State of Arkansas  
As Engrossed: H3/19/19

A Bill

HOUSE BILL 1155

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR THE MEDICAID EXPANSION PROGRAM FOR THE DEPARTMENT OF HUMAN SERVICES FOR THE FISCAL YEAR ENDING JUNE 30, 2020; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF HUMAN SERVICES - MEDICAID EXPANSION PROGRAM APPROPRIATION FOR THE 2019-2020 FISCAL YEAR.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. REGULAR SALARIES - COUNTY OPERATIONS - MEDICAID EXPANSION PROGRAM. There is hereby established for the Department of Human Services - Division of County Operations - Medicaid Expansion Program for the 2019-2020 fiscal year, the following maximum number of regular employees.

<table>
<thead>
<tr>
<th>Item</th>
<th>Class</th>
<th>Title</th>
<th>No. of Employees</th>
<th>Fiscal Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td>M037C</td>
<td>PROGRAM ELIGIBILITY SUPERVISOR</td>
<td>5</td>
<td>GRADE GS07</td>
</tr>
<tr>
<td>(2)</td>
<td>M066C</td>
<td>PROGRAM ELIGIBILITY SPECIALIST</td>
<td>30</td>
<td>GRADE GS06</td>
</tr>
<tr>
<td>(3)</td>
<td>C062C</td>
<td>LOCAL OFFICE ADMINISTRATIVE ASST</td>
<td>5</td>
<td>GRADE GS03</td>
</tr>
<tr>
<td></td>
<td></td>
<td>MAX. NO. OF EMPLOYEES</td>
<td>40</td>
<td></td>
</tr>
</tbody>
</table>
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 2019-2020 fiscal year, the following maximum number of regular employees.

<table>
<thead>
<tr>
<th>Item</th>
<th>Class</th>
<th>No. of Code</th>
<th>Title</th>
<th>No. of Employees</th>
<th>Fiscal Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td>G152C</td>
<td>DHS PROGRAM MANAGER</td>
<td>1</td>
<td>GRADE GS08</td>
<td>1</td>
</tr>
</tbody>
</table>

SECTION 3. REGULAR SALARIES - PROVIDER SERVICES AND QUALITY ASSURANCE - MEDICAID EXPANSION PROGRAM. There is hereby established for the Department of Human Services - Division of Provider Services and Quality Assurance - Medicaid Expansion Program for the 2019-2020 fiscal year, the following maximum number of regular employees.

<table>
<thead>
<tr>
<th>Item</th>
<th>Class</th>
<th>No. of Code</th>
<th>Title</th>
<th>No. of Employees</th>
<th>Fiscal Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td>G129C</td>
<td>DHS/DCO PROGRAM MANAGER</td>
<td>1</td>
<td>GRADE GS08</td>
<td>1</td>
</tr>
<tr>
<td>(2)</td>
<td>M037C</td>
<td>PROGRAM ELIGIBILITY SUPERVISOR</td>
<td>2</td>
<td>GRADE GS07</td>
<td>1</td>
</tr>
<tr>
<td>(3)</td>
<td>M066C</td>
<td>PROGRAM ELIGIBILITY SPECIALIST</td>
<td>14</td>
<td>GRADE GS06</td>
<td>1</td>
</tr>
<tr>
<td>(4)</td>
<td>C062C</td>
<td>LOCAL OFFICE ADMINISTRATIVE ASST</td>
<td>3</td>
<td>GRADE GS03</td>
<td>1</td>
</tr>
</tbody>
</table>

SECTION 4. 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, 2020, the following:

<table>
<thead>
<tr>
<th>ITEM</th>
<th>FISCAL YEAR</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>
As Engrossed:  H3/19/19

<table>
<thead>
<tr>
<th>NO.</th>
<th>ITEM</th>
<th>FISCAL YEAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td>2019-2020</td>
</tr>
<tr>
<td>2</td>
<td>(01) REGULAR SALARIES</td>
<td>$1,463,880</td>
</tr>
<tr>
<td>3</td>
<td>(02) PERSONAL SERVICES MATCHING</td>
<td>545,033</td>
</tr>
<tr>
<td>4</td>
<td>(03) MAINT. &amp; GEN. OPERATION</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>(A) OPER. EXPENSE</td>
<td>197,197</td>
</tr>
<tr>
<td>6</td>
<td>(B) CONF. &amp; TRAVEL</td>
<td>0</td>
</tr>
<tr>
<td>7</td>
<td>(C) PROF. FEES</td>
<td>0</td>
</tr>
<tr>
<td>8</td>
<td>(D) CAP. OUTLAY</td>
<td>0</td>
</tr>
<tr>
<td>9</td>
<td>(E) DATA PROC.</td>
<td>0</td>
</tr>
<tr>
<td>10</td>
<td>(04) DATA PROCESSING SERVICES</td>
<td>50,000</td>
</tr>
<tr>
<td>11</td>
<td>TOTAL AMOUNT APPROPRIATED</td>
<td>$2,256,110</td>
</tr>
</tbody>
</table>

SECTION 5. 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 Program Account, for personal services and operating expenses of the Department of Human Services - Division of Medical Services - Medicaid Expansion Program for the fiscal year ending June 30, 2020, the following:

<table>
<thead>
<tr>
<th>ITEM</th>
<th>FISCAL YEAR</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2019-2020</td>
</tr>
<tr>
<td>1</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>(01) REGULAR SALARIES</td>
</tr>
<tr>
<td>3</td>
<td>(02) PERSONAL SERVICES MATCHING</td>
</tr>
<tr>
<td>4</td>
<td>(03) MAINT. &amp; GEN. OPERATION</td>
</tr>
<tr>
<td>5</td>
<td>(A) OPER. EXPENSE</td>
</tr>
<tr>
<td>6</td>
<td>(B) CONF. &amp; TRAVEL</td>
</tr>
<tr>
<td>7</td>
<td>(C) PROF. FEES</td>
</tr>
<tr>
<td>8</td>
<td>(D) CAP. OUTLAY</td>
</tr>
<tr>
<td>9</td>
<td>(E) DATA PROC.</td>
</tr>
<tr>
<td>10</td>
<td>TOTAL AMOUNT APPROPRIATED</td>
</tr>
</tbody>
</table>

SECTION 6. APPROPRIATION - MEDICAL SERVICES - MEDICAID EXPANSION
PROGRAM GRANTS. There is hereby appropriated, to the Department of Human Services - Division of Medical Services, to be payable from the Medicaid Expansion Program Account, for grant payments by the Department of Human Services - Division of Medical Services - Medicaid Expansion Program Grants
for the fiscal year ending June 30, 2020, the following:

<table>
<thead>
<tr>
<th>ITEM</th>
<th>FISCAL YEAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>NO.</td>
<td>2019-2020</td>
</tr>
<tr>
<td>(01) HOSPITAL AND MEDICAL SERVICES</td>
<td>$99,027,014</td>
</tr>
<tr>
<td>(02) PRESCRIPTION DRUGS</td>
<td>8,983,674</td>
</tr>
<tr>
<td>TOTAL AMOUNT APPROPRIATED</td>
<td>$108,010,688</td>
</tr>
</tbody>
</table>

SECTION 7. APPROPRIATION - PROVIDER SERVICES AND QUALITY ASSURANCE - MEDICAID EXPANSION PROGRAM. There is hereby appropriated, to the Department of Human Services - Division of Provider Services and Quality Assurance, to be payable from the Medicaid Expansion Program Account, for personal services and operating expenses of the Department of Human Services - Division of Provider Services and Quality Assurance - Medicaid Expansion Program for the fiscal year ending June 30, 2020, the following:

<table>
<thead>
<tr>
<th>ITEM</th>
<th>FISCAL YEAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>NO.</td>
<td>2019-2020</td>
</tr>
<tr>
<td>(01) REGULAR SALARIES</td>
<td>$743,276</td>
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<tr>
<td>(02) PERSONAL SERVICES MATCHING</td>
<td>275,176</td>
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<tr>
<td>(03) MAINT. &amp; GEN. OPERATION</td>
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<tr>
<td>(A) OPER. EXPENSE</td>
<td>98,598</td>
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<tr>
<td>(B) CONF. &amp; TRAVEL</td>
<td>0</td>
</tr>
<tr>
<td>(C) PROF. FEES</td>
<td>0</td>
</tr>
<tr>
<td>(D) CAP. OUTLAY</td>
<td>0</td>
</tr>
<tr>
<td>(E) DATA PROC.</td>
<td>0</td>
</tr>
<tr>
<td>TOTAL AMOUNT APPROPRIATED</td>
<td>$1,117,050</td>
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</tbody>
</table>

SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MEDICAID EXPANSION PROGRAM - PAYING ACCOUNTS. The Medicaid Expansion Program as established by Initiated Act 1 of 2000 and enacted in the Tobacco Settlement Proceeds Act shall be a separate and distinct component of the Arkansas Medicaid Program, administered by the Department of Human Services and established as set out in § 19-12-116(b)(1). Separate Paying Accounts shall be established for the Medicaid Expansion Program as designated by the Chief
Fiscal Officer of the State, to be used exclusively for the purpose of
drawing down federal funds associated with the federal share of expenditures
and for the state share of expenditures transferred from the Medicaid
Expansion Program Account or for any other appropriate state match funds.
The provisions of this section shall be in effect only from July 1, 2018
through June 30, 2019 2020.

SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ACCOUNTS.
Such appropriations and fund accounts as may be necessary to administer the
provisions of this act shall be established on the books of the Chief Fiscal
Officer of the State, State Treasurer, and the Auditor of the State.
The provisions of this section shall be in effect only from July 1, 2018
through June 30, 2019 2020.

SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
POSITIONS. (a) Nothing in this act shall be construed as a commitment of the
State of Arkansas or any of its agencies or institutions to continue funding
any position paid from the proceeds of the Tobacco Settlement in the event
that Tobacco Settlement funds are not sufficient to finance the position.
(b) State funds will not be used to replace Tobacco Settlement funds when
such funds expire, unless appropriated by the General Assembly and authorized
by the Governor.
(c) A disclosure of the language contained in (a) and (b) of this Section
shall be made available to all new hire and current positions paid from the
proceeds of the Tobacco Settlement by the Tobacco Settlement Commission.
(d) Whenever applicable the information contained in (a) and (b) of this
Section shall be included in the employee handbook and/or Professional
Services Contract paid from the proceeds of the Tobacco Settlement.
The provisions of this section shall be in effect only from July 1, 2018
through June 30, 2019 2020.

SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
RESTRICTIONS. The appropriations provided in this act shall not be
transferred under the provisions of Arkansas Code 19-4-522, but only as
provided by this act.

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

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

Upon determination by the Director of the Department of Human Services
that a Reallocation of Resources is necessary for the effective operation of
the Medicaid Expansion Program Grants, the director, with the approval of the
Governor, shall have the authority to request from the Chief Fiscal Officer
of the State a transfer of Appropriation. This transfer authority applies
only to the Medicaid Expansion Program Grants appropriation section of this
Act between the Hospital and Medical Services line item and the Prescription
Drugs line item. The limitation restrictions applicable to the Department
Reallocation of Resources authority applies to this section.

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

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

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

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

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

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

LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this act shall be in compliance with the stated reasons for which this act was
adopted, as evidenced by Initiated Act 1 of 2000, the Agency Requests,
Executive Recommendations and Legislative Recommendations contained in the
budget manuals prepared by the Department of Finance and Administration,
letters, or summarized oral testimony in the official minutes of the Arkansas
Legislative Council or Joint Budget Committee which relate to its passage and
adoption.

The provisions of this section shall be in effect only from July 1, 2018

SECTION 15. EMERGENCY CLAUSE. It is found and determined by the
General Assembly, that the Constitution of the State of Arkansas prohibits
the appropriation of funds for more than a one (1) year period; that the
effectiveness of this Act on July 1, 2019 is essential to the operation of
the agency for which the appropriations in this Act are provided, and that in
the event of an extension of the legislative session, the delay in the
effective date of this Act beyond July 1, 2019 could work irreparable harm
upon the proper administration and provision of essential governmental
programs. Therefore, an emergency is hereby declared to exist and this Act
being necessary for the immediate preservation of the public peace, health
and safety shall be in full force and effect from and after July 1, 2019.

/s/Joint Budget Committee

APPROVED: 4/5/19