

1 State of Arkansas
2 91st General Assembly
3 Fiscal Session, 2018
4

A Bill

SENATE BILL 82

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 STATE INSURANCE
10 DEPARTMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2019;
11 AND FOR OTHER PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE STATE INSURANCE DEPARTMENT
15 APPROPRIATION FOR THE 2018-2019 FISCAL
16 YEAR.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established
23 for the State Insurance Department for the 2018-2019 fiscal year, the
24 following maximum number of regular employees.
25

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2018-2019
30	(1) U047U	STATE INSURANCE COMMISSIONER	1	GRADE SE03
31	(2) U042U	INSURANCE CHIEF DEPUTY COMMISSIONER	1	GRADE SE02
32	(3) N025N	INSURANCE DEP. COMMISSIONER INFO SYS	1	GRADE SE01
33	(4) D028N	REGULATORY HEALTH LINK TECH OFFICER	1	GRADE IT10
34	(5) D007C	INFORMATION SYSTEMS MANAGER	2	GRADE IT08
35	(6) D010N	INSURANCE CHIEF TECHNOLOGY OFFICER	1	GRADE IT08
36	(7) D034C	DATABASE ADMINISTRATOR	1	GRADE IT07



1	(8)	D038C SENIOR SOFTWARE SUPPORT ANALYST	1	GRADE IT06
2	(9)	D022C SYSTEMS SPECIALIST	4	GRADE IT06
3	(10)	D052C SOFTWARE SUPPORT ANALYST	4	GRADE IT05
4	(11)	D044C SYSTEMS ANALYST	1	GRADE IT05
5	(12)	N201N DEP. COMM OF CRIMINAL INVESTIGATIONS	1	GRADE GS15
6	(13)	N014N INSURANCE DEP. COMM FINANCIAL REGS	1	GRADE GS15
7	(14)	G018N DIRECTOR RISK MANAGEMENT	1	GRADE GS14
8	(15)	N140N INS ASST DEP. COMMISSIONER FINANCE	1	GRADE GS14
9	(16)	A128C INSURANCE CLAIMS DIR--PUBLIC EMPLOYEE	1	GRADE GS14
10	(17)	N023N INSURANCE DEPUTY COMMISSIONER	2	GRADE GS14
11	(18)	N190N INSURANCE GENERAL COUNSEL	1	GRADE GS14
12	(19)	X002N PROPERTY & CASUALTY MANAGER	1	GRADE GS14
13	(20)	A004N CERTIFIED FINANCIAL EXAMINER MANAGER	3	GRADE GS13
14	(21)	N073N INSURANCE CHF FIN/MKT CONDUCT EXMR	1	GRADE GS13
15	(22)	G004C MANAGING ATTORNEY	3	GRADE GS13
16	(23)	G043N RISK MANAGEMENT ASSISTANT DIRECTOR	1	GRADE GS13
17	(24)	A004C CERTIFIED FINANCIAL EXAMINER	12	GRADE GS12
18	(25)	G047C ATTORNEY SPECIALIST	8	GRADE GS11
19	(26)	P074C AID PUBLIC INFORMATION OFFICER	1	GRADE GS10
20	(27)	A044C AUDIT COORDINATOR	1	GRADE GS10
21	(28)	X009C INSURANCE DEPT. DIR OF SECURITY OPS	1	GRADE GS10
22	(29)	G259C INSURANCE PROGRAM MANAGER	1	GRADE GS10
23	(30)	G241C HEALTH INFO TECH OPER & TECH OFFICER	1	GRADE GS09
24	(31)	A042C INSURANCE SENIOR EXAMINER	7	GRADE GS09
25	(32)	X192C ASST DIRECTOR FRAUD INVESTIGATION	1	GRADE GS08
26	(33)	X020C BURIAL ASSOCIATION BD EXEC SEC	1	GRADE GS08
27	(34)	X072C CRIMINAL INSURANCE FRAUD INVESTIGATOR	7	GRADE GS08
28	(35)	X018C INSURANCE CONSUMER PROTECTION MANAGER	1	GRADE GS08
29	(36)	X017C INSURANCE LICENSING MANAGER	1	GRADE GS08
30	(37)	R014C PERSONNEL MANAGER	1	GRADE GS08
31	(38)	X034C PREPAID FUNERAL MANAGER	1	GRADE GS08
32	(39)	A060C SENIOR AUDITOR	2	GRADE GS08
33	(40)	G064C SR HLTH INSURANCE INFO PROGRAM MANAGER	1	GRADE GS08
34	(41)	G107C WCC PROGRAM MANAGER	1	GRADE GS08
35	(42)	G106C WCC CLAIMS SPECIALIST	5	GRADE GS08
36	(43)	A081C AUDITOR	1	GRADE GS07

1	(44)	A067C INSURANCE EXAMINER	2	GRADE GS07
2	(45)	X083C INSURANCE LIFE & HEALTH COMP OFFICER	5	GRADE GS07
3	(46)	X066C INSURANCE PREMIUM TAX EXAMINER	4	GRADE GS07
4	(47)	G125C INSURANCE SPECIAL PROJECTS COORDINATOR	1	GRADE GS07
5	(48)	P020C PRODUCTION ARTIST	1	GRADE GS07
6	(49)	X080C PROPERTY & CASUALTY COMPLIANCE OFFICER	4	GRADE GS07
7	(50)	G120C RISK CONSULTANT	7	GRADE GS07
8	(51)	X076C TITLE INSURANCE COMPLIANCE OFFICER	1	GRADE GS07
9	(52)	C037C ADMINISTRATIVE ANALYST	7	GRADE GS06
10	(53)	X088C EMBALMERS & FUNERAL DIR INVESTIGATOR	2	GRADE GS06
11	(54)	A080C FINANCE AUTHORITY SPECIALIST	1	GRADE GS06
12	(55)	R025C HUMAN RESOURCES ANALYST	1	GRADE GS06
13	(56)	M066C PROGRAM ELIGIBILITY SPECIALIST	2	GRADE GS06
14	(57)	G202C VOLUNTEER PROGRAM COORDINATOR	3	GRADE GS06
15	(58)	R033C BENEFITS ANALYST	1	GRADE GS05
16	(59)	A091C FISCAL SUPPORT ANALYST	1	GRADE GS05
17	(60)	C016C INSURANCE ADMINISTRATIVE COORDINATOR	2	GRADE GS05
18	(61)	X123C INSURANCE INVESTIGATOR	9	GRADE GS05
19	(62)	G201C WCC CLAIMS ANALYST	3	GRADE GS05
20	(63)	C056C ADMINISTRATIVE SPECIALIST III	13	GRADE GS04
21	(64)	A098C FISCAL SUPPORT SPECIALIST	4	GRADE GS04
22	(65)	R036C HUMAN RESOURCES SPECIALIST	1	GRADE GS04
23	(66)	C046C LEGAL SUPPORT SPECIALIST	3	GRADE GS04
24	(67)	C073C ADMINISTRATIVE SPECIALIST II	11	GRADE GS03
25	(68)	X180C INSURANCE LICENSING TECHNICIAN	8	GRADE GS03
26	(69)	C087C ADMINISTRATIVE SPECIALIST I	1	GRADE GS02
27	(70)	C084C MAIL SERVICES SPECIALIST	<u>2</u>	GRADE GS02
28		MAX. NO. OF EMPLOYEES	190	

29

30 SECTION 2. EXTRA HELP. There is hereby authorized, for the State
 31 Insurance Department for the 2018-2019 fiscal year, the following maximum
 32 number of part-time or temporary employees, to be known as "Extra Help",
 33 payable from funds appropriated herein for such purposes: nineteen (19)
 34 temporary or part-time employees, when needed, at rates of pay not to exceed
 35 those provided in the Uniform Classification and Compensation Act, or its
 36 successor, or this act for the appropriate classification.

SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated, to the State Insurance Department, to be payable from the State Insurance Department Trust Fund, for personal services, operating expenses, special maintenance and professional services of the State Insurance Department - Operations for the fiscal year ending June 30, 2019, the following:

ITEM NO.	FISCAL YEAR
	2018-2019
(1) REGULAR SALARIES	\$6,837,830
(2) EXTRA HELP	140,000
(3) PERSONAL SERVICES MATCHING	2,231,988
(4) OVERTIME	35,000
(5) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	2,777,589
(B) CONF. & TRAVEL	138,000
(C) PROF. FEES	142,000
(D) CAP. OUTLAY	155,000
(E) DATA PROC.	0
(6) SPECIAL MAINTENANCE	50,000
(7) PROFESSIONAL SERVICES	<u>956,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$13,463,407</u>

SECTION 4. APPROPRIATION - STATE BOARD OF EMBALMERS, FUNERAL DIRECTORS, CEMETERIES, AND BURIAL SERVICES - OPERATIONS. There is hereby appropriated, to the State Insurance Department, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for personal services and operating expenses of the State Insurance Department - State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services - Operations for the fiscal year ending June 30, 2019, the following:

ITEM NO.	FISCAL YEAR
	2018-2019
(1) REGULAR SALARIES	\$229,458
(2) PERSONAL SERVICES MATCHING	80,870

1	(3)	MAINT. & GEN. OPERATION	
2		(A) OPER. EXPENSE	167,242
3		(B) CONF. & TRAVEL	5,464
4		(C) PROF. FEES	2,950
5		(D) CAP. OUTLAY	0
6		(E) DATA PROC.	0
7	(4)	LOANS	<u>55,000</u>
8		TOTAL AMOUNT APPROPRIATED	<u><u>\$540,984</u></u>

9

10 SECTION 5. APPROPRIATION - FRAUD INVESTIGATION UNIT. There is hereby

11 appropriated, to the State Insurance Department, to be payable from the State

12 Insurance Department Trust Fund, for personal services and operating expenses

13 of the State Insurance Department - Fraud Investigation Unit for the fiscal

14 year ending June 30, 2019, the following:

15			
16	ITEM		FISCAL YEAR
17	<u>NO.</u>		<u>2018-2019</u>
18	(1)	REGULAR SALARIES	\$731,211
19	(2)	PERSONAL SERVICES MATCHING	237,496
20	(3)	MAINT. & GEN. OPERATION	
21		(A) OPER. EXPENSE	122,827
22		(B) CONF. & TRAVEL	12,000
23		(C) PROF. FEES	11,000
24		(D) CAP. OUTLAY	0
25		(E) DATA PROC.	<u>0</u>
26		TOTAL AMOUNT APPROPRIATED	<u><u>\$1,114,534</u></u>

27

28 SECTION 6. APPROPRIATION - INSURANCE FRAUD INVESTIGATION DIVISION.

29 There is hereby appropriated, to the State Insurance Department, to be

30 payable from the Insurance Fraud Investigation Division Trust Fund, for

31 operating expenses of the State Insurance Department - Insurance Fraud

32 Investigation Division for the fiscal year ending June 30, 2019, the

33 following:

34			
35	ITEM		FISCAL YEAR
36	<u>NO.</u>		<u>2018-2019</u>

1	(1)	MAINT. & GEN. OPERATION	
2		(A) OPER. EXPENSE	\$191,635
3		(B) CONF. & TRAVEL	35,000
4		(C) PROF. FEES	11,000
5		(D) CAP. OUTLAY	0
6		(E) DATA PROC.	<u>0</u>
7		TOTAL AMOUNT APPROPRIATED	<u><u>\$237,635</u></u>

8

9 SECTION 7. APPROPRIATION - PREPAID FUNERAL BENEFITS DIVISION. There is
 10 hereby appropriated, to the State Insurance Department, to be payable from
 11 the State Insurance Department Prepaid Trust Fund, for personal services and
 12 operating expenses of the State Insurance Department - Prepaid Funeral
 13 Benefits Division for the fiscal year ending June 30, 2019, the following:

14

15	ITEM	FISCAL YEAR
16	<u>NO.</u>	<u>2018-2019</u>
17	(1) REGULAR SALARIES	\$219,174
18	(2) PERSONAL SERVICES MATCHING	75,237
19	(3) MAINT. & GEN. OPERATION	
20	(A) OPER. EXPENSE	71,390
21	(B) CONF. & TRAVEL	4,000
22	(C) PROF. FEES	27,000
23	(D) CAP. OUTLAY	0
24	(E) DATA PROC.	<u>0</u>
25	TOTAL AMOUNT APPROPRIATED	<u><u>\$396,801</u></u>

26

27 SECTION 8. APPROPRIATION - PREPAID FUNERAL CONTRACTS RECOVERY PROGRAM.
 28 There is hereby appropriated, to the State Insurance Department, to be
 29 payable from the Prepaid Funeral Contracts Recovery Program Fund, for the
 30 expenses and payment of claims by the State Insurance Department - Prepaid
 31 Funeral Contracts Recovery Program for the fiscal year ending June 30, 2019,
 32 the following:

33

34	ITEM	FISCAL YEAR
35	<u>NO.</u>	<u>2018-2019</u>
36	(1) EXPENSES AND CLAIMS FOR PREPAID	

1 FUNERAL CONTRACTS RECOVERY PROGRAM \$500,000

2

3 SECTION 9. APPROPRIATION - REFUNDS OF OVERPAYMENTS. There is hereby
 4 appropriated, to the State Insurance Department, to be payable from the
 5 Miscellaneous Revolving Fund, for payments of miscellaneous tax and fee
 6 refunds by the State Insurance Department - Refunds of Overpayments for the
 7 fiscal year ending June 30, 2019, the following:

8

9 ITEM	FISCAL YEAR
10 <u>NO.</u>	<u>2018-2019</u>
11 (1) REFUNDS/REIMBURSEMENTS	<u>\$11,000,000</u>

12

13 SECTION 10. APPROPRIATION - CONTINUING EDUCATION PROGRAM. There is
 14 hereby appropriated, to the State Insurance Department, to be payable from
 15 the Insurance Continuing Education Trust Fund, for personal services of the
 16 State Insurance Department - Continuing Education Program for the fiscal year
 17 ending June 30, 2019, the following:

18

19 ITEM	FISCAL YEAR
20 <u>NO.</u>	<u>2018-2019</u>
21 (1) REGULAR SALARIES	\$25,268
22 (2) PERSONAL SERVICES MATCHING	<u>10,808</u>
23 TOTAL AMOUNT APPROPRIATED	<u>\$36,076</u>

24

25 SECTION 11. APPROPRIATION - HEALTH INFORMATION COUNSELING. There is
 26 hereby appropriated, to the State Insurance Department, to be payable from
 27 the federal funds as designated by the Chief Fiscal Officer of the State, for
 28 personal services and operating expenses of the State Insurance Department -
 29 Health Information Counseling for the fiscal year ending June 30, 2019, the
 30 following:

31

32 ITEM	FISCAL YEAR
33 <u>NO.</u>	<u>2018-2019</u>
34 (1) REGULAR SALARIES	\$236,777
35 (2) PERSONAL SERVICES MATCHING	89,336
36 (3) MAINT. & GEN. OPERATION	

1	(A) OPER. EXPENSE	284,063
2	(B) CONF. & TRAVEL	0
3	(C) PROF. FEES	356,409
4	(D) CAP. OUTLAY	0
5	(E) DATA PROC.	<u>0</u>
6	TOTAL AMOUNT APPROPRIATED	<u><u>\$966,585</u></u>

7

8 SECTION 12. APPROPRIATION - CONSUMER INFORMATION SYSTEM - CASH. There

9 is hereby appropriated, to the State Insurance Department, to be payable from

10 the cash fund deposited in the State Treasury as determined by the Chief

11 Fiscal Officer of the State, for operating expenses of the State Insurance

12 Department - Consumer Information System - Cash for the fiscal year ending

13 June 30, 2019, the following:

15	ITEM	FISCAL YEAR
16	<u>NO.</u>	<u>2018-2019</u>
17	(1) MAINT. & GEN. OPERATION	
18	(A) OPER. EXPENSE	\$79,005
19	(B) CONF. & TRAVEL	0
20	(C) PROF. FEES	0
21	(D) CAP. OUTLAY	0
22	(E) DATA PROC.	<u>0</u>
23	TOTAL AMOUNT APPROPRIATED	<u><u>\$79,005</u></u>

24

25 SECTION 13. APPROPRIATION - TRAVEL AND SUBSISTENCE - CASH. There is

26 hereby appropriated, to the State Insurance Department, to be payable from

27 the cash fund deposited in the State Treasury as determined by the Chief

28 Fiscal Officer of the State, for travel and subsistence expenses of the State

29 Insurance Department - Travel and Subsistence - Cash for the fiscal year

30 ending June 30, 2019, the following:

32	ITEM	FISCAL YEAR
33	<u>NO.</u>	<u>2018-2019</u>
34	(1) TRAVEL & SUBSISTENCE EXPENSES	<u><u>\$100,000</u></u>

35

36 SECTION 14. APPROPRIATION - PUBLIC EMPLOYEE CLAIMS SECTION. There is

1 hereby appropriated, to the State Insurance Department, to be payable from
 2 the Miscellaneous Agencies Fund Account, for personal services and operating
 3 expenses of the State Insurance Department - Public Employee Claims Section
 4 for the fiscal year ending June 30, 2019, the following:

6 ITEM	FISCAL YEAR
7 <u>NO.</u>	<u>2018-2019</u>
8 (1) REGULAR SALARIES	\$997,144
9 (2) PERSONAL SERVICES MATCHING	348,609
10 (3) MAINT. & GEN. OPERATION	
11 (A) OPER. EXPENSE	635,931
12 (B) CONF. & TRAVEL	13,000
13 (C) PROF. FEES	1,000
14 (D) CAP. OUTLAY	0
15 (E) DATA PROC.	<u>0</u>
16 TOTAL AMOUNT APPROPRIATED	<u><u>\$1,995,684</u></u>

17
 18 SECTION 15. APPROPRIATION - STATE EMPLOYEE CLAIMS. There is hereby
 19 appropriated, to the State Insurance Department, to be payable from the
 20 Workers' Compensation Revolving Fund, for payment of state employee claims by
 21 the State Insurance Department - State Employee Claims for the fiscal year
 22 ending June 30, 2019, the following:

24 ITEM	FISCAL YEAR
25 <u>NO.</u>	<u>2018-2019</u>
26 (1) STATE EMPLOYEE CLAIMS	<u><u>\$16,500,000</u></u>

27
 28 SECTION 16. APPROPRIATION - PUBLIC SCHOOL EMPLOYEE CLAIMS. There is
 29 hereby appropriated, to the State Insurance Department, to be payable from
 30 the Miscellaneous Revolving Fund, for payment of public school employee
 31 claims by the State Insurance Department - Public School Employee Claims for
 32 the fiscal year ending June 30, 2019, the following:

34 ITEM	FISCAL YEAR
35 <u>NO.</u>	<u>2018-2019</u>
36 (1) PUBLIC SCHOOL EMPLOYEE CLAIMS	<u><u>\$450,000</u></u>

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SECTION 17. APPROPRIATION - COUNTY EMPLOYEE CLAIMS. There is hereby appropriated, to the State Insurance Department, to be payable from the Miscellaneous Revolving Fund, for payment of county employee claims by the State Insurance Department - County Employee Claims for the fiscal year ending June 30, 2019, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2018-2019</u>
(1) COUNTY EMPLOYEE CLAIMS	<u>\$200,000</u>

SECTION 18. APPROPRIATION - CITY EMPLOYEE CLAIMS. There is hereby appropriated, to the State Insurance Department, to be payable from the Miscellaneous Revolving Fund, for payment of city employee claims by the State Insurance Department - City Employee Claims for the fiscal year ending June 30, 2019, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2018-2019</u>
(1) CITY EMPLOYEE CLAIMS	<u>\$600,000</u>

SECTION 19. APPROPRIATION - GOVERNMENTAL BONDING BOARD. There is hereby appropriated, to the State Insurance Department, to be payable from the Fidelity Bond Trust Fund, for operating expenses, refunds, reimbursements, claims, investments, professional services, and reinsurance of the State Insurance Department - Governmental Bonding Board for the fiscal year ending June 30, 2019, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2018-2019</u>
(1) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$5,000
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	0

1	(2)	REFUNDS/REIMBURSEMENTS	150,000
2	(3)	CLAIMS	3,000,000
3	(4)	INVESTMENTS	760,637
4	(5)	PROFESSIONAL SERVICES	50,000
5	(6)	REINSURANCE	<u>139,218</u>
6		TOTAL AMOUNT APPROPRIATED	<u><u>\$4,104,855</u></u>

7

8 SECTION 20. APPROPRIATION - ARKANSAS MULTI-AGENCY INSURANCE TRUST FUND.

9 There is hereby appropriated, to the State Insurance Department, to be
 10 payable from the Arkansas Multi-Agency Insurance Trust Fund, for expenses and
 11 payment of claims by the State Insurance Department - Arkansas Multi-Agency
 12 Insurance Trust Fund for the fiscal year ending June 30, 2019, the following:

13

14	ITEM	FISCAL YEAR
15	<u>NO.</u>	<u>2018-2019</u>
16	(1) FOR EXPENSES AND CLAIMS FROM AMAIT	
17	FUND	<u><u>\$20,000,000</u></u>

18

19 SECTION 21. APPROPRIATION - PUBLIC SCHOOL INSURANCE PROGRAM. There is
 20 hereby appropriated, to the State Insurance Department, to be payable from
 21 the Public School Insurance Trust Fund, for expenses and payment of claims by
 22 the State Insurance Department - Public School Insurance Program for the
 23 fiscal year ending June 30, 2019, the following:

24

25	ITEM	FISCAL YEAR
26	<u>NO.</u>	<u>2018-2019</u>
27	(1) EXPENSES AND CLAIMS	<u><u>\$20,000,000</u></u>

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29 SECTION 22. APPROPRIATION - CRIMINAL BACKGROUND CHECKS - CASH. There
 30 is hereby appropriated, to the State Insurance Department, to be payable from
 31 the cash fund deposited in the State Treasury as determined by the Chief
 32 Fiscal Officer of the State, for operating expenses of the State Insurance
 33 Department - Criminal Background Checks - Cash for the fiscal year ending
 34 June 30, 2019, the following:

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36	ITEM	FISCAL YEAR
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1	<u>NO.</u>	<u>2018-2019</u>
2	(1) MAINT. & GEN. OPERATION	
3	(A) OPER. EXPENSE	\$125,000
4	(B) CONF. & TRAVEL	0
5	(C) PROF. FEES	0
6	(D) CAP. OUTLAY	0
7	(E) DATA PROC.	<u>0</u>
8	TOTAL AMOUNT APPROPRIATED	<u><u>\$125,000</u></u>

9

10 SECTION 23. APPROPRIATION - RATE REVIEW - FEDERAL. There is hereby

11 appropriated, to the State Insurance Department, to be payable from the

12 federal funds as designated by the Chief Fiscal Officer of the State, for

13 personal services and operating expenses of the State Insurance Department -

14 Rate Review - Federal for the fiscal year ending June 30, 2019, the

15 following:

16		
17	ITEM	FISCAL YEAR
18	<u>NO.</u>	<u>2018-2019</u>
19	(1) REGULAR SALARIES	\$216,632
20	(2) PERSONAL SERVICES MATCHING	64,577
21	(3) MAINT. & GEN. OPERATION	
22	(A) OPER. EXPENSE	1,013,525
23	(B) CONF. & TRAVEL	191,416
24	(C) PROF. FEES	4,380,080
25	(D) CAP. OUTLAY	0
26	(E) DATA PROC.	<u>0</u>
27	TOTAL AMOUNT APPROPRIATED	<u><u>\$5,866,230</u></u>

28

29 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PERSONAL

31 SERVICES. The Burial Association Board Executive Secretary and the Burial

32 Association Board Administrative Specialist III shall also be responsible for

33 the administrative activities of the State Board of Embalmers and Funeral

34 Directors. The State Board of Embalmers and Funeral Directors shall pay to

35 the Burial Association Board an amount equal to one-half (1/2) of the salary

36 of the Burial Association Board Executive Secretary, up to one-half (1/2) of

1 the salary of the Burial Association Board Administrative Specialist III, and
 2 the appropriate matching. This sum shall be paid during the first quarter of
 3 each fiscal year via fund transfer.

4 The provisions of this section shall be in effect only from July 1,
 5 ~~2017~~ 2018 through June 30, ~~2018~~ 2019.

6
 7 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
 9 PROVISION. In the event the State Insurance Department is unable to maintain
 10 a full roster of examination personnel, and upon approval of the Chief Fiscal
 11 Officer of the State, the resulting unused appropriations in Regular
 12 Salaries, Extra Help, and Personal Services Matching may be transferred to
 13 the Professional Services special line item for the purpose of contracting
 14 with qualified individuals or firms for examination assistance.

15 The provisions of this section shall be in effect only from July 1, ~~2017~~
 16 2018 through June 30, ~~2018~~ 2019.

17
 18 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS
 20 WORKS AND ARKANSAS HEALTH INSURANCE MARKETPLACE RESTRICTIONS. (a) As used in
 21 this section, "Arkansas Works" means Arkansas Works established under the
 22 Arkansas Works Act of 2016, Arkansas Code § 23-61-1001 et seq.

23 (b)(1) Determining the maximum number of employees, the maximum amount
 24 of appropriation, for what purposes an appropriation is authorized, and
 25 general revenue funding for a state agency each fiscal year is the
 26 prerogative of the General Assembly.

27 (2) The purposes of subdivision (b)(1) of this section are
 28 typically accomplished by:

29 (A) Identifying the purpose in the appropriation act;

30 (B) Delineating such maximums in the appropriation act for
 31 a state agency; and

32 (C) Delineating the general revenue allocations authorized
 33 for each fund and fund account by amendment to the Revenue Stabilization Law,
 34 Arkansas Code § 19-5-101 et seq.

35 (3) It is both necessary and appropriate that the General
 36 Assembly restrict the use of appropriations authorized in this act.

1 (c)(1) Except as provided in this subsection, the State Insurance
2 Department shall not allocate, budget, expend, or utilize any appropriation
3 authorized by the General Assembly for the purpose of advertisement,
4 promotion, or other activities designed to promote or encourage enrollment in
5 the Arkansas Health Insurance Marketplace or Arkansas Works, including
6 without limitation:

7 (A) Unsolicited communications mailed to potential
8 recipients;

9 (B) Television, radio, or online commercials;

10 (C) Billboard or mobile billboard advertising;

11 (D) Advertisements printed in newspapers, magazines, or
12 other print media; and

13 (E) Internet websites and electronic media.

14 (2) This subsection does not prohibit the department from:

15 (A) Direct communications with:

16 (i) Licensed insurance agents; and

17 (ii) Persons licensed by the department;

18 (B) Solicited communications with potential recipients;

19 (C)(i) Responding to an inquiry regarding the coverage for
20 which a potential recipient might be eligible, including without limitation
21 providing educational materials or information regarding any coverage for
22 which the individual might qualify.

23 (ii) Educational materials and information
24 distributed under subdivision (c)(2)(C)(i) of this section shall contain only
25 factual information and shall not contain subjective statements regarding the
26 coverage for which the potential recipient might be eligible; and

27 (D) Using an Internet website for the exclusive purpose of
28 enrolling individuals in the Arkansas Health Insurance Marketplace or
29 Arkansas Works.

30 (d) The State Insurance Department shall not apply for or accept any
31 funds, including without limitation federal funds, for the purpose of
32 advertisement, promotion, or other activities designed to promote or
33 encourage enrollment in the Arkansas Health Insurance Marketplace or Arkansas
34 Works.

35 (e)(1) Except as provided in subdivision (e)(2) of this section, the
36 State Insurance Department shall not:

1 (A)(i) Except as provided in subdivision (e)(1)(A)(ii) of
2 this section, allocate, budget, expend, or utilize an appropriation
3 authorized by the General Assembly for the purpose of funding activities of
4 navigators, guides, certified application counselors, and certified licensed
5 producers under the Arkansas Health Insurance Marketplace Navigator, Guide,
6 and Certified Application Counselors Act, Arkansas Code § 23-64-601 et seq.

7 (ii) Subdivision (e)(1)(A)(i) of this section does
8 not apply to regulatory and training responsibilities related to navigators,
9 guides, certified application counselors, and certified licensed producers;
10 and

11 (B) Apply for or accept any funds, including without
12 limitation federal funds, for the purpose of funding activities of
13 navigators, guides, certified application counselors, and certified licensed
14 producers under the Arkansas Health Insurance Marketplace Navigator, Guide,
15 and Certified Application Counselors Act, Arkansas Code § 23-64-601 et seq.

16 (2) Subdivision (e)(1) of this section does not apply to
17 certified application counselors at health related institutions, including
18 without limitation the University of Arkansas for Medical Sciences.

19 (f) An appropriation authorized by the General Assembly shall not be
20 subject to the provisions allowed through reallocation of resources or
21 transfer of appropriation authority for the purpose of transferring an
22 appropriation to any other appropriation authorized for the State Insurance
23 Department to be allocated, budgeted, expended, or utilized in a manner
24 prohibited by this section.

25 (g) The provisions of this section are severable, and the invalidity
26 of any subsection or subdivision of this section shall not affect other
27 provisions of the section that can be given effect without the invalid
28 provision.

29 (h) This section expires on June 30, ~~2018~~ 2019.

30
31 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING
33 RESTRICTIONS. The State Insurance Department shall not allocate, budget,
34 expend or commit for expenditure any appropriation authorized by the General
35 Assembly for final implementation of a state-based health insurance exchange
36 by the Arkansas Health Insurance Marketplace Board as established in Arkansas

1 Code § 23-61-803 et seq. until after the decision of the United States
2 Supreme Court in King v. Burwell, 759 F.3d 358 (4th Cir.), cert. granted,
3 U.S., 135 S. Ct. 475(2014).

4 The provisions of this section shall be in effect only from July 1, ~~2017~~
5 2018 through June 30, ~~2018~~ 2019.

6
7 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
9 INSURANCE BUILDING CONSTRUCTION FUNDING PROVISION. Upon request of the
10 Commissioner, approval of the Chief Fiscal Officer of the State, and prior
11 review by the Arkansas Legislative Council or Joint Budget Committee, the
12 State Insurance Department may retain an amount above that which is set out
13 in A.C.A. 23-61-710(c) for the purposes of providing funding for the
14 construction and renovation of Department facilities, not to exceed eight
15 million dollars (\$8,000,000) in a single biennium. The amount being
16 requested must be submitted to the Chief Fiscal Officer of the State by April
17 1st of each fiscal year.

18 The provisions of this section shall expire on June 30, 2019.

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

29
30 SECTION 30. LEGISLATIVE INTENT. It is the intent of the General
31 Assembly that any funds disbursed under the authority of the appropriations
32 contained in this act shall be in compliance with the stated reasons for
33 which this act was adopted, as evidenced by the Agency Requests, Executive
34 Recommendations and Legislative Recommendations contained in the budget
35 manuals prepared by the Department of Finance and Administration, letters, or
36 summarized oral testimony in the official minutes of the Arkansas Legislative

1 Council or Joint Budget Committee which relate to its passage and adoption.

2
3 SECTION 31. EFFECTIVE DATE. This act is effective on and after July 1,
4 2018.

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7 **APPROVED: 3/9/18**
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