

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

As Engrossed: H3/26/19

A Bill

HOUSE BILL 1156

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, 2020; AND FOR OTHER PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE DEPARTMENT OF HUMAN
15 SERVICES - DIRECTOR'S OFFICE
16 APPROPRIATION FOR THE 2019-2020 FISCAL
17 YEAR.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established
24 for the Department of Human Services - Director's Office for the 2019-2020
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
				2019-2020
31	(1)	U133U DHS EXECUTIVE DIRECTOR	1	GRADE SE05
32	(2)	L023N DHS DEPUTY DIRECTOR	3	GRADE SE03
33	(3)	N011N DFA CHIEF INFORMATION OFFICER	1	GRADE SE02
34	(4)	N220N DHS CHIEF ATTORNEY	1	GRADE SE02
35	(5)	A018N DHS CHIEF FINANCIAL OFFICER	1	GRADE SE02
36	(6)	N040N DHS CHIEF INFORMATION OFFICER	2	GRADE SE02



1	(7)	A136C	DHS MEDICAID CHIEF FINANCE OFFICER	1	GRADE SE02
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)	L038C	REGISTERED NURSE	1	GRADE MP01
6	(12)	D006N	STATE SYSTEMS ARCHITECT	4	GRADE IT10
7	(13)	D025N	DHS IT SENIOR ENGINEER	4	GRADE IT09
8	(14)	D022N	IT SENIOR PROJECT MANAGER	3	GRADE IT09
9	(15)	D007C	INFORMATION SYSTEMS MANAGER	7	GRADE IT08
10	(16)	D010N	INSURANCE CHIEF TECHNOLOGY OFFICER	1	GRADE IT08
11	(17)	D030C	INFORMATION SYSTEMS COORDINATOR	2	GRADE IT07
12	(18)	D025C	STATE IT SECURITY SPECIALIST	3	GRADE IT06
13	(19)	D054C	COMPUTER SUPPORT COORDINATOR	1	GRADE IT05
14	(20)	D063C	COMPUTER SUPPORT SPECIALIST	12	GRADE IT05
15	(21)	D061C	INFORMATION SYSTEMS COORDINATION SPEC	9	GRADE IT05
16	(22)	D057C	INFORMATION TECHNOLOGY MANAGER	2	GRADE IT05
17	(23)	D052C	SOFTWARE SUPPORT ANALYST	6	GRADE IT05
18	(24)	D044C	SYSTEMS ANALYST	1	GRADE IT05
19	(25)	D062C	DATABASE ANALYST	4	GRADE IT04
20	(26)	D064C	WEBSITE DEVELOPER	1	GRADE IT04
21	(27)	D071C	COMPUTER SUPPORT ANALYST	2	GRADE IT03
22	(28)	D075C	SOFTWARE SUPPORT SPECIALIST	4	GRADE IT03
23	(29)	D079C	COMPUTER SUPPORT TECHNICIAN	10	GRADE IT02
24	(30)	R048C	DHS CHIEF HUMAN RESOURCES OFFICER	1	GRADE GS15
25	(31)	G282C	DHS CHIEF LEGISLATIVE AFFAIRS DIR	1	GRADE GS15
26	(32)	G283C	DHS CHIEF SECURITY & COMPLIANCE OFCR	1	GRADE GS15
27	(33)	A020N	DHS DEP CHIEF FIN OFFICER-HUMAN SERV	1	GRADE GS15
28	(34)	N016N	DHS DEP DIR ADMINISTRATIVE SVCS	2	GRADE GS15
29	(35)	G286C	DMS DEPUTY DIRECTOR	1	GRADE GS15
30	(36)	P077C	DHS COMM & COMMUNITY ENGAGEMENT OFCR	1	GRADE GS14
31	(37)	N086N	DHS DDS DIR EVAL PLAN & MGMT SYSTEMS	1	GRADE GS14
32	(38)	N122N	DHS/DCC ASSISTANT DIR FINANCE & ADMN	1	GRADE GS14
33	(39)	N100N	DHS/DMS ADD - MEDICAL SERVICES	5	GRADE GS14
34	(40)	N101N	DHS/DCO ASST DEP DIR PGM & ADMN SPT	2	GRADE GS14
35	(41)	N080N	DHS/DMS ASSISTANT DIRECTOR - FISCAL	1	GRADE GS14
36	(42)	N124N	DHS/DYS ASSISTANT DIVISION DIRECTOR	1	GRADE GS14

1	(43)	A010C AGENCY CONTROLLER II	5	GRADE GS13
2	(44)	G290C ASST DEPUTY DIR OF LEGISLATIVE AFRS	1	GRADE GS13
3	(45)	N111N DHS ASST DEP DIR FOR MGR ACCOUNTING	1	GRADE GS13
4	(46)	N128N DHS ASST DIR QUALITY ASSURANCE	1	GRADE GS13
5	(47)	G276C DHS CHIEF OF STAFF	1	GRADE GS13
6	(48)	V002N DHS DEP CHIEF PROCUREMENT OFFICER	1	GRADE GS13
7	(49)	D026N DHS ELIGIBILITY SYSTEM PROGRAM MGR	1	GRADE GS13
8	(50)	G054N DHS GENERAL COUNSEL	1	GRADE GS13
9	(51)	N107N DHS/OFA ASSISTANT DIR - ACCOUNTING	1	GRADE GS13
10	(52)	N109N DHS/OFA ASSISTANT DIRECTOR	1	GRADE GS13
11	(53)	G004C MANAGING ATTORNEY	3	GRADE GS13
12	(54)	G025C ATTORNEY SUPERVISOR	6	GRADE GS12
13	(55)	G024C DEPARTMENT ADMINISTRATIVE LAW JUDGE	3	GRADE GS12
14	(56)	G042C DHS ADMINISTRATIVE LAW JUDGE	6	GRADE GS12
15	(57)	G101C DHS AREA MANAGER	2	GRADE GS12
16	(58)	N143N DHS DDS DIVISION MANAGER	1	GRADE GS12
17	(59)	R002N DHS DIRECTOR OF HUMAN CAPITAL	1	GRADE GS12
18	(60)	P004N DHS DIRECTOR OF PUBLIC RELATIONS	1	GRADE GS12
19	(61)	A016C DHS DMS BUSINESS OPERATIONS MANAGER	5	GRADE GS12
20	(62)	N167N DHS POLICY & RESEARCH DIRECTOR	4	GRADE GS12
21	(63)	G274C DHS VOLUNTEER SERVICES DEPUTY DIR	1	GRADE GS12
22	(64)	A014C FISCAL DIVISION MANAGER	1	GRADE GS12
23	(65)	R006C HUMAN RESOURCES ADMINISTRATOR	2	GRADE GS12
24	(66)	A027C ACCOUNTING OPERATIONS MANAGER	1	GRADE GS11
25	(67)	A031C ASSISTANT CONTROLLER	7	GRADE GS11
26	(68)	G047C ATTORNEY SPECIALIST	53	GRADE GS11
27	(69)	G022C DHS DIRECTOR OF EMERGENCY OPERATIONS	1	GRADE GS11
28	(70)	A024C DHS DIVISION CHIEF FISCAL OFFICER	2	GRADE GS11
29	(71)	G027N DHS RESEARCH ANALYSIS MANAGER	1	GRADE GS11
30	(72)	G008C RISK MANAGEMENT ASSISTANT DIRECTOR	1	GRADE GS11
31	(73)	G076C ADMINISTRATIVE SERVICES MANAGER	2	GRADE GS10
32	(74)	A044C AUDIT COORDINATOR	5	GRADE GS10
33	(75)	L010C DHS DMS MEDICAL ASSISTANCE MANAGER	5	GRADE GS10
34	(76)	R049C DHS EMPLOYEE RELATIONS COORD	1	GRADE GS10
35	(77)	A052C ACCOUNTING COORDINATOR	4	GRADE GS09
36	(78)	A050C AGENCY FISCAL MANAGER	1	GRADE GS09

1	(79)	G099C	DHS PROGRAM ADMINISTRATOR	7	GRADE	GS09
2	(80)	A038C	FISCAL SUPPORT MANAGER	1	GRADE	GS09
3	(81)	G109C	GRANTS MANAGER	3	GRADE	GS09
4	(82)	G080C	NATIONAL & COMMUNITY SERVICES EXEC DIR	1	GRADE	GS09
5	(83)	P004C	PUBLIC INFORMATION MANAGER	1	GRADE	GS09
6	(84)	A082C	ACCOUNTANT II	2	GRADE	GS08
7	(85)	R021C	BUDGET ANALYST	3	GRADE	GS08
8	(86)	A056C	DHS FINANCIAL SECTION MANAGER	5	GRADE	GS08
9	(87)	G152C	DHS PROGRAM MANAGER	19	GRADE	GS08
10	(88)	G129C	DHS/DCO PROGRAM MANAGER	5	GRADE	GS08
11	(89)	A047C	FINANCIAL ANALYST II	3	GRADE	GS08
12	(90)	A066C	INTERNAL AUDITOR	3	GRADE	GS08
13	(91)	R014C	PERSONNEL MANAGER	6	GRADE	GS08
14	(92)	V007C	PROCUREMENT COORDINATOR	5	GRADE	GS08
15	(93)	V004C	PROCUREMENT MANAGER	5	GRADE	GS08
16	(94)	A041C	PROGRAM FISCAL MANAGER	4	GRADE	GS08
17	(95)	X062C	QUALITY ASSURANCE COORDINATOR	2	GRADE	GS08
18	(96)	A060C	SENIOR AUDITOR	23	GRADE	GS08
19	(97)	E023C	TRAINING PROJECT MANAGER	1	GRADE	GS08
20	(98)	A089C	ACCOUNTANT I	10	GRADE	GS07
21	(99)	R024C	ASSISTANT PERSONNEL MANAGER	8	GRADE	GS07
22	(100)	A081C	AUDITOR	1	GRADE	GS07
23	(101)	V008C	BUYER SUPERVISOR	1	GRADE	GS07
24	(102)	G183C	DHS PROGRAM COORDINATOR	11	GRADE	GS07
25	(103)	M042C	DHS STAFF SUPERVISOR	1	GRADE	GS07
26	(104)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE	GS07
27	(105)	M040C	FAMILY SERVICES PROGRAM COORDINATOR	1	GRADE	GS07
28	(106)	A076C	FINANCE PROGRAM ANALYST	2	GRADE	GS07
29	(107)	A075C	FINANCIAL ANALYST I	2	GRADE	GS07
30	(108)	X125C	FRAUD INVESTIGATOR COORDINATOR	2	GRADE	GS07
31	(109)	G147C	GRANTS COORDINATOR	3	GRADE	GS07
32	(110)	A065C	PAYROLL SERVICES COORDINATOR	2	GRADE	GS07
33	(111)	P013C	PUBLIC INFORMATION COORDINATOR	2	GRADE	GS07
34	(112)	A072C	RESEARCH & STATISTICS MANAGER	1	GRADE	GS07
35	(113)	A063C	RESEARCH & STATISTICS SUPERVISOR	1	GRADE	GS07
36	(114)	G265C	SENIOR TECHNICAL WRITER	1	GRADE	GS07

1	(115)	E040C STAFF DEVELOPMENT COORDINATOR	6	GRADE GS07
2	(116)	G176C VOLUNTEER PROGRAM MANAGER	1	GRADE GS07
3	(117)	C037C ADMINISTRATIVE ANALYST	13	GRADE GS06
4	(118)	M045C ADULT PROTECTIVE SERVICES WORKER	1	GRADE GS06
5	(119)	R027C BUDGET SPECIALIST	14	GRADE GS06
6	(120)	R026C CIVIL RIGHTS/EMPLOYEE RELATIONS COORD	5	GRADE GS06
7	(121)	G170C DHS ADMINISTRATIVE REVIEW OFFICER	6	GRADE GS06
8	(122)	G210C DHS PROGRAM SPECIALIST	14	GRADE GS06
9	(123)	A074C FISCAL SUPPORT SUPERVISOR	13	GRADE GS06
10	(124)	X156C FRAUD INVESTIGATOR	6	GRADE GS06
11	(125)	G180C GRANTS ANALYST	22	GRADE GS06
12	(126)	G214C GRANTS SPECIALIST	2	GRADE GS06
13	(127)	R025C HUMAN RESOURCES ANALYST	11	GRADE GS06
14	(128)	R029C HUMAN RESOURCES RECRUITER	6	GRADE GS06
15	(129)	X101C INTERNAL AFFAIRS INVESTIGATOR	3	GRADE GS06
16	(130)	G179C LEGAL SERVICES SPECIALIST	6	GRADE GS06
17	(131)	P031C MEDIA SPECIALIST	2	GRADE GS06
18	(132)	G124C OMBUDSMAN	1	GRADE GS06
19	(133)	G178C POLICY DEVELOPMENT COORDINATOR	1	GRADE GS06
20	(134)	M066C PROGRAM ELIGIBILITY SPECIALIST	2	GRADE GS06
21	(135)	B076C RESEARCH PROJECT ANALYST	3	GRADE GS06
22	(136)	G202C VOLUNTEER PROGRAM COORDINATOR	5	GRADE GS06
23	(137)	C050C ADMINISTRATIVE SUPPORT SUPERVISOR	2	GRADE GS05
24	(138)	A088C ASSETS COORDINATOR	3	GRADE GS05
25	(139)	C022C BUSINESS OPERATIONS SPECIALIST	3	GRADE GS05
26	(140)	V013C CENTRAL WAREHOUSE OPERATIONS MGR	1	GRADE GS05
27	(141)	A091C FISCAL SUPPORT ANALYST	17	GRADE GS05
28	(142)	L070C HEALTH CARE ANALYST	3	GRADE GS05
29	(143)	D077C HELP DESK SPECIALIST	3	GRADE GS05
30	(144)	R032C HUMAN RESOURCES PROGRAM REP	2	GRADE GS05
31	(145)	C040C LEASING SPECIALIST	1	GRADE GS05
32	(146)	A090C PAYROLL SERVICES SPECIALIST	2	GRADE GS05
33	(147)	V015C PURCHASING SPECIALIST	10	GRADE GS05
34	(148)	L066C REHABILITATION INSTRUCTOR	1	GRADE GS05
35	(149)	D081C TELECOMMUNICATIONS SPECIALIST	1	GRADE GS05
36	(150)	V018C WAREHOUSE MANAGER	1	GRADE GS05

1	(151)	C056C ADMINISTRATIVE SPECIALIST III	20	GRADE GS04
2	(152)	R037C BENEFITS TECHNICIAN	1	GRADE GS04
3	(153)	A098C FISCAL SUPPORT SPECIALIST	29	GRADE GS04
4	(154)	R038C HUMAN RESOURCES ASSISTANT	1	GRADE GS04
5	(155)	R036C HUMAN RESOURCES SPECIALIST	1	GRADE GS04
6	(156)	V020C INVENTORY CONTROL MANAGER	1	GRADE GS04
7	(157)	C046C LEGAL SUPPORT SPECIALIST	36	GRADE GS04
8	(158)	A097C PAYROLL TECHNICIAN	2	GRADE GS04
9	(159)	V022C PURCHASING TECHNICIAN	3	GRADE GS04
10	(160)	C043C RECORDS MANAGEMENT ANALYST	3	GRADE GS04
11	(161)	V021C SURPLUS PROPERTY AGENT	1	GRADE GS04
12	(162)	V025C WAREHOUSE SPECIALIST	1	GRADE GS04
13	(163)	C073C ADMINISTRATIVE SPECIALIST II	10	GRADE GS03
14	(164)	V027C INVENTORY CONTROL TECHNICIAN	1	GRADE GS03
15	(165)	C062C LOCAL OFFICE ADMINISTRATIVE ASST	1	GRADE GS03
16	(166)	S054C PRINTER	2	GRADE GS03
17	(167)	C087C ADMINISTRATIVE SPECIALIST I	<u>4</u>	GRADE GS02
18		MAX. NO. OF EMPLOYEES	702	

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20 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for
 21 the Department of Human Services - Director's Office for the 2019-2020 fiscal
 22 year, the following maximum number of part-time or temporary employees, to be
 23 known as "Extra Help", payable from funds appropriated herein for such
 24 purposes: thirty (30) temporary or part-time employees, when needed, at
 25 rates of pay not to exceed those provided in the Uniform Classification and
 26 Compensation Act, or its successor, or this act for the appropriate
 27 classification.

28

29 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated,
 30 to the Department of Human Services - Director's Office, to be payable from
 31 the paying account as determined by the Chief Fiscal Officer of the State,
 32 for personal services and operating expenses of the Department of Human
 33 Services - Director's Office for the fiscal year ending June 30, 2020, the
 34 following:

35

36 ITEM

FISCAL YEAR

1	<u>NO.</u>	<u>2019-2020</u>
2	(01) REGULAR SALARIES	\$35,453,393
3	(02) EXTRA HELP	293,637
4	(03) PERSONAL SERVICES MATCHING	11,883,719
5	(04) OVERTIME	8,383
6	(05) MAINT. & GEN. OPERATION	
7	(A) OPER. EXPENSE	5,655,523
8	(B) CONF. & TRAVEL	63,083
9	(C) PROF. FEES	9,661,900
10	(D) CAP. OUTLAY	0
11	(E) DATA PROC.	0
12	(06) DATA PROCESSING SERVICES	<u>2,016,710</u>
13	TOTAL AMOUNT APPROPRIATED	<u>\$65,036,348</u>

14

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

16 There is hereby appropriated, to the Department of Human Services -
 17 Director's Office, to be payable from cash funds as defined by Arkansas Code
 18 19-4-801 of the Department of Human Services - Director's Office, for
 19 purchase of services of the Department of Human Services - Director's Office
 20 for the fiscal year ending June 30, 2020, the following:

21

22	ITEM	FISCAL YEAR
23	<u>NO.</u>	<u>2019-2020</u>
24	(01) PURCHASE OF SERVICES	<u>\$111,600</u>

25

26 SECTION 5. APPROPRIATION - VARIOUS BUILDING CONSTRUCTION. There is
 27 hereby appropriated, to the Department of Human Services - Director's Office,
 28 to be payable from the Department of Human Services Renovation Fund, for
 29 construction, renovation, maintenance, equipment, and repairs for various
 30 buildings operated by the Department of Human Services for the fiscal year
 31 ending June 30, 2020, the following:

32

33	ITEM	FISCAL YEAR
34	<u>NO.</u>	<u>2019-2020</u>
35	(01) CONSTRUCTION	<u>\$12,414,729</u>

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1 SECTION 6. APPROPRIATION - CONSOLIDATED COST. There is hereby
 2 appropriated, to the Department of Human Services - Director's Office, to be
 3 payable from the DHS Consolidated Cost Revolving Fund, for operating expenses
 4 of the Department of Human Services - Director's Office - Consolidated Cost
 5 for the fiscal year ending June 30, 2020, the following:

6	7 ITEM	FISCAL YEAR
8	<u>NO.</u>	<u>2019-2020</u>
9	(01) MAINT. & GEN. OPERATION	
10	(A) OPER. EXPENSE	\$821,500
11	(B) CONF. & TRAVEL	0
12	(C) PROF. FEES	0
13	(D) CAP. OUTLAY	0
14	(E) DATA PROC.	<u>0</u>
15	TOTAL AMOUNT APPROPRIATED	<u><u>\$821,500</u></u>

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 17 SECTION 7. APPROPRIATION - GRANTS PAYING. There is hereby
 18 appropriated, to the Department of Human Services - Director's Office, to be
 19 payable from the paying account as determined by the Chief Fiscal Officer of
 20 the State, for purchase of services and AmeriCorps Grants payments of the
 21 Department of Human Services - Director's Office for the fiscal year ending
 22 June 30, 2020, the following:

23	24 ITEM	FISCAL YEAR
25	<u>NO.</u>	<u>2019-2020</u>
26	(01) AMERICORPS GRANTS	\$2,510,704
27	(02) PURCHASE OF SERVICES	<u>129,084</u>
28	TOTAL AMOUNT APPROPRIATED	<u><u>\$2,639,788</u></u>

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 30 SECTION 8. APPROPRIATION - COMMUNITY SERVICE AND NONPROFIT SUPPORT -
 31 CASH. There is hereby appropriated, to the Department of Human Services -
 32 Director's Office, to be payable from the cash fund deposited in the State
 33 Treasury as determined by the Chief Fiscal Officer of the State, for
 34 operating expenses of Community Service and Nonprofit Support of the
 35 Department of Human Services - Director's Office for the fiscal year ending
 36 June 30, 2020, the following:

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ITEM	FISCAL YEAR
<u>NO.</u>	<u>2019-2020</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$7,233
(B) CONF. & TRAVEL	2,865
(C) PROF. FEES	932
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$11,030</u></u>

SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DIRECTOR'S OFFICE/OFFICE OF CHIEF COUNSEL - PURCHASE OF EVIDENCE. Upon approval by the Chief Fiscal Officer of the State, the Chief Counsel for the Department of Human Services may transfer an amount up to but not to exceed \$12,000 and deposit same in a bank account for the purpose of purchasing evidence in the course of investigating the illegal use of food stamps/Electronic Benefit Transfer (EBT) cards. The funds so transferred shall be subject to accounting in a manner substantially similar to that employed by the Arkansas State Police for such transactions; provided however, that information tending to identify participants in such transactions shall be exempt from the Arkansas Freedom of Information Act.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 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. HUMAN SERVICES RENOVATION FUND. Department of Human Services Renovation Fund.

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

(b) This fund shall be used for constructing, acquiring, renovating, maintaining, repairing, and equipping facilities of the Department of Human Services and for paying disallowances by the federal government.

(c) The fund shall consist of:

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

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

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

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

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

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

32 (f) Determining the amount of funds appropriated to a state agency is the
33 prerogative of the General Assembly and is usually accomplished by
34 delineating specific line items and by identifying the appropriation and
35 funding attached to that line item. The General Assembly has determined that
36 the Department of Human Services could be operated more efficiently if some

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

12 The provisions of this section shall be in effect only from July 1, ~~2018~~
13 2019 through June 30, ~~2019~~ 2020.

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

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

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

32 (c) REALLOCATION OF RESOURCES: (1) The Department of Human Services (DHS)
33 provides hundreds of different services to over 1 million Arkansans. The
34 specific mix of service needs and the funding and staffing required to
35 provide them can vary significantly based on many factors, including natural
36 disasters, changing federal mandates and funding sources, demographic shifts,

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

36 The Director of the Department of Human Services shall submit any requests

1 for transfers to and must receive approval of the requests for transfers from
2 the Chief Fiscal Officer of the State, the Governor, and the Arkansas
3 Legislative Council or Joint Budget Committee prior to the effective date of
4 the transfers. Provided, however, that the Department of Human Services shall
5 be limited to submitting no more than four reallocation of resources transfer
6 requests during any fiscal year. In each Departmental request no single
7 division will request reallocation for more than one purpose as listed in
8 this section. Transfer authority for unforeseen purposes shall further be
9 limited to no more than 5% of the total appropriation, funding, and positions
10 authorized for the Department. Reallocation of resources transfers may
11 include multiple items but shall be limited to the following purposes:
12 i) Medicaid Program;
13 ii) Facilities and institutions costs, including operational expenses and
14 construction/renovation/equipping expenses;
15 iii) Departmental grants and contracts;
16 iv) Court ordered settlements and payments;
17 v) Payment of administrative expenses, including but not limited to, overtime
18 and other costs of personnel for critical services or functions necessary to
19 carry out the mission of the agency;
20 vi) Restructuring efforts as deemed necessary to comply with new and/or
21 unanticipated federal or state mandates; and/or
22 vii) Redirecting internal resources, both direct and/or indirect, to meet
23 client needs and services.

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

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

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

15 The provisions of this section shall be in effect only from July 1, ~~2018~~
16 2019 through June 30, ~~2019~~ 2020.

17
18 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

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

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

3 The provisions of this section shall be in effect only from July 1, ~~2018~~
4 2019 through June 30, ~~2019~~ 2020.

5

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

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

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

25

26 Registered Nurse Classifications

27 \$1,000 after completing 6 months probationary employment

28 \$1,500 after completing 1st year employment

29 \$1,500 after completing 2nd year employment

30

31 Licensed Practical Nurse Classifications

32 \$ 500 after completing 6 months probationary employment

33 \$ 500 after completing 1st year employment

34 \$1,000 after completing 2nd year employment

35

36 Certified Nursing Assistant/Residential Care Assistant/Residential Care

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

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

11 The provisions of this section shall be in effect only from July 1, ~~2018~~
12 2019 through June 30, ~~2019~~ 2020.

13
14 SECTION 14. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
15 authorized by this act shall be limited to the appropriation for such agency
16 and funds made available by law for the support of such appropriations; and
17 the restrictions of the State Procurement Law, the General Accounting and
18 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
19 Procedures and Restrictions Act, or their successors, and other fiscal
20 control laws of this State, where applicable, and regulations promulgated by
21 the Department of Finance and Administration, as authorized by law, shall be
22 strictly complied with in disbursement of said funds.
23

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

33 SECTION 16. EMERGENCY CLAUSE. It is found and determined by the
34 General Assembly, that the Constitution of the State of Arkansas prohibits
35 the appropriation of funds for more than a one (1) year period; that the
36 effectiveness of this Act on July 1, 2019 is essential to the operation of

1 the agency for which the appropriations in this Act are provided, and that in
2 the event of an extension of the legislative session, the delay in the
3 effective date of this Act beyond July 1, 2019 could work irreparable harm
4 upon the proper administration and provision of essential governmental
5 programs. Therefore, an emergency is hereby declared to exist and this Act
6 being necessary for the immediate preservation of the public peace, health
7 and safety shall be in full force and effect from and after July 1, 2019.

8
9 */s/Joint Budget Committee*

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12 **APPROVED: 4/11/19**
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