

1 State of Arkansas
2 92nd General Assembly
3 Fiscal Session, 2020
4

A Bill

HOUSE BILL 1069

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 - SECRETARY'S OFFICE FOR THE FISCAL YEAR
11 ENDING JUNE 30, 2021; AND FOR OTHER PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE DEPARTMENT OF HUMAN
15 SERVICES - SECRETARY'S OFFICE
16 APPROPRIATION FOR THE 2020-2021 FISCAL
17 YEAR.
18
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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 - SECRETARY OF HUMAN SERVICES. There is
24 hereby established for the Department of Human Services - Secretary's Office
25 for the 2020-2021 fiscal year, the following maximum number of regular
26 employees.
27

Item	Class	Maximum	Maximum Annual
No.	Code	No. of	Salary Rate
			Fiscal Year
			2020-2021
(1)	SC008	SECRETARY OF HUMAN SERVICES	<u>1</u> GRADE SE05
		MAX. NO. OF EMPLOYEES	1

35 SECTION 2. APPROPRIATION - SECRETARY OF HUMAN SERVICES. There is
36 hereby appropriated, to the Department of Human Services - Secretary's



1 Office, to be payable from the paying account as determined by the Chief
 2 Fiscal Officer of the State, for personal services of the Department of Human
 3 Services - Secretary's Office for the fiscal year ending June 30, 2021, the
 4 following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>
(01) REGULAR SALARIES	\$287,042
(02) PERSONAL SERVICES MATCHING	<u>60,922</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$347,964</u></u>

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12 SECTION 3. REGULAR SALARIES - OPERATIONS. There is hereby established
 13 for the Department of Human Services - Secretary's Office for the 2020-2021
 14 fiscal year, the following maximum number of regular employees.

15

Item	Class	Maximum	Maximum Annual
<u>No.</u>	<u>Code Title</u>	<u>No. of</u>	<u>Salary Rate</u>
<u>No.</u>	<u>Code Title</u>	<u>Employees</u>	<u>Fiscal Year</u>
<u>No.</u>	<u>Code Title</u>	<u>Employees</u>	<u>2020-2021</u>
20	(1) U133U DHS EXECUTIVE DIRECTOR	1	GRADE SE05
21	(2) L023N DHS DEPUTY DIRECTOR	3	GRADE SE03
22	(3) N011N DFA CHIEF INFORMATION OFFICER	1	GRADE SE02
23	(4) N220N DHS CHIEF ATTORNEY	1	GRADE SE02
24	(5) A018N DHS CHIEF FINANCIAL OFFICER	1	GRADE SE02
25	(6) N040N DHS CHIEF INFORMATION OFFICER	2	GRADE SE02
26	(7) A136C DHS MEDICAID CHIEF FINANCE OFFICER	1	GRADE SE02
27	(8) M093C DHS DIRECTOR OF LEGISLATIVE AFFAIRS	1	GRADE SE01
28	(9) G029N DHS DIRECTOR OF POLICY AND LEGAL	1	GRADE SE01
29	(10) L009C NURSE MANAGER	1	GRADE MP03
30	(11) L038C REGISTERED NURSE	1	GRADE MP01
31	(12) D006N STATE SYSTEMS ARCHITECT	4	GRADE IT10
32	(13) D025N DHS IT SENIOR ENGINEER	4	GRADE IT09
33	(14) D022N IT SENIOR PROJECT MANAGER	3	GRADE IT09
34	(15) D007C INFORMATION SYSTEMS MANAGER	7	GRADE IT08
35	(16) D010N INSURANCE CHIEF TECHNOLOGY OFFICER	1	GRADE IT08
36	(17) D030C INFORMATION SYSTEMS COORDINATOR	2	GRADE IT07

1	(18)	D025C STATE IT SECURITY SPECIALIST	3	GRADE IT06
2	(19)	D054C COMPUTER SUPPORT COORDINATOR	1	GRADE IT05
3	(20)	D063C COMPUTER SUPPORT SPECIALIST	12	GRADE IT05
4	(21)	D061C INFORMATION SYSTEMS COORDINATION SPEC	9	GRADE IT05
5	(22)	D057C INFORMATION TECHNOLOGY MANAGER	2	GRADE IT05
6	(23)	D052C SOFTWARE SUPPORT ANALYST	6	GRADE IT05
7	(24)	D044C SYSTEMS ANALYST	1	GRADE IT05
8	(25)	D062C DATABASE ANALYST	4	GRADE IT04
9	(26)	D064C WEBSITE DEVELOPER	1	GRADE IT04
10	(27)	D071C COMPUTER SUPPORT ANALYST	2	GRADE IT03
11	(28)	D075C SOFTWARE SUPPORT SPECIALIST	4	GRADE IT03
12	(29)	D079C COMPUTER SUPPORT TECHNICIAN	10	GRADE IT02
13	(30)	R048C DHS CHIEF HUMAN RESOURCES OFFICER	1	GRADE GS15
14	(31)	G282C DHS CHIEF LEGISLATIVE AFFAIRS DIR	1	GRADE GS15
15	(32)	G283C DHS CHIEF SECURITY & COMPLIANCE OFCR	1	GRADE GS15
16	(33)	A020N DHS DEP CHIEF FIN OFFICER-HUMAN SERV	1	GRADE GS15
17	(34)	N016N DHS DEP DIR ADMINISTRATIVE SVCS	2	GRADE GS15
18	(35)	G286C DMS DEPUTY DIRECTOR	1	GRADE GS15
19	(36)	P077C DHS COMM & COMMUNITY ENGAGEMENT OFCR	1	GRADE GS14
20	(37)	N086N DHS DDS DIR EVAL PLAN & MGMT SYSTEMS	1	GRADE GS14
21	(38)	N122N DHS/DCC ASSISTANT DIR FINANCE & ADMN	1	GRADE GS14
22	(39)	N100N DHS/DMS ADD - MEDICAL SERVICES	5	GRADE GS14
23	(40)	N101N DHS/DCO ASST DEP DIR PGM & ADMN SPT	2	GRADE GS14
24	(41)	N080N DHS/DMS ASSISTANT DIRECTOR - FISCAL	1	GRADE GS14
25	(42)	N124N DHS/DYS ASSISTANT DIVISION DIRECTOR	1	GRADE GS14
26	(43)	A010C AGENCY CONTROLLER II	5	GRADE GS13
27	(44)	G290C ASST DEPUTY DIR OF LEGISLATIVE AFRS	1	GRADE GS13
28	(45)	N111N DHS ASST DEP DIR FOR MGR ACCOUNTING	1	GRADE GS13
29	(46)	N128N DHS ASST DIR QUALITY ASSURANCE	1	GRADE GS13
30	(47)	G276C DHS CHIEF OF STAFF	1	GRADE GS13
31	(48)	V002N DHS DEP CHIEF PROCUREMENT OFFICER	1	GRADE GS13
32	(49)	D026N DHS ELIGIBILITY SYSTEM PROGRAM MGR	1	GRADE GS13
33	(50)	G054N DHS GENERAL COUNSEL	1	GRADE GS13
34	(51)	N107N DHS/OFA ASSISTANT DIR - ACCOUNTING	1	GRADE GS13
35	(52)	N109N DHS/OFA ASSISTANT DIRECTOR	1	GRADE GS13
36	(53)	G004C MANAGING ATTORNEY	3	GRADE GS13

1	(54)	G025C ATTORNEY SUPERVISOR	6	GRADE GS12
2	(55)	G024C DEPARTMENT ADMINISTRATIVE LAW JUDGE	3	GRADE GS12
3	(56)	G042C DHS ADMINISTRATIVE LAW JUDGE	6	GRADE GS12
4	(57)	G101C DHS AREA MANAGER	2	GRADE GS12
5	(58)	N143N DHS DDS DIVISION MANAGER	1	GRADE GS12
6	(59)	R002N DHS DIRECTOR OF HUMAN CAPITAL	1	GRADE GS12
7	(60)	P004N DHS DIRECTOR OF PUBLIC RELATIONS	1	GRADE GS12
8	(61)	A016C DHS DMS BUSINESS OPERATIONS MANAGER	5	GRADE GS12
9	(62)	N167N DHS POLICY & RESEARCH DIRECTOR	3	GRADE GS12
10	(63)	G274C DHS VOLUNTEER SERVICES DEPUTY DIR	1	GRADE GS12
11	(64)	A014C FISCAL DIVISION MANAGER	1	GRADE GS12
12	(65)	R006C HUMAN RESOURCES ADMINISTRATOR	2	GRADE GS12
13	(66)	A027C ACCOUNTING OPERATIONS MANAGER	1	GRADE GS11
14	(67)	A031C ASSISTANT CONTROLLER	7	GRADE GS11
15	(68)	G047C ATTORNEY SPECIALIST	53	GRADE GS11
16	(69)	G022C DHS DIRECTOR OF EMERGENCY OPERATIONS	1	GRADE GS11
17	(70)	A024C DHS DIVISION CHIEF FISCAL OFFICER	2	GRADE GS11
18	(71)	G027N DHS RESEARCH ANALYSIS MANAGER	1	GRADE GS11
19	(72)	G008C RISK MANAGEMENT ASSISTANT DIRECTOR	1	GRADE GS11
20	(73)	G076C ADMINISTRATIVE SERVICES MANAGER	2	GRADE GS10
21	(74)	A044C AUDIT COORDINATOR	5	GRADE GS10
22	(75)	L010C DHS DMS MEDICAL ASSISTANCE MANAGER	5	GRADE GS10
23	(76)	R049C DHS EMPLOYEE RELATIONS COORD	1	GRADE GS10
24	(77)	A052C ACCOUNTING COORDINATOR	4	GRADE GS09
25	(78)	A050C AGENCY FISCAL MANAGER	1	GRADE GS09
26	(79)	G099C DHS PROGRAM ADMINISTRATOR	7	GRADE GS09
27	(80)	A038C FISCAL SUPPORT MANAGER	1	GRADE GS09
28	(81)	G109C GRANTS MANAGER	3	GRADE GS09
29	(82)	P004C PUBLIC INFORMATION MANAGER	1	GRADE GS09
30	(83)	A082C ACCOUNTANT II	2	GRADE GS08
31	(84)	R021C BUDGET ANALYST	3	GRADE GS08
32	(85)	A056C DHS FINANCIAL SECTION MANAGER	5	GRADE GS08
33	(86)	G152C DHS PROGRAM MANAGER	19	GRADE GS08
34	(87)	G129C DHS/DCO PROGRAM MANAGER	5	GRADE GS08
35	(88)	A047C FINANCIAL ANALYST II	3	GRADE GS08
36	(89)	A066C INTERNAL AUDITOR	3	GRADE GS08

1	(90)	R014C PERSONNEL MANAGER	6	GRADE GS08
2	(91)	V007C PROCUREMENT COORDINATOR	5	GRADE GS08
3	(92)	V004C PROCUREMENT MANAGER	5	GRADE GS08
4	(93)	A041C PROGRAM FISCAL MANAGER	4	GRADE GS08
5	(94)	X062C QUALITY ASSURANCE COORDINATOR	2	GRADE GS08
6	(95)	A060C SENIOR AUDITOR	23	GRADE GS08
7	(96)	E023C TRAINING PROJECT MANAGER	1	GRADE GS08
8	(97)	A089C ACCOUNTANT I	10	GRADE GS07
9	(98)	R024C ASSISTANT PERSONNEL MANAGER	8	GRADE GS07
10	(99)	A081C AUDITOR	1	GRADE GS07
11	(100)	V008C BUYER SUPERVISOR	1	GRADE GS07
12	(101)	G183C DHS PROGRAM COORDINATOR	11	GRADE GS07
13	(102)	M042C DHS STAFF SUPERVISOR	1	GRADE GS07
14	(103)	C010C EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE GS07
15	(104)	M040C FAMILY SERVICES PROGRAM COORDINATOR	1	GRADE GS07
16	(105)	A076C FINANCE PROGRAM ANALYST	2	GRADE GS07
17	(106)	A075C FINANCIAL ANALYST I	2	GRADE GS07
18	(107)	X125C FRAUD INVESTIGATOR COORDINATOR	2	GRADE GS07
19	(108)	G147C GRANTS COORDINATOR	3	GRADE GS07
20	(109)	A065C PAYROLL SERVICES COORDINATOR	2	GRADE GS07
21	(110)	P013C PUBLIC INFORMATION COORDINATOR	2	GRADE GS07
22	(111)	A072C RESEARCH & STATISTICS MANAGER	1	GRADE GS07
23	(112)	A063C RESEARCH & STATISTICS SUPERVISOR	1	GRADE GS07
24	(113)	G265C SENIOR TECHNICAL WRITER	1	GRADE GS07
25	(114)	E040C STAFF DEVELOPMENT COORDINATOR	6	GRADE GS07
26	(115)	C037C ADMINISTRATIVE ANALYST	13	GRADE GS06
27	(116)	M045C ADULT PROTECTIVE SERVICES WORKER	1	GRADE GS06
28	(117)	R027C BUDGET SPECIALIST	14	GRADE GS06
29	(118)	R026C CIVIL RIGHTS/EMPLOYEE RELATIONS COORD	5	GRADE GS06
30	(119)	G170C DHS ADMINISTRATIVE REVIEW OFFICER	6	GRADE GS06
31	(120)	G210C DHS PROGRAM SPECIALIST	14	GRADE GS06
32	(121)	A074C FISCAL SUPPORT SUPERVISOR	13	GRADE GS06
33	(122)	X156C FRAUD INVESTIGATOR	6	GRADE GS06
34	(123)	G180C GRANTS ANALYST	22	GRADE GS06
35	(124)	G214C GRANTS SPECIALIST	1	GRADE GS06
36	(125)	R025C HUMAN RESOURCES ANALYST	11	GRADE GS06

1	(126)	R029C HUMAN RESOURCES RECRUITER	6	GRADE GS06
2	(127)	X101C INTERNAL AFFAIRS INVESTIGATOR	3	GRADE GS06
3	(128)	G179C LEGAL SERVICES SPECIALIST	6	GRADE GS06
4	(129)	P031C MEDIA SPECIALIST	2	GRADE GS06
5	(130)	G124C OMBUDSMAN	1	GRADE GS06
6	(131)	G178C POLICY DEVELOPMENT COORDINATOR	1	GRADE GS06
7	(132)	M066C PROGRAM ELIGIBILITY SPECIALIST	2	GRADE GS06
8	(133)	B076C RESEARCH PROJECT ANALYST	3	GRADE GS06
9	(134)	G202C VOLUNTEER PROGRAM COORDINATOR	4	GRADE GS06
10	(135)	C050C ADMINISTRATIVE SUPPORT SUPERVISOR	2	GRADE GS05
11	(136)	A088C ASSETS COORDINATOR	3	GRADE GS05
12	(137)	C022C BUSINESS OPERATIONS SPECIALIST	3	GRADE GS05
13	(138)	V013C CENTRAL WAREHOUSE OPERATIONS MGR	1	GRADE GS05
14	(139)	A091C FISCAL SUPPORT ANALYST	17	GRADE GS05
15	(140)	L070C HEALTH CARE ANALYST	3	GRADE GS05
16	(141)	D077C HELP DESK SPECIALIST	3	GRADE GS05
17	(142)	R032C HUMAN RESOURCES PROGRAM REP	2	GRADE GS05
18	(143)	C040C LEASING SPECIALIST	1	GRADE GS05
19	(144)	A090C PAYROLL SERVICES SPECIALIST	2	GRADE GS05
20	(145)	V015C PURCHASING SPECIALIST	10	GRADE GS05
21	(146)	L066C REHABILITATION INSTRUCTOR	1	GRADE GS05
22	(147)	D081C TELECOMMUNICATIONS SPECIALIST	1	GRADE GS05
23	(148)	V018C WAREHOUSE MANAGER	1	GRADE GS05
24	(149)	C056C ADMINISTRATIVE SPECIALIST III	20	GRADE GS04
25	(150)	R037C BENEFITS TECHNICIAN	1	GRADE GS04
26	(151)	A098C FISCAL SUPPORT SPECIALIST	29	GRADE GS04
27	(152)	R038C HUMAN RESOURCES ASSISTANT	1	GRADE GS04
28	(153)	R036C HUMAN RESOURCES SPECIALIST	1	GRADE GS04
29	(154)	V020C INVENTORY CONTROL MANAGER	1	GRADE GS04
30	(155)	C046C LEGAL SUPPORT SPECIALIST	36	GRADE GS04
31	(156)	A097C PAYROLL TECHNICIAN	2	GRADE GS04
32	(157)	V022C PURCHASING TECHNICIAN	3	GRADE GS04
33	(158)	C043C RECORDS MANAGEMENT ANALYST	3	GRADE GS04
34	(159)	V021C SURPLUS PROPERTY AGENT	1	GRADE GS04
35	(160)	V025C WAREHOUSE SPECIALIST	1	GRADE GS04
36	(161)	C073C ADMINISTRATIVE SPECIALIST II	10	GRADE GS03

1	(162)	V027C INVENTORY CONTROL TECHNICIAN	1	GRADE GS03
2	(163)	C062C LOCAL OFFICE ADMINISTRATIVE ASST	1	GRADE GS03
3	(164)	S054C PRINTER	2	GRADE GS03
4	(165)	C087C ADMINISTRATIVE SPECIALIST I	<u>4</u>	GRADE GS02
5		MAX. NO. OF EMPLOYEES	697	

6

7 SECTION 4. EXTRA HELP - OPERATIONS. There is hereby authorized, for
 8 the Department of Human Services - Secretary's Office for the 2020-2021
 9 fiscal year, the following maximum number of part-time or temporary
 10 employees, to be known as "Extra Help", payable from funds appropriated
 11 herein for such purposes: thirty (30) temporary or part-time employees, when
 12 needed, at rates of pay not to exceed those provided in the Uniform
 13 Classification and Compensation Act, or its successor, or this act for the
 14 appropriate classification.

15

16 SECTION 5. APPROPRIATION - OPERATIONS. There is hereby appropriated,
 17 to the Department of Human Services, to be payable from the paying account as
 18 determined by the Chief Fiscal Officer of the State, for personal services
 19 and operating expenses of the Department of Human Services - Secretary's
 20 Office for the fiscal year ending June 30, 2021, the following:

22	ITEM	FISCAL YEAR
23	<u>NO.</u>	<u>2020-2021</u>
24	(01) REGULAR SALARIES	\$35,235,148
25	(02) EXTRA HELP	293,637
26	(03) PERSONAL SERVICES MATCHING	11,808,605
27	(04) OVERTIME	8,383
28	(05) MAINT. & GEN. OPERATION	
29	(A) OPER. EXPENSE	5,571,873
30	(B) CONF. & TRAVEL	59,433
31	(C) PROF. FEES	9,661,800
32	(D) CAP. OUTLAY	0
33	(E) DATA PROC.	0
34	(06) DATA PROCESSING SERVICES	<u>2,016,710</u>
35	TOTAL AMOUNT APPROPRIATED	<u>\$64,655,589</u>

36

SECTION 6. APPROPRIATION - CLIENT SPECIFIC EMERGENCY SERVICES - CASH.
 There is hereby appropriated, to the Department of Human Services, to be payable from cash funds as defined by Arkansas Code 19-4-801, for purchase of services of the Department of Human Services - Secretary's Office for the fiscal year ending June 30, 2021, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>
(01) PURCHASE OF SERVICES	<u>\$111,600</u>

SECTION 7. APPROPRIATION - VARIOUS BUILDING CONSTRUCTION. There is hereby appropriated, to the Department of Human Services, to be payable from the Department of Human Services Renovation Fund, for construction, renovation, maintenance, equipment, and repairs for various buildings operated by the Department of Human Services - Secretary's Office for the fiscal year ending June 30, 2021, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>
(01) CONSTRUCTION	<u>\$12,414,729</u>

SECTION 8. APPROPRIATION - CONSOLIDATED COST. There is hereby appropriated, to the Department of Human Services, to be payable from the DHS Consolidated Cost Revolving Fund, for operating expenses of the Department of Human Services - Secretary's Office - Consolidated Cost for the fiscal year ending June 30, 2021, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$821,500
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$821,500</u>

1
 2 SECTION 9. APPROPRIATION - GRANTS PAYING. There is hereby
 3 appropriated, to the Department of Human Services, to be payable from the
 4 paying account as determined by the Chief Fiscal Officer of the State, for
 5 purchase of services of the Department of Human Services - Secretary's Office
 6 for the fiscal year ending June 30, 2021, the following:

7

8 ITEM	FISCAL YEAR
9 <u>NO.</u>	<u>2020-2021</u>
10 (01) PURCHASE OF SERVICES	<u>\$129,084</u>

11
 12 SECTION 10. APPROPRIATION - COMMUNITY SERVICE AND NONPROFIT SUPPORT -
 13 CASH. There is hereby appropriated, to the Department of Human Services, to
 14 be payable from the cash fund deposited in the State Treasury as determined
 15 by the Chief Fiscal Officer of the State, for operating expenses of Community
 16 Service and Nonprofit Support of the Department of Human Services -
 17 Secretary's Office for the fiscal year ending June 30, 2021, the following:

18

19 ITEM	FISCAL YEAR
20 <u>NO.</u>	<u>2020-2021</u>
21 (01) MAINT. & GEN. OPERATION	
22 (A) OPER. EXPENSE	\$7,233
23 (B) CONF. & TRAVEL	2,865
24 (C) PROF. FEES	932
25 (D) CAP. OUTLAY	0
26 (E) DATA PROC.	<u>0</u>
27 TOTAL AMOUNT APPROPRIATED	<u>\$11,030</u>

28
 29 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

31 DIRECTOR'S OFFICE/OFFICE OF CHIEF COUNSEL - PURCHASE OF EVIDENCE. Upon
 32 approval by the Chief Fiscal Officer of the State, the Chief Counsel for the
 33 Department of Human Services may transfer an amount up to but not to exceed
 34 \$12,000 and deposit same in a bank account for the purpose of purchasing
 35 evidence in the course of investigating the illegal use of food
 36 stamps/Electronic Benefit Transfer (EBT) cards. The funds so transferred

1 shall be subject to accounting in a manner substantially similar to that
2 employed by the Arkansas State Police for such transactions; provided
3 however, that information tending to identify participants in such
4 transactions shall be exempt from the Arkansas Freedom of Information Act.

5 The provisions of this section shall be in effect only from July 1, ~~2019~~
6 2020 through June 30, ~~2020~~ 2021.

7
8 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HUMAN
10 SERVICES RENOVATION FUND. Department of Human Services Renovation Fund.

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

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

17 (c) The fund shall consist of:

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

20 (2) General revenues transferred from the Division of Youth Services, the
21 Division of Aging, Adult, and Behavioral Health Services, and the Division of
22 Developmental Disabilities Services for the purposes of repairing,
23 renovating, equipping, acquiring and constructing Department of Human
24 Services facilities with an annual maximum of five million dollars
25 (\$5,000,000). The projects for which these transfers are authorized must be
26 projects which were unanticipated during the preceding regular session of the
27 Arkansas General Assembly and must be projects which, if not carried out in
28 the interim period between regular sessions of the Arkansas General Assembly
29 would cause greater harm to the facilities, clients or programs of the
30 Department of Human Services than to wait until the next regular session.

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

33 (d)(1) At the request of the Director of the Department of Human Services,
34 and upon certification of the availability of such funds, the Chief Fiscal
35 Officer of the State shall initiate the necessary transfer documents to
36 reflect the transfer on the books of record of the Treasurer of State, the

1 Auditor of State, the Chief Fiscal Officer of the State, and the Department
2 of Human Services.

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

7 (e) Provided, that any non-general revenue funding that may remain in the
8 fund at the end of any fiscal year shall be carried over into the next fiscal
9 year and all obligated general revenue funding that may remain in the fund at
10 the end of any fiscal year shall be carried over into the next fiscal year to
11 satisfy such legal and contractual obligations that have been entered into
12 prior to the end of the fiscal year.

13 (f) Determining the amount of funds appropriated to a state agency is the
14 prerogative of the General Assembly and is usually accomplished by
15 delineating specific line items and by identifying the appropriation and
16 funding attached to that line item. The General Assembly has determined that
17 the Department of Human Services could be operated more efficiently if some
18 flexibility is given to that agency. That flexibility is being accomplished
19 by providing transfer authority in subsection (d) of this section, and since
20 the General Assembly has granted the agency broad powers under the transfer
21 authority concept, it is both necessary and appropriate that the General
22 Assembly maintain oversight of the utilization of the transfer authority by
23 requiring prior approval of the Legislative Council or Joint Budget Committee
24 in the utilization of this transfer authority. Therefore, the requirement of
25 approval by the Legislative Council or Joint Budget Committee is not a
26 severable part of this section. If the requirement of approval by the
27 Legislative Council or Joint Budget Committee is ruled unconstitutional by a
28 court of competent jurisdiction, this entire section is void.

29 The provisions of this section shall be in effect only from July 1, ~~2019~~
30 2020 through June 30, ~~2020~~ 2021.

31
32 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
34 AUTHORITY. The Director of the Department of Human Services shall have
35 transfer authority provided by the following:

36 (a) DEPARTMENT OF HUMAN SERVICES RENOVATION FUND. The Director of the

1 Department of Human Services is authorized to request fund transfers
2 according to the provisions established by Arkansas Code Ann. 19-5-1020,
3 Department of Human Services Renovation Fund, as amended herein; and

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

13 (c) REALLOCATION OF RESOURCES: (1) The Department of Human Services (DHS)
14 provides hundreds of different services to over 1 million Arkansans. The
15 specific mix of service needs and the funding and staffing required to
16 provide them can vary significantly based on many factors, including natural
17 disasters, changing federal mandates and funding sources, demographic shifts,
18 fluctuating court-ordered services, social trends, and job market variations
19 such as nursing shortages. The impact of these factors through the course of
20 any fiscal year make it very difficult for the Department to accurately
21 predict the exact needs for funding, appropriation and positions in each of
22 its over 100 different appropriations. To ensure that it can respond quickly
23 to changing client needs and make the most effective use of the resources
24 allocated to it, the Department of Human Services shall be authorized to
25 utilize the reallocation of resource authority to make the proper adjustments
26 to the budgets within the Department. Therefore, upon determination by the
27 Director of the Department of Human Services that a reallocation of resources
28 within the department is necessary for the efficient and effective operation
29 of the department, the director, with approval of the Governor, shall have
30 the authority to request, from the Chief Fiscal Officer of the State, a
31 transfer of positions, appropriations, line item appropriations, and funds
32 within or between existing and newly created divisions, offices, sections, or
33 units of the department. Provided, however, that no transfer of funds or
34 appropriation that provides direct support or matching support for the
35 Arkansas Medicaid Program shall be made to any other fund account or
36 appropriation that does not directly support the Arkansas Medicaid Program.

1 Further, no positions, funds, or appropriation authorized during the budget
2 process for the Division of Children and Family Services' compliance with
3 initiatives established under the Angela R. consent decree shall be
4 transferred to any other division. Nothing in this provision is intended to
5 prevent the one-time transfers of savings in any other program to the
6 Arkansas Medicaid Program, with the exception of the provisions previously
7 cited for the Division of Children and Family Services – Angela R. consent
8 decree. The Division of Developmental Disabilities – Grants to Community
9 Providers line item of the Developmental Disabilities Services - Grants-in-
10 Aid appropriation may not be decreased. The appropriation, funding, and
11 positions provided for the five Human Development Centers shall remain at a
12 level sufficient to ensure quality care for the Centers' residents. The
13 exemptions provided in this subsection whereby certain DHS Programs and
14 Divisions are protected from appropriation, fund, or position transfers are
15 applicable only to the reallocation or transfer authority granted herein, and
16 not by any reductions which are applicable to all state programs.

17 The Director of the Department of Human Services shall submit any requests
18 for transfers to and must receive approval of the requests for transfers from
19 the Chief Fiscal Officer of the State, the Governor, and the Arkansas
20 Legislative Council or Joint Budget Committee prior to the effective date of
21 the transfers. Provided, however, that the Department of Human Services shall
22 be limited to submitting no more than four reallocation of resources transfer
23 requests during any fiscal year. In each Departmental request no single
24 division will request reallocation for more than one purpose as listed in
25 this section. Transfer authority for unforeseen purposes shall further be
26 limited to no more than 5% of the total appropriation, funding, and positions
27 authorized for the Department. Reallocation of resources transfers may
28 include multiple items but shall be limited to the following purposes:

- 29 i) Medicaid Program;
30 ii) Facilities and institutions costs, including operational expenses and
31 construction/renovation/equipping expenses;
32 iii) Departmental grants and contracts;
33 iv) Court ordered settlements and payments;
34 v) Payment of administrative expenses, including but not limited to, overtime
35 and other costs of personnel for critical services or functions necessary to
36 carry out the mission of the agency;

- 1 vi) Restructuring efforts as deemed necessary to comply with new and/or
2 unanticipated federal or state mandates; and/or
3 vii) Redirecting internal resources, both direct and/or indirect, to meet
4 client needs and services.

5 Determining the maximum number of employees and the maximum amount of
6 appropriation and general revenue funding for a state agency each fiscal year
7 is the prerogative of the General Assembly. This is usually accomplished by
8 delineating such maximums in the appropriation act(s) for a state agency and
9 the general revenue allocations authorized for each fund and fund account by
10 amendment to the Revenue Stabilization law. Further, the General Assembly has
11 determined that the Department of Human Services may operate more efficiently
12 if some flexibility is provided to the Department of Human Services
13 authorizing broad powers under the Reallocation of Resources provisions
14 herein. Therefore, it is both necessary and appropriate that the General
15 Assembly maintain oversight by requiring prior approval of the Legislative
16 Council or Joint Budget Committee as provided by this section. The
17 requirement of approval by the Legislative Council or Joint Budget Committee
18 is not a severable part of this section. If the requirement of approval by
19 the Legislative Council or Joint Budget Committee is ruled unconstitutional
20 by a court of competent jurisdiction, this entire section is void.

21 (2) If it is determined that the requested reallocation of resources
22 transfers should be made, the Chief Fiscal Officer of the State shall then
23 initiate the necessary transfer documents to reflect the transfers upon the
24 fiscal records of the Treasurer of State, the Auditor of State, the Chief
25 Fiscal Officer of the State, and the Department of Human Services. In
26 addition, the Chief Fiscal Officer of the State, together with the Co-
27 Chairpersons of the Legislative Council or Joint Budget Committee, may
28 approve, on an emergency basis, requests for utilization of this Section
29 without prior approval of the Arkansas Legislative Council or Joint Budget
30 Committee, with any such actions reported at the next meeting of the Arkansas
31 Legislative Council or Joint Budget Committee.

32 The provisions of this section shall be in effect only from July 1, ~~2019~~
33 2020 through June 30, ~~2020~~ 2021.

34
35 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

9 The stipend is \$5,000 per person per year. Any student who is awarded and
10 accepts a stipend is under employment commitment to the respective DHS
11 Division and is required to work for that division, in a full-time employee
12 status effective immediately upon graduation. The student employment
13 commitment is equal to the number of years the stipend was awarded and
14 accepted. In the event of Employee/Student default of the employment
15 commitment, the Employee/Student will be considered in breach of contract and
16 repayment of the stipend will be required as specified in the Stipend
17 Contract.

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

20 The provisions of this section shall be in effect only from July 1, 2019
21 2020 through June 30, ~~2020~~ 2021.

22

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

25 NURSING/DIRECT CARE RECRUITMENT/RETENTION BONUSES. Special provision to
26 provide Nursing/Direct Care Recruitment and Retention Bonuses for the
27 Department of Human Services is hereby authorized to be paid from State and
28 Federal funds appropriated for each respective Division. Nursing/direct care
29 service recruitment/retention bonuses are in addition to the maximum annual
30 amounts provided in the Regular Salaries Section of the respective Division's
31 Act for Registered Nurse, Licensed Practical Nurse, Certified Nursing
32 Assistant, Residential Care Assistant, Residential Care Technician,
33 Residential Care Supervisor and Behavioral Health Aide. New hire nurses must
34 be licensed by the Arkansas State Board of Nursing. The total
35 recruitment/retention bonus payment commitment for eligible nurses shall not
36 exceed \$4,000 per Registered Nurse and \$2,000 per Licensed Practical Nurse

1 and \$1,000 per Certified Nursing Assistant, Residential Care Assistant,
 2 Residential Care Technician, Residential Care Supervisor and Behavioral
 3 Health Aide.

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

6
 7 Registered Nurse Classifications

8 \$1,000 after completing 6 months probationary employment

9 \$1,500 after completing 1st year employment

10 \$1,500 after completing 2nd year employment

11
 12 Licensed Practical Nurse Classifications

13 \$ 500 after completing 6 months probationary employment

14 \$ 500 after completing 1st year employment

15 \$1,000 after completing 2nd year employment

16
 17 Certified Nursing Assistant/Residential Care Assistant/Residential Care
 18 Technician/Residential Care Supervisor/Behavioral Health Aide
 19 Classifications

20 \$ 500 after completing 6 months probationary employment

21 \$ 500 after completing 1st year employment

22
 23 Any qualified person hired and offered bonus payment described herein will
 24 forfeit the balance of the payments if he/she voluntarily resigns or is
 25 terminated for cause from employment from the Department of Human Services
 26 prior to completing the required employment commitment time periods outlined
 27 above.

28 The provisions of this section shall be in effect only from July 1, ~~2019~~
 29 2020 through June 30, ~~2020~~ 2021.

30
 31 SECTION 16. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
 32 authorized by this act shall be limited to the appropriation for such agency
 33 and funds made available by law for the support of such appropriations; and
 34 the restrictions of the State Procurement Law, the General Accounting and
 35 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
 36 Procedures and Restrictions Act, or their successors, and other fiscal

1 control laws of this State, where applicable, and regulations promulgated by
 2 the Department of Finance and Administration, as authorized by law, shall be
 3 strictly complied with in disbursement of said funds.

4
 5 SECTION 17. LEGISLATIVE INTENT. It is the intent of the General
 6 Assembly that any funds disbursed under the authority of the appropriations
 7 contained in this act shall be in compliance with the stated reasons for
 8 which this act was adopted, as evidenced by the Agency Requests, Executive
 9 Recommendations and Legislative Recommendations contained in the budget
 10 manuals prepared by the Department of Finance and Administration, letters, or
 11 summarized oral testimony in the official minutes of the Arkansas Legislative
 12 Council or Joint Budget Committee which relate to its passage and adoption.

13
 14 SECTION 18. EMERGENCY CLAUSE. It is found and determined by the
 15 General Assembly, that the Constitution of the State of Arkansas prohibits
 16 the appropriation of funds for more than a one (1) year period; that the
 17 effectiveness of this Act on July 1, 2020 is essential to the operation of
 18 the agency for which the appropriations in this Act are provided, and that in
 19 the event of an extension of the legislative session, the delay in the
 20 effective date of this Act beyond July 1, 2020 could work irreparable harm
 21 upon the proper administration and provision of essential governmental
 22 programs. Therefore, an emergency is hereby declared to exist and this Act
 23 being necessary for the immediate preservation of the public peace, health
 24 and safety shall be in full force and effect from and after July 1, 2020.

25
 26
 27 **APPROVED: 4/17/20**
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