

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

A Bill

HOUSE BILL 1083

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 - DIRECTOR'S OFFICE FOR THE FISCAL YEAR
11 ENDING JUNE 30, 2019; AND FOR OTHER PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE DEPARTMENT OF HUMAN
15 SERVICES - DIRECTOR'S OFFICE
16 APPROPRIATION FOR THE 2018-2019 FISCAL
17 YEAR.
18
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established
24 for the Department of Human Services - Director's Office for the 2018-2019
25 fiscal year, the following maximum number of regular employees.
26

Item	Class		Maximum	Maximum Annual
No.	Code	Title	No. of	Salary Rate
			Employees	Fiscal Year
				2018-2019
31	(1)	U133U DHS EXECUTIVE DIRECTOR	1	GRADE SE05
32	(2)	L023N DHS DEPUTY DIRECTOR	2	GRADE SE03
33	(3)	N011N DFA CHIEF INFORMATION OFFICER	1	GRADE SE02
34	(4)	A018N DHS CHIEF FINANCIAL OFFICER	1	GRADE SE02
35	(5)	N040N DHS CHIEF INFORMATION OFFICER	2	GRADE SE02
36	(6)	A136C DHS MEDICAID CHIEF FINANCE OFFICER	1	GRADE SE02



1	(7)	G004N DHS CHIEF ATTORNEY	1	GRADE SE01
2	(8)	M093C DHS DIRECTOR OF LEGISLATIVE AFFAIRS	1	GRADE SE01
3	(9)	G029N DHS DIRECTOR OF POLICY AND LEGAL	1	GRADE SE01
4	(10)	L009C NURSE MANAGER	1	GRADE MP03
5	(11)	L022N OCCUPATIONAL THERAPIST	1	GRADE MP02
6	(12)	L038C REGISTERED NURSE	1	GRADE MP01
7	(13)	D006N STATE SYSTEMS ARCHITECT	4	GRADE IT10
8	(14)	D025N DHS IT SENIOR ENGINEER	4	GRADE IT09
9	(15)	D022N IT SENIOR PROJECT MANAGER	3	GRADE IT09
10	(16)	D007C INFORMATION SYSTEMS MANAGER	5	GRADE IT08
11	(17)	D010N INSURANCE CHIEF TECHNOLOGY OFFICER	1	GRADE IT08
12	(18)	D030C INFORMATION SYSTEMS COORDINATOR	2	GRADE IT07
13	(19)	D025C STATE IT SECURITY SPECIALIST	3	GRADE IT06
14	(20)	D063C COMPUTER SUPPORT SPECIALIST	13	GRADE IT05
15	(21)	D061C INFORMATION SYSTEMS COORDINATION SPEC	5	GRADE IT05
16	(22)	D052C SOFTWARE SUPPORT ANALYST	6	GRADE IT05
17	(23)	D044C SYSTEMS ANALYST	1	GRADE IT05
18	(24)	D062C DATABASE ANALYST	2	GRADE IT04
19	(25)	D064C WEBSITE DEVELOPER	1	GRADE IT04
20	(26)	D071C COMPUTER SUPPORT ANALYST	3	GRADE IT03
21	(27)	D075C SOFTWARE SUPPORT SPECIALIST	4	GRADE IT03
22	(28)	D079C COMPUTER SUPPORT TECHNICIAN	4	GRADE IT02
23	(29)	G282C DHS CHIEF LEGISLATIVE AFFAIRS DIR	1	GRADE GS15
24	(30)	G283C DHS CHIEF SECURITY & COMPLIANCE OFCR	1	GRADE GS15
25	(31)	A020N DHS DEP CHIEF FIN OFFICER-HUMAN SVCS	1	GRADE GS15
26	(32)	N016N DHS DEP DIR ADMINISTRATIVE SVCS	2	GRADE GS15
27	(33)	P077C DHS COMM & COMMUNITY ENGAGEMENT OFCR	1	GRADE GS14
28	(34)	N086N DHS DDS DIR EVAL PLAN & MGMT SYSTEMS	1	GRADE GS14
29	(35)	N122N DHS/DCC ASSISTANT DIR FINANCE & ADMIN	1	GRADE GS14
30	(36)	N121N DHS/DCFS DEPUTY DIRECTOR	1	GRADE GS14
31	(37)	N100N DHS/DMS ADD - MEDICAL SERVICES	5	GRADE GS14
32	(38)	N101N DHS/DCO ADD - PROG & ADMIN SUPPORT	2	GRADE GS14
33	(39)	N080N DHS/DMS ASSISTANT DIRECTOR - FISCAL	2	GRADE GS14
34	(40)	N124N DHS/DYS ASSISTANT DIVISION DIRECTOR	1	GRADE GS14
35	(41)	A010C AGENCY CONTROLLER II	5	GRADE GS13
36	(42)	G290C ASST DEPUTY DIR OF LEGISLATIVE AFFAIRS	1	GRADE GS13

1	(43)	N111N	DHS ASST DEP DIR FOR MGR ACCOUNTING	1	GRADE GS13
2	(44)	N128N	DHS ASST DIR QUALITY ASSURANCE	1	GRADE GS13
3	(45)	M003C	DHS BEHAV HLTH CHILDRENS SYS CARE DIR	1	GRADE GS13
4	(46)	V002N	DHS DEP CHIEF PROCUREMENT OFFICER	1	GRADE GS13
5	(47)	N171N	DHS DEP DIR OFFICE OF VOLUNTEER SERV	1	GRADE GS13
6	(48)	D026N	DHS ELIGIBILITY SYSTEM PROGRAM MGR	1	GRADE GS13
7	(49)	G054N	DHS GENERAL COUNSEL	1	GRADE GS13
8	(50)	N107N	DHS/OFA ASST DIR - ACCOUNTING OPS	1	GRADE GS13
9	(51)	N109N	DHS/OFA ASSISTANT DIRECTOR	1	GRADE GS13
10	(52)	G004C	MANAGING ATTORNEY	4	GRADE GS13
11	(53)	G025C	ATTORNEY SUPERVISOR	5	GRADE GS12
12	(54)	G024C	DEPARTMENT ADMINISTRATIVE LAW JUDGE	3	GRADE GS12
13	(55)	G042C	DHS ADMINISTRATIVE LAW JUDGE	6	GRADE GS12
14	(56)	G101C	DHS AREA MANAGER	2	GRADE GS12
15	(57)	N143N	DHS DDS DIVISION MANAGER	1	GRADE GS12
16	(58)	R002N	DHS DIRECTOR OF HUMAN CAPITAL	1	GRADE GS12
17	(59)	P004N	DHS DIRECTOR OF PUBLIC RELATIONS	1	GRADE GS12
18	(60)	A016C	DHS DMS BUSINESS OPERATIONS MANAGER	4	GRADE GS12
19	(61)	N167N	DHS POLICY & RESEARCH DIRECTOR	2	GRADE GS12
20	(62)	R006C	HUMAN RESOURCES ADMINISTRATOR	2	GRADE GS12
21	(63)	A027C	ACCOUNTING OPERATIONS MANAGER	1	GRADE GS11
22	(64)	A031C	ASSISTANT CONTROLLER	7	GRADE GS11
23	(65)	G047C	ATTORNEY SPECIALIST	53	GRADE GS11
24	(66)	A024C	DHS DIVISION CHIEF FISCAL OFFICER	2	GRADE GS11
25	(67)	G027N	DHS RESEARCH ANALYSIS MANAGER	1	GRADE GS11
26	(68)	G008C	RISK MANAGEMENT ASSISTANT DIRECTOR	1	GRADE GS11
27	(69)	G076C	ADMINISTRATIVE SERVICES MANAGER	1	GRADE GS10
28	(70)	A044C	AUDIT COORDINATOR	5	GRADE GS10
29	(71)	L010C	DHS DMS MEDICAL ASSISTANCE MANAGER	5	GRADE GS10
30	(72)	R049C	DHS EMPLOYEE RELATIONS COORD	1	GRADE GS10
31	(73)	A052C	ACCOUNTING COORDINATOR	5	GRADE GS09
32	(74)	A050C	AGENCY FISCAL MANAGER	1	GRADE GS09
33	(75)	G099C	DHS PROGRAM ADMINISTRATOR	5	GRADE GS09
34	(76)	G109C	GRANTS MANAGER	3	GRADE GS09
35	(77)	M009C	LICENSED CERTIFIED SOCIAL WORKER	1	GRADE GS09
36	(78)	G080C	NATIONAL & COMMUNITY SERV EXEC DIR	1	GRADE GS09

1	(79)	P004C PUBLIC INFORMATION MANAGER	1	GRADE GS09
2	(80)	A082C ACCOUNTANT II	1	GRADE GS08
3	(81)	R021C BUDGET ANALYST	4	GRADE GS08
4	(82)	G264C DHS FAIRNESS OFFICER	1	GRADE GS08
5	(83)	A056C DHS FINANCIAL SECTION MANAGER	8	GRADE GS08
6	(84)	G152C DHS PROGRAM MANAGER	15	GRADE GS08
7	(85)	G129C DHS/DCO PROGRAM MANAGER	2	GRADE GS08
8	(86)	A047C FINANCIAL ANALYST II	2	GRADE GS08
9	(87)	A066C INTERNAL AUDITOR	3	GRADE GS08
10	(88)	R014C PERSONNEL MANAGER	5	GRADE GS08
11	(89)	V007C PROCUREMENT COORDINATOR	6	GRADE GS08
12	(90)	V004C PROCUREMENT MANAGER	4	GRADE GS08
13	(91)	A041C PROGRAM FISCAL MANAGER	3	GRADE GS08
14	(92)	X062C QUALITY ASSURANCE COORDINATOR	2	GRADE GS08
15	(93)	A060C SENIOR AUDITOR	22	GRADE GS08
16	(94)	E023C TRAINING PROJECT MANAGER	1	GRADE GS08
17	(95)	A089C ACCOUNTANT I	11	GRADE GS07
18	(96)	R024C ASSISTANT PERSONNEL MANAGER	9	GRADE GS07
19	(97)	A081C AUDITOR	1	GRADE GS07
20	(98)	V008C BUYER SUPERVISOR	1	GRADE GS07
21	(99)	G131C DHS BEHAV HLTH MED BUS PRACTICES ADMIN	1	GRADE GS07
22	(100)	G183C DHS PROGRAM COORDINATOR	11	GRADE GS07
23	(101)	C010C EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE GS07
24	(102)	M040C FAMILY SERVICES PROGRAM COORDINATOR	1	GRADE GS07
25	(103)	A076C FINANCE PROGRAM ANALYST	2	GRADE GS07
26	(104)	A075C FINANCIAL ANALYST I	2	GRADE GS07
27	(105)	B052C FORENSIC SPECIALIST	1	GRADE GS07
28	(106)	X125C FRAUD INVESTIGATOR COORDINATOR	2	GRADE GS07
29	(107)	G147C GRANTS COORDINATOR	4	GRADE GS07
30	(108)	A065C PAYROLL SERVICES COORDINATOR	2	GRADE GS07
31	(109)	P013C PUBLIC INFORMATION COORDINATOR	2	GRADE GS07
32	(110)	A072C RESEARCH & STATISTICS MANAGER	1	GRADE GS07
33	(111)	A063C RESEARCH & STATISTICS SUPERVISOR	1	GRADE GS07
34	(112)	G265C SENIOR TECHNICAL WRITER	1	GRADE GS07
35	(113)	E040C STAFF DEVELOPMENT COORDINATOR	6	GRADE GS07
36	(114)	G176C VOLUNTEER PROGRAM MANAGER	1	GRADE GS07

1	(115)	C037C ADMINISTRATIVE ANALYST	10	GRADE GS06
2	(116)	M045C ADULT PROTECTIVE SERVICES WORKER	1	GRADE GS06
3	(117)	R027C BUDGET SPECIALIST	14	GRADE GS06
4	(118)	R026C CIVIL RIGHTS/EMPLOYEE RELATIONS COORD	5	GRADE GS06
5	(119)	G170C DHS ADMINISTRATIVE REVIEW OFFICER	6	GRADE GS06
6	(120)	G210C DHS PROGRAM SPECIALIST	9	GRADE GS06
7	(121)	A074C FISCAL SUPPORT SUPERVISOR	9	GRADE GS06
8	(122)	X156C FRAUD INVESTIGATOR	7	GRADE GS06
9	(123)	G180C GRANTS ANALYST	30	GRADE GS06
10	(124)	G214C GRANTS SPECIALIST	2	GRADE GS06
11	(125)	R025C HUMAN RESOURCES ANALYST	7	GRADE GS06
12	(126)	R029C HUMAN RESOURCES RECRUITER	5	GRADE GS06
13	(127)	X101C INTERNAL AFFAIRS INVESTIGATOR	3	GRADE GS06
14	(128)	G179C LEGAL SERVICES SPECIALIST	4	GRADE GS06
15	(129)	P031C MEDIA SPECIALIST	2	GRADE GS06
16	(130)	G124C OMBUDSMAN	1	GRADE GS06
17	(131)	G178C POLICY DEVELOPMENT COORDINATOR	2	GRADE GS06
18	(132)	L051C REHABILITATION COUNSELOR	1	GRADE GS06
19	(133)	B076C RESEARCH PROJECT ANALYST	3	GRADE GS06
20	(134)	G202C VOLUNTEER PROGRAM COORDINATOR	7	GRADE GS06
21	(135)	C050C ADMINISTRATIVE SUPPORT SUPERVISOR	2	GRADE GS05
22	(136)	A088C ASSETS COORDINATOR	3	GRADE GS05
23	(137)	C022C BUSINESS OPERATIONS SPECIALIST	2	GRADE GS05
24	(138)	V013C CENTRAL WAREHOUSE OPERATIONS MGR	1	GRADE GS05
25	(139)	A091C FISCAL SUPPORT ANALYST	17	GRADE GS05
26	(140)	L070C HEALTH CARE ANALYST	3	GRADE GS05
27	(141)	D077C HELP DESK SPECIALIST	1	GRADE GS05
28	(142)	R032C HUMAN RESOURCES PROGRAM REPRESENTATIVE	1	GRADE GS05
29	(143)	C040C LEASING SPECIALIST	1	GRADE GS05
30	(144)	A090C PAYROLL SERVICES SPECIALIST	1	GRADE GS05
31	(145)	S032C PRINT SHOP SUPERVISOR	1	GRADE GS05
32	(146)	V015C PURCHASING SPECIALIST	9	GRADE GS05
33	(147)	L066C REHABILITATION INSTRUCTOR	1	GRADE GS05
34	(148)	D081C TELECOMMUNICATIONS SPECIALIST	1	GRADE GS05
35	(149)	V018C WAREHOUSE MANAGER	1	GRADE GS05
36	(150)	C056C ADMINISTRATIVE SPECIALIST III	28	GRADE GS04

1	(151)	A098C FISCAL SUPPORT SPECIALIST	27	GRADE GS04
2	(152)	R038C HUMAN RESOURCES ASSISTANT	3	GRADE GS04
3	(153)	R036C HUMAN RESOURCES SPECIALIST	6	GRADE GS04
4	(154)	V020C INVENTORY CONTROL MANAGER	1	GRADE GS04
5	(155)	C046C LEGAL SUPPORT SPECIALIST	36	GRADE GS04
6	(156)	S046C MAINTENANCE TECHNICIAN	1	GRADE GS04
7	(157)	V022C PURCHASING TECHNICIAN	1	GRADE GS04
8	(158)	C043C RECORDS MANAGEMENT ANALYST	6	GRADE GS04
9	(159)	V021C SURPLUS PROPERTY AGENT	1	GRADE GS04
10	(160)	V025C WAREHOUSE SPECIALIST	1	GRADE GS04
11	(161)	C073C ADMINISTRATIVE SPECIALIST II	9	GRADE GS03
12	(162)	D090C COMPUTER PUBLISHING OPERATOR	1	GRADE GS03
13	(163)	S056C FOOD PREPARATION SUPERVISOR	1	GRADE GS03
14	(164)	P039C INSTITUTIONAL PRINTER	1	GRADE GS03
15	(165)	C062C LOCAL OFFICE ADMINISTRATIVE ASSISTANT	2	GRADE GS03
16	(166)	S054C PRINTER	3	GRADE GS03
17	(167)	S045C PRINTING ESTIMATOR/PLANNER	1	GRADE GS03
18	(168)	C087C ADMINISTRATIVE SPECIALIST I	<u>3</u>	GRADE GS02
19		MAX. NO. OF EMPLOYEES	679	

20

21 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for
 22 the Department of Human Services - Director's Office for the 2018-2019 fiscal
 23 year, the following maximum number of part-time or temporary employees, to be
 24 known as "Extra Help", payable from funds appropriated herein for such
 25 purposes: thirty (30) temporary or part-time employees, when needed, at
 26 rates of pay not to exceed those provided in the Uniform Classification and
 27 Compensation Act, or its successor, or this act for the appropriate
 28 classification.

29

30 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated,
 31 to the Department of Human Services - Director's Office, to be payable from
 32 the paying account as determined by the Chief Fiscal Officer of the State,
 33 for personal services and operating expenses of the Department of Human
 34 Services - Director's Office for the fiscal year ending June 30, 2019, the
 35 following:

36

1	ITEM	FISCAL YEAR
2	<u>NO.</u>	<u>2018-2019</u>
3	(01) REGULAR SALARIES	\$31,086,981
4	(02) EXTRA HELP	448,139
5	(03) PERSONAL SERVICES MATCHING	10,950,488
6	(04) OVERTIME	11,000
7	(05) MAINT. & GEN. OPERATION	
8	(A) OPER. EXPENSE	6,036,308
9	(B) CONF. & TRAVEL	229,523
10	(C) PROF. FEES	10,914,691
11	(D) CAP. OUTLAY	165,000
12	(E) DATA PROC.	0
13	(06) FOSTER GRANDPARENT PROGRAM	340,135
14	(07) DATA PROCESSING SERVICES	<u>1,989,600</u>
15	TOTAL AMOUNT APPROPRIATED	<u><u>\$62,171,865</u></u>

16

17 SECTION 4. APPROPRIATION - CLIENT SPECIFIC EMERGENCY SERVICES - CASH.

18 There is hereby appropriated, to the Department of Human Services -
 19 Director's Office, to be payable from cash funds as defined by Arkansas Code
 20 19-4-801 of the Department of Human Services - Director's Office, for
 21 purchase of services of the Department of Human Services - Director's Office
 22 for the fiscal year ending June 30, 2019, the following:

23

24	ITEM	FISCAL YEAR
25	<u>NO.</u>	<u>2018-2019</u>
26	(1) PURCHASE OF SERVICES	<u><u>\$111,600</u></u>

27

28 SECTION 5. APPROPRIATION - VARIOUS BUILDING CONSTRUCTION. There is
 29 hereby appropriated, to the Department of Human Services - Director's Office,
 30 to be payable from the Department of Human Services Renovation Fund, for
 31 construction, renovation, maintenance, equipment and repairs for various
 32 buildings operated by the Department of Human Services for the fiscal year
 33 ending June 30, 2019, the following:

34

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

1 (01) CONSTRUCTION \$11,623,203

2

3 SECTION 6. APPROPRIATION - CONSOLIDATED COST. There is hereby
 4 appropriated, to the Department of Human Services - Director's Office, to be
 5 payable from the DHS Consolidated Cost Revolving Fund, for operating expenses
 6 of the Department of Human Services - Director's Office - Consolidated Cost
 7 for the fiscal year ending June 30, 2019, the following:

8

9 ITEM	FISCAL YEAR
10 <u>NO.</u>	<u>2018-2019</u>
11 (01) MAINT. & GEN. OPERATION	
12 (A) OPER. EXPENSE	\$821,500
13 (B) CONF. & TRAVEL	0
14 (C) PROF. FEES	0
15 (D) CAP. OUTLAY	0
16 (E) DATA PROC.	<u>0</u>
17 TOTAL AMOUNT APPROPRIATED	<u><u>\$821,500</u></u>

18

19 SECTION 7. APPROPRIATION - GRANTS PAYING. There is hereby
 20 appropriated, to the Department of Human Services - Director's Office, to be
 21 payable from the paying account as determined by the Chief Fiscal Officer of
 22 the State, for purchase of services and AmeriCorps Grants payments of the
 23 Department of Human Services - Director's Office for the fiscal year ending
 24 June 30, 2019, the following:

25

26 ITEM	FISCAL YEAR
27 <u>NO.</u>	<u>2018-2019</u>
28 (01) AMERICORPS GRANTS	\$2,510,704
29 (02) PURCHASE OF SERVICES	<u>129,084</u>
30 TOTAL AMOUNT APPROPRIATED	<u><u>\$2,639,788</u></u>

31

32 SECTION 8. APPROPRIATION - COMMUNITY SERVICE AND NONPROFIT SUPPORT -
 33 CASH. There is hereby appropriated, to the Department of Human Services -
 34 Director's Office, to be payable from the cash fund deposited in the State
 35 Treasury as determined by the Chief Fiscal Officer of the State, for
 36 operating expenses of Community Service and Nonprofit Support of the

1 Department of Human Services - Director's Office for the fiscal year ending
 2 June 30, 2019, the following:

4 ITEM	FISCAL YEAR
5 <u>NO.</u>	<u>2018-2019</u>
6 (01) MAINT. & GEN. OPERATION	
7 (A) OPER. EXPENSE	\$7,233
8 (B) CONF. & TRAVEL	2,865
9 (C) PROF. FEES	932
10 (D) CAP. OUTLAY	0
11 (E) DATA PROC.	<u>0</u>
12 TOTAL AMOUNT APPROPRIATED	<u><u>\$11,030</u></u>

13
 14 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

26 The provisions of this section shall be in effect only from July 1, ~~2017~~
 27 2018 through June 30, ~~2018~~ 2019.

28
 29 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HUMAN
 31 SERVICES RENOVATION FUND. Department of Human Services Renovation Fund.

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

35 (b) This fund shall be used for constructing, acquiring, renovating,
 36 maintaining, repairing, and equipping facilities of the Department of Human

1 Services and for paying disallowances by the federal government.

2 (c) The fund shall consist of:

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

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

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

18 (d)(1) At the request of the Director of the Department of Human Services,
19 and upon certification of the availability of such funds, the Chief Fiscal
20 Officer of the State shall initiate the necessary transfer documents to
21 reflect the transfer on the books of record of the Treasurer of State, the
22 Auditor of State, the Chief Fiscal Officer of the State, and the Department
23 of Human Services.

24 (2) The Director of the Department of Human Services shall submit any
25 transfer plan to and must receive approval of the plan from the Chief Fiscal
26 Officer of the State, the Governor and the Arkansas Legislative Council or
27 Joint Budget Committee prior to the effective date of the transfer.

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

34 (f) Determining the amount of funds appropriated to a state agency is the
35 prerogative of the General Assembly and is usually accomplished by
36 delineating specific line items and by identifying the appropriation and

1 funding attached to that line item. The General Assembly has determined that
2 the Department of Human Services could be operated more efficiently if some
3 flexibility is given to that agency. That flexibility is being accomplished
4 by providing transfer authority in subsection (d) of this section, and since
5 the General Assembly has granted the agency broad powers under the transfer
6 authority concept, it is both necessary and appropriate that the General
7 Assembly maintain oversight of the utilization of the transfer authority by
8 requiring prior approval of the Legislative Council or Joint Budget Committee
9 in the utilization of this transfer authority. Therefore, the requirement of
10 approval by the Legislative Council or Joint Budget Committee is not a
11 severable part of this section. If the requirement of approval by the
12 Legislative Council or Joint Budget Committee is ruled unconstitutional by a
13 court of competent jurisdiction, this entire section is void.

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

16

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

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

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

34 (c) REALLOCATION OF RESOURCES: (1) The Department of Human Services (DHS)
35 provides hundreds of different services to over 1 million Arkansans. The
36 specific mix of service needs and the funding and staffing required to

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

1 not by any reductions which are applicable to all state programs.

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

14 i) Medicaid Program;

15 ii) Facilities and institutions costs, including operational expenses and
16 construction/renovation/equipping expenses;

17 iii) Departmental grants and contracts;

18 iv) Court ordered settlements and payments;

19 v) Payment of administrative expenses, including but not limited to, overtime
20 and other costs of personnel for critical services or functions necessary to
21 carry out the mission of the agency;

22 vi) Restructuring efforts as deemed necessary to comply with new and/or
23 unanticipated federal or state mandates; and/or

24 vii) Redirecting internal resources, both direct and/or indirect, to meet
25 client needs and services.

26 Determining the maximum number of employees and the maximum amount of
27 appropriation and general revenue funding for a state agency each fiscal year
28 is the prerogative of the General Assembly. This is usually accomplished by
29 delineating such maximums in the appropriation act(s) for a state agency and
30 the general revenue allocations authorized for each fund and fund account by
31 amendment to the Revenue Stabilization law. Further, the General Assembly has
32 determined that the Department of Human Services may operate more efficiently
33 if some flexibility is provided to the Department of Human Services
34 authorizing broad powers under the Reallocation of Resources provisions
35 herein. Therefore, it is both necessary and appropriate that the General
36 Assembly maintain oversight by requiring prior approval of the Legislative

1 Council or Joint Budget Committee as provided by this section. The
2 requirement of approval by the Legislative Council or Joint Budget Committee
3 is not a severable part of this section. If the requirement of approval by
4 the Legislative Council or Joint Budget Committee is ruled unconstitutional
5 by a court of competent jurisdiction, this entire section is void.

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

17 The provisions of this section shall be in effect only from July 1, ~~2017~~
18 2018 through June 30, ~~2018~~ 2019.

19
20 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

22 NURSING/DIRECT CARE EDUCATION STIPEND PROGRAM. Special provision for a
23 Nursing/Direct Care Education Stipend Program for the Department of Human
24 Services is hereby authorized to be paid from the State and Federal Funds
25 appropriated in each Division's Act. This program is for eligible nursing
26 students who are attending accredited nursing institutions to become
27 Registered or Licensed Practical Nurses, as well as Certified Nursing
28 Assistants, Residential Care Assistants, Residential Care Technicians,
29 Residential Care Supervisors and Behavioral Health Aides.

30 The stipend is \$5,000 per person per year. Any student who is awarded and
31 accepts a stipend is under employment commitment to the respective DHS
32 Division and is required to work for that division, in a full-time employee
33 status effective immediately upon graduation. The student employment
34 commitment is equal to the number of years the stipend was awarded and
35 accepted. In the event of Employee/Student default of the employment
36 commitment, the Employee/Student will be considered in breach of contract and

1 repayment of the stipend will be required as specified in the Stipend
 2 Contract.

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

5 The provisions of this section shall be in effect only from July 1, ~~2017~~
 6 2018 through June 30, ~~2018~~ 2019.

7
 8 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

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

- 27
- 28 Registered Nurse Classifications
 - 29 \$1,000 after completing 6 months probationary employment
 - 30 \$1,500 after completing 1st year employment
 - 31 \$1,500 after completing 2nd year employment
 - 32
 - 33 Licensed Practical Nurse Classifications
 - 34 \$ 500 after completing 6 months probationary employment
 - 35 \$ 500 after completing 1st year employment
 - 36 \$1,000 after completing 2nd year employment

1
2 Certified Nursing Assistant/Residential Care Assistant/Residential Care
3 Technician/Residential Care Supervisor/Behavioral Health Aide
4 Classifications
5 \$ 500 after completing 6 months probationary employment
6 \$ 500 after completing 1st year employment
7

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

13 The provisions of this section shall be in effect only from July 1, ~~2017~~
14 2018 through June 30, ~~2018~~ 2019.

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

25
26 SECTION 15. LEGISLATIVE INTENT. It is the intent of the General
27 Assembly that any funds disbursed under the authority of the appropriations
28 contained in this act shall be in compliance with the stated reasons for
29 which this act was adopted, as evidenced by the Agency Requests, Executive
30 Recommendations and Legislative Recommendations contained in the budget
31 manuals prepared by the Department of Finance and Administration, letters, or
32 summarized oral testimony in the official minutes of the Arkansas Legislative
33 Council or Joint Budget Committee which relate to its passage and adoption.
34

35 SECTION 16. EFFECTIVE DATE. This act is effective on and after July 1,
36 2018.

APPROVED: 3/9/18