MEDICAL SERVICES - MEDICAID EXPANSION PROGRAM. There is hereby appropriated, to the Department of Human Services - Division of Medical Services, to be payable from the Medicaid Expansion

1 Program Account, for personal services and operating expenses of the  
 2 Department of Human Services - Division of Medical Services - Medicaid  
 3 Expansion Program for the fiscal year ending June 30, 2018, the following:  
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5 ITEM	FISCAL YEAR
6 <u>NO.</u>	<u>2017-2018</u>
7 (01) REGULAR SALARIES	\$72,645
8 (02) PERSONAL SERVICES MATCHING	27,128
9 (03) MAINT. & GEN. OPERATION	
10 (A) OPER. EXPENSE	12,369
11 (B) CONF. & TRAVEL	2,000
12 (C) PROF. FEES	0
13 (D) CAP. OUTLAY	<u>0</u>
14 TOTAL AMOUNT APPROPRIATED	<u><u>\$114,142</u></u>

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 16 SECTION 5. APPROPRIATION - MEDICAL SERVICES - MEDICAID EXPANSION  
 17 PROGRAM GRANTS. There is hereby appropriated, to the Department of Human  
 18 Services - Division of Medical Services, to be payable from the Medicaid  
 19 Expansion Program Account, for grant payments by the Department of Human  
 20 Services - Division of Medical Services - Medicaid Expansion Program Grants  
 21 for the fiscal year ending June 30, 2018, the following:  
 22

23 ITEM	FISCAL YEAR
24 <u>NO.</u>	<u>2017-2018</u>
25 (01) HOSPITAL AND MEDICAL SERVICES	\$92,510,440
26 (02) PRESCRIPTION DRUGS	<u>4,553,782</u>
27 TOTAL AMOUNT APPROPRIATED	<u><u>\$97,064,222</u></u>

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 29 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MEDICAID  
 31 EXPANSION PROGRAM - PAYING ACCOUNTS. The Medicaid Expansion Program as  
 32 established by Initiated Act 1 of 2000 and enacted in the Tobacco Settlement  
 33 Proceeds Act shall be a separate and distinct component ~~embracing (1)~~  
 34 ~~expanded Medicaid coverage and benefits to pregnant women; (2) expanded~~  
 35 ~~inpatient and outpatient hospital reimbursements and benefits to adults aged~~  
 36 ~~nineteen (19) to sixty four (64); (3) expanded non-institutional coverage and~~

1 ~~benefits to adults aged 65 and over; and (4) creation and provision of a~~  
2 ~~limited benefit package to adults aged nineteen (19) to sixty four (64), to~~  
3 ~~be of the Arkansas Medicaid Program, administered by the Department of Human~~  
4 Services and established as set out in § 19-12-116(b)(1). Separate Paying  
5 Accounts shall be established for the Medicaid Expansion Program as  
6 designated by the Chief Fiscal Officer of the State, to be used exclusively  
7 for the purpose of drawing down federal funds associated with the federal  
8 share of expenditures and for the state share of expenditures transferred  
9 from the Medicaid Expansion Program Account or for any other appropriate  
10 state match funds.

11 The provisions of this section shall be in effect only from July 1, ~~2016~~  
12 2017 through June 30, ~~2017~~ 2018.

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14 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ACCOUNTS.  
16 Such appropriations and fund accounts as may be necessary to administer the  
17 provisions of this act shall be established on the books of the Chief Fiscal  
18 Officer of the State, State Treasurer, and the Auditor of the State.

19 The provisions of this section shall be in effect only from July 1, ~~2016~~  
20 2017 through June 30, ~~2017~~ 2018.

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22 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

24 POSITIONS. (a) Nothing in this act shall be construed as a commitment of the  
25 State of Arkansas or any of its agencies or institutions to continue funding  
26 any position paid from the proceeds of the Tobacco Settlement in the event  
27 that Tobacco Settlement funds are not sufficient to finance the position.

28 (b) State funds will not be used to replace Tobacco Settlement funds when  
29 such funds expire, unless appropriated by the General Assembly and authorized  
30 by the Governor.

31 (c) A disclosure of the language contained in (a) and (b) of this Section  
32 shall be made available to all new hire and current positions paid from the  
33 proceeds of the Tobacco Settlement by the Tobacco Settlement Commission.

34 (d) Whenever applicable the information contained in (a) and (b) of this  
35 Section shall be included in the employee handbook and/or Professional  
36 Services Contract paid from the proceeds of the Tobacco Settlement.

1 The provisions of this section shall be in effect only from July 1, ~~2016~~  
2 2017 through June 30, ~~2017~~ 2018.

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4 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
6 RESTRICTIONS. The appropriations provided in this act shall not be  
7 transferred under the provisions of Arkansas Code 19-4-522, but only as  
8 provided by this act.

9 The provisions of this section shall be in effect only from July 1, ~~2016~~  
10 2017 through June 30, ~~2017~~ 2018.

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12 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFERS  
14 OF APPROPRIATIONS. In the event the amount of any of the budget  
15 classifications of maintenance and general operation in this act are found by  
16 the administrative head of the agency to be inadequate, then the agency head  
17 may request, upon forms provided for such purpose by the Chief Fiscal Officer  
18 of the State, a modification of the amounts of the budget classification. In  
19 that event, he shall set out on the forms the particular classifications for  
20 which he is requesting an increase or decrease, the amounts thereof, and his  
21 reasons therefor. In no event shall the total amount of the budget exceed  
22 either the amount of the appropriation or the amount of the funds available,  
23 nor shall any transfer be made from the capital outlay or data processing  
24 subclassifications unless specific authority for such transfers is provided  
25 by law, except for transfers from capital outlay to data processing when  
26 determined by the Department of Information Systems that data processing  
27 services for a state agency can be performed on a more cost-efficient basis  
28 by the Department of Information Systems than through the purchase of data  
29 processing equipment by that state agency. In considering the proposed  
30 modification as prepared and submitted by each state agency, the Chief Fiscal  
31 Officer of the State shall make such studies as he deems necessary. The Chief  
32 Fiscal Officer of the State shall, after obtaining the approval of the  
33 Legislative Council or Joint Budget Committee, approve the requested transfer  
34 if in his opinion it is in the best interest of the state.

35 Upon determination by the Director of the Department of Human Services  
36 that a Reallocation of Resources is necessary for the effective operation of

1 the Medicaid Expansion Program Grants, the director, with the approval of the  
2 Governor, shall have the authority to request from the Chief Fiscal Officer  
3 of the State a transfer of Appropriation. This transfer authority applies  
4 only to the Medicaid Expansion Program Grants appropriation section of this  
5 Act between the Hospital and Medical Services line item and the Prescription  
6 Drugs line item. The limitation restrictions applicable to the Department  
7 Reallocation of Resources authority applies to this section.

8 The General Assembly has determined that the agency in this act could be  
9 operated more efficiently if some flexibility is given to that agency and  
10 that flexibility is being accomplished by providing authority to transfer  
11 between certain items of appropriation made by this act. Since the General  
12 Assembly has granted the agency broad powers under the transfer of  
13 appropriations, it is both necessary and appropriate that the General  
14 Assembly maintain oversight of the utilization of the transfers by requiring  
15 prior approval of the Legislative Council or Joint Budget Committee in the  
16 utilization of the transfer authority. Therefore, the requirement of approval  
17 by the Legislative Council or Joint Budget Committee is not a severable part  
18 of this section. If the requirement of approval by the Legislative Council or  
19 Joint Budget Committee is ruled unconstitutional by a court of competent  
20 jurisdiction, this entire section is void.

21 The provisions of this section shall be in effect only from July 1, ~~2016~~  
22 2017 through June 30, ~~2017~~ 2018.

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24 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

35 The provisions of this section shall be in effect only from July 1, ~~2016~~  
36 2017 through June 30, ~~2017~~ 2018.

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2 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
4 LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds  
5 disbursed under the authority of the appropriations contained in this act  
6 shall be in compliance with the stated reasons for which this act was  
7 adopted, as evidenced by Initiated Act 1 of 2000, the Agency Requests,  
8 Executive Recommendations and Legislative Recommendations contained in the  
9 budget manuals prepared by the Department of Finance and Administration,  
10 letters, or summarized oral testimony in the official minutes of the Arkansas  
11 Legislative Council or Joint Budget Committee which relate to its passage and  
12 adoption.

13 The provisions of this section shall be in effect only from July 1, 2016  
14 2017 through June 30, ~~2017~~ 2018.

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16 SECTION 13. EMERGENCY CLAUSE. It is found and determined by the  
17 General Assembly, that the Constitution of the State of Arkansas prohibits  
18 the appropriation of funds for more than a one (1) year period; that the  
19 effectiveness of this Act on July 1, 2017 is essential to the operation of  
20 the agency for which the appropriations in this Act are provided, and that in  
21 the event of an extension of the legislative session, the delay in the  
22 effective date of this Act beyond July 1, 2017 could work irreparable harm  
23 upon the proper administration and provision of essential governmental  
24 programs. Therefore, an emergency is hereby declared to exist and this Act  
25 being necessary for the immediate preservation of the public peace, health  
26 and safety shall be in full force and effect from and after July 1, 2017.

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28 */s/Joint Budget Committee*

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31 **APPROVED: 04/03/2017**  
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