

1 State of Arkansas  
2 92nd General Assembly  
3 Regular Session, 2019  
4

# A Bill

SENATE BILL 21

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 ARKANSAS STATE MEDICAL  
10 BOARD FOR THE FISCAL YEAR ENDING JUNE 30, 2020; AND  
11 FOR OTHER PURPOSES.  
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## Subtitle

14 AN ACT FOR THE ARKANSAS STATE MEDICAL  
15 BOARD APPROPRIATION FOR THE 2019-2020  
16 FISCAL YEAR.  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. REGULAR SALARIES. There is hereby established for the  
23 Arkansas State Medical Board for the 2019-2020 fiscal year, the following  
24 maximum number of regular employees.  
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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2019-2020
30	(1) U134U	EXEC DIR AR STATE MEDICAL BD	1	GRADE SE01
31	(2) D030C	INFORMATION SYSTEMS COORDINATOR	1	GRADE IT07
32	(3) D062C	DATABASE ANALYST	1	GRADE IT04
33	(4) D065C	NETWORK SUPPORT ANALYST	1	GRADE IT04
34	(5) D064C	WEBSITE DEVELOPER	2	GRADE IT04
35	(6) G076C	ADMINISTRATIVE SERVICES MANAGER	1	GRADE GS10
36	(7) R019C	BUDGET MANAGER	1	GRADE GS09



1	(8)	X030C REGULATORY BOARD CHIEF INVESTIGATOR	1	GRADE GS08
2	(9)	C037C ADMINISTRATIVE ANALYST	4	GRADE GS06
3	(10)	E046C TRAINING INSTRUCTOR	1	GRADE GS06
4	(11)	G187C CREDENTIALING COORDINATION SUPERVISOR	2	GRADE GS05
5	(12)	C056C ADMINISTRATIVE SPECIALIST III	1	GRADE GS04
6	(13)	A098C FISCAL SUPPORT SPECIALIST	2	GRADE GS04
7	(14)	C045C LICENSING COORDINATOR	20	GRADE GS04
8	(15)	C073C ADMINISTRATIVE SPECIALIST II	<u>2</u>	GRADE GS03
9		MAX. NO. OF EMPLOYEES	41	

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11 SECTION 2. EXTRA HELP. There is hereby authorized, for the Arkansas  
 12 State Medical Board for the 2019-2020 fiscal year, the following maximum  
 13 number of part-time or temporary employees, to be known as "Extra Help",  
 14 payable from funds appropriated herein for such purposes: two (2) temporary  
 15 or part-time employees, when needed, at rates of pay not to exceed those  
 16 provided in the Uniform Classification and Compensation Act, or its  
 17 successor, or this act for the appropriate classification.

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19 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated,  
 20 to the Arkansas State Medical Board, to be payable from cash funds as defined  
 21 by Arkansas Code 19-4-801 of the Arkansas State Medical Board, for personal  
 22 services and operating expenses of the Arkansas State Medical Board for the  
 23 fiscal year ending June 30, 2020, the following:

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25	ITEM	FISCAL YEAR
26	<u>NO.</u>	<u>2019-2020</u>
27	(01) REGULAR SALARIES	\$1,643,879
28	(02) EXTRA HELP	24,500
29	(03) PERSONAL SERVICES MATCHING	581,442
30	(04) MAINT. & GEN. OPERATION	
31	(A) OPER. EXPENSE	1,391,539
32	(B) CONF. & TRAVEL	8,641
33	(C) PROF. FEES	100,000
34	(D) CAP. OUTLAY	74,000
35	(E) DATA PROC.	0
36	(05) REFUNDS/REIMBURSEMENTS	<u>7,500</u>

1 TOTAL AMOUNT APPROPRIATED \$3,831,501

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3 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

5 EDUCATIONAL PROGRAMS. The State Medical Board is hereby authorized to expend  
6 from monies authorized herein, \$25 from each licensed physician licensed by  
7 the State Medical Board each year to be paid by the State Medical Board to  
8 501(c)(3) Arkansas foundations that have healthcare professionals on their  
9 board and provide for identification, treatment and monitoring of healthcare  
10 professionals who suffer from alcohol or drug abuse problems, in order to  
11 promote the public health and safety and to insure the continued availability  
12 of skilled and highly trained medical professionals for the benefit of the  
13 public.

14 The provisions of this section shall be in effect only from July 1, ~~2018~~  
15 2019 through June 30, ~~2019~~ 2020.

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17 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS  
19 STATE MEDICAL BOARD EMPLOYMENT OF ATTORNEYS. None of the funds appropriated  
20 in this Act for Maintenance and General Operation shall be expended in  
21 payment for services of attorneys, unless the agency shall first make a  
22 request in writing to the Attorney General of the State of Arkansas to  
23 provide the required legal services. The Attorney General's Office shall  
24 provide the requested legal services, or, if the Attorney General's Office  
25 shall determine that sufficient personnel are not available to provide the  
26 requested legal services, the Attorney General shall certify the same to the  
27 agency and may authorize the agency to employ legal counsel and to expend  
28 monies appropriated for Maintenance and General Operations therefore, if:

29 (1) The Attorney General determines, and certifies in writing, that  
30 such agency needs the advice or assistance of legal counsel, and

31 (2) The Attorney General consents in writing to the employment of the  
32 legal counsel to be retained by the agency, and

33 (3) The Attorney General receives confirmation in writing from the  
34 agency that the agency will re-advertise annually for legal counsel if  
35 outside legal counsel is hired and that any amount to be paid for outside  
36 legal counsel will receive prior review by the Arkansas Legislative Council

1 or Joint Budget Committee.

2 Such certification shall be required with respect to each instance of  
3 the employment of special legal counsel, or shall be required annually with  
4 respect to legal counsel employed on a retainer basis. A copy of such  
5 certification shall be entered in the official minutes of the agency, and  
6 shall be retained in the fiscal records of the agency for audit purposes.

7 The provisions of this section shall be in effect only from July 1, ~~2018~~  
8 2019 through June 30, ~~2019~~ 2020.

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10 SECTION 6. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
11 authorized by this act shall be limited to the appropriation for such agency  
12 and funds made available by law for the support of such appropriations; and  
13 the restrictions of the State Procurement Law, the General Accounting and  
14 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
15 Procedures and Restrictions Act, or their successors, and other fiscal  
16 control laws of this State, where applicable, and regulations promulgated by  
17 the Department of Finance and Administration, as authorized by law, shall be  
18 strictly complied with in disbursement of said funds.

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20 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General  
21 Assembly that any funds disbursed under the authority of the appropriations  
22 contained in this act shall be in compliance with the stated reasons for  
23 which this act was adopted, as evidenced by the Agency Requests, Executive  
24 Recommendations and Legislative Recommendations contained in the budget  
25 manuals prepared by the Department of Finance and Administration, letters, or  
26 summarized oral testimony in the official minutes of the Arkansas Legislative  
27 Council or Joint Budget Committee which relate to its passage and adoption.

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29 SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General  
30 Assembly, that the Constitution of the State of Arkansas prohibits the  
31 appropriation of funds for more than a one (1) year period; that the  
32 effectiveness of this Act on July 1, 2019 is essential to the operation of  
33 the agency for which the appropriations in this Act are provided, and that in  
34 the event of an extension of the legislative session, the delay in the  
35 effective date of this Act beyond July 1, 2019 could work irreparable harm  
36 upon the proper administration and provision of essential governmental

1 programs. Therefore, an emergency is hereby declared to exist and this Act  
2 being necessary for the immediate preservation of the public peace, health  
3 and safety shall be in full force and effect from and after July 1, 2019.

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6 **APPROVED: 1/28/19**  
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