

1 State of Arkansas As Engrossed: H2/22/21 H3/15/21

2 93rd General Assembly

# A Bill

3 Regular Session, 2021

HOUSE BILL 1086

4

5 By: Joint Budget Committee

6

7

## 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, 2022; AND FOR OTHER PURPOSES.

12

13

14

## Subtitle

15

AN ACT FOR THE DEPARTMENT OF HUMAN

16

SERVICES - SECRETARY'S OFFICE

17

APPROPRIATION FOR THE 2021-2022 FISCAL

18

YEAR.

19

20

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

22

23

SECTION 1. REGULAR SALARIES - SECRETARY OF HUMAN SERVICES. There is hereby established for the Department of Human Services - Secretary's Office for the 2021-2022 fiscal year, the following maximum number of regular employees.

27

28

Maximum Annual

29

Maximum

Salary Rate

30

Item Class

No. of

Fiscal Year

31

No. Code Title

Employees

2021-2022

32

(1) SC008 SECRETARY OF HUMAN SERVICES

1

GRADE SE05

33

MAX. NO. OF EMPLOYEES

1

34

35

SECTION 2. APPROPRIATION - SECRETARY OF HUMAN SERVICES. There is hereby appropriated, to the Department of Human Services, to be payable from

36



1 the paying account as determined by the Chief Fiscal Officer of the State,  
 2 for personal services of the Department of Human Services - Secretary's  
 3 Office for the fiscal year ending June 30, 2022, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2021-2022</u>
(01) REGULAR SALARIES	\$287,042
(02) PERSONAL SERVICES MATCHING	<u>61,282</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$348,324</u></u>

10

11 SECTION 3. REGULAR SALARIES - OPERATIONS. There is hereby established  
 12 for the Department of Human Services - Secretary's Office for the 2021-2022  
 13 fiscal year, the following maximum number of regular employees.

14

Item	Class	Maximum	Maximum Annual
No.	Code Title	No. of	Salary Rate
		Employees	Fiscal Year
			<u>2021-2022</u>
19	(1) U133U DHS EXECUTIVE DIRECTOR	1	GRADE SE05
20	(2) L023N DHS DEPUTY DIRECTOR	3	GRADE SE03
21	(3) N011N DFA CHIEF INFORMATION OFFICER	1	GRADE SE02
22	(4) N220N DHS CHIEF ATTORNEY	1	GRADE SE02
23	(5) N040N DHS CHIEF INFORMATION OFFICER	1	GRADE SE02
24	(6) N233N DHS CHIEF OF BUSINESS OPERATIONS	1	GRADE SE02
25	(7) N232N DHS DEPUTY CHIEF INFORMATION OFFICER	1	GRADE SE02
26	(8) A136C DHS MEDICAID CHIEF FINANCE OFFICER	1	GRADE SE02
27	(9) N243N DHS DEPUTY FINANCE CHIEF	1	GRADE SE01
28	(10) M093C DHS DIRECTOR OF LEGISLATIVE AFFAIRS	1	GRADE SE01
29	(11) L009C NURSE MANAGER	1	GRADE MP03
30	(12) L038C REGISTERED NURSE	1	GRADE MP01
31	(13) D006N STATE SYSTEMS ARCHITECT	4	GRADE IT10
32	(14) D025N DHS IT SENIOR ENGINEER	4	GRADE IT09
33	(15) D022N IT SENIOR PROJECT MANAGER	3	GRADE IT09
34	(16) D007C INFORMATION SYSTEMS MANAGER	8	GRADE IT08
35	(17) D030C INFORMATION SYSTEMS COORDINATOR	3	GRADE IT07
36	(18) D025C STATE IT SECURITY SPECIALIST	3	GRADE IT06

1	(19)	D054C	COMPUTER SUPPORT COORDINATOR	1	GRADE	IT05
2	(20)	D063C	COMPUTER SUPPORT SPECIALIST	12	GRADE	IT05
3	(21)	D061C	INFORMATION SYSTEMS COORDINATION SPEC	9	GRADE	IT05
4	(22)	D057C	INFORMATION TECHNOLOGY MANAGER	2	GRADE	IT05
5	(23)	D052C	SOFTWARE SUPPORT ANALYST	6	GRADE	IT05
6	(24)	D044C	SYSTEMS ANALYST	1	GRADE	IT05
7	(25)	D062C	DATABASE ANALYST	5	GRADE	IT04
8	(26)	D064C	WEBSITE DEVELOPER	1	GRADE	IT04
9	(27)	D071C	COMPUTER SUPPORT ANALYST	3	GRADE	IT03
10	(28)	D075C	SOFTWARE SUPPORT SPECIALIST	4	GRADE	IT03
11	(29)	D079C	COMPUTER SUPPORT TECHNICIAN	10	GRADE	IT02
12	(30)	R048C	DHS CHIEF HUMAN RESOURCES OFFICER	1	GRADE	GS15
13	(31)	N244N	DHS CHIEF OF COMMUNICATION	1	GRADE	GS15
14	(32)	A131C	DHS CHIEF PROCUREMENT OFFICER	1	GRADE	GS15
15	(33)	G283C	DHS CHIEF SECURITY & COMPLIANCE OFCR	1	GRADE	GS15
16	(34)	N016N	DHS DEP DIR ADMINISTRATIVE SVCS	1	GRADE	GS15
17	(35)	N231N	DHS DEPUTY CHIEF COUNSEL	2	GRADE	GS15
18	(36)	P077C	DHS COMM & COMMUNITY ENGAGEMENT OFCR	1	GRADE	GS14
19	(37)	N086N	DHS DDS DIR EVAL PLAN & MGMT SYSTEMS	1	GRADE	GS14
20	(38)	N122N	DHS/DCC ASSISTANT DIR FINANCE & ADMN	1	GRADE	GS14
21	(39)	N101N	DHS/DCO ASST DEP DIR PGM & ADMN SPT	1	GRADE	GS14
22	(40)	N099N	DHS/DMS ADD - LONG TERM CARE	1	GRADE	GS14
23	(41)	N100N	DHS/DMS ADD - MEDICAL SERVICES	5	GRADE	GS14
24	(42)	N124N	DHS/DYS ASSISTANT DIVISION DIRECTOR	2	GRADE	GS14
25	(43)	A010C	AGENCY CONTROLLER II	1	GRADE	GS13
26	(44)	G290C	ASST DEPUTY DIR OF LEGISLATIVE AFRS	1	GRADE	GS13
27	(45)	N111N	DHS ASST DEP DIR FOR MGR ACCOUNTING	1	GRADE	GS13
28	(46)	N110N	DHS ASST DIR CONTRACT MONITORING UNIT	1	GRADE	GS13
29	(47)	N128N	DHS ASST DIR QUALITY ASSURANCE	2	GRADE	GS13
30	(48)	D026N	DHS ELIGIBILITY SYSTEM PROGRAM MGR	3	GRADE	GS13
31	(49)	N108N	DHS/DCO ASST DEP DIR	1	GRADE	GS13
32	(50)	N107N	DHS/OFA ASSISTANT DIR - ACCTNG OPS	3	GRADE	GS13
33	(51)	N109N	DHS/OFA ASSISTANT DIRECTOR	1	GRADE	GS13
34	(52)	G004C	MANAGING ATTORNEY	1	GRADE	GS13
35	(53)	A021C	AGENCY CONTROLLER I	1	GRADE	GS12
36	(54)	G025C	ATTORNEY SUPERVISOR	7	GRADE	GS12

1	(55)	G024C DEPARTMENT ADMINISTRATIVE LAW JUDGE	3	GRADE GS12
2	(56)	G042C DHS ADMINISTRATIVE LAW JUDGE	6	GRADE GS12
3	(57)	G101C DHS AREA MANAGER	2	GRADE GS12
4	(58)	N143N DHS DDS DIVISION MANAGER	1	GRADE GS12
5	(59)	P004N DHS DIRECTOR OF PUBLIC RELATIONS	2	GRADE GS12
6	(60)	A016C DHS DMS BUSINESS OPERATIONS MANAGER	4	GRADE GS12
7	(61)	N167N DHS POLICY & RESEARCH DIRECTOR	1	GRADE GS12
8	(62)	G274C DHS VOLUNTEER SERVICES DEPUTY DIR	1	GRADE GS12
9	(63)	A014C FISCAL DIVISION MANAGER	2	GRADE GS12
10	(64)	R006C HUMAN RESOURCES ADMINISTRATOR	1	GRADE GS12
11	(65)	A031C ASSISTANT CONTROLLER	7	GRADE GS11
12	(66)	G047C ATTORNEY SPECIALIST	58	GRADE GS11
13	(67)	G022C DHS DIRECTOR OF EMERGENCY OPERATIONS	1	GRADE GS11
14	(68)	G027N DHS RESEARCH ANALYSIS MANAGER	1	GRADE GS11
15	(69)	G008C RISK MANAGEMENT ASSISTANT DIRECTOR	1	GRADE GS11
16	(70)	G076C ADMINISTRATIVE SERVICES MANAGER	4	GRADE GS10
17	(71)	G073C ATTORNEY	2	GRADE GS10
18	(72)	A044C AUDIT COORDINATOR	5	GRADE GS10
19	(73)	L010C DHS DMS MEDICAL ASSISTANCE MANAGER	3	GRADE GS10
20	(74)	R049C DHS EMPLOYEE RELATIONS COORD	1	GRADE GS10
21	(75)	A052C ACCOUNTING COORDINATOR	4	GRADE GS09
22	(76)	A050C AGENCY FISCAL MANAGER	1	GRADE GS09
23	(77)	G099C DHS PROGRAM ADMINISTRATOR	7	GRADE GS09
24	(78)	A038C FISCAL SUPPORT MANAGER	1	GRADE GS09
25	(79)	G109C GRANTS MANAGER	3	GRADE GS09
26	(80)	P004C PUBLIC INFORMATION MANAGER	1	GRADE GS09
27	(81)	A082C ACCOUNTANT II	2	GRADE GS08
28	(82)	R021C BUDGET ANALYST	3	GRADE GS08
29	(83)	A056C DHS FINANCIAL SECTION MANAGER	5	GRADE GS08
30	(84)	G152C DHS PROGRAM MANAGER	21	GRADE GS08
31	(85)	G129C DHS/DCO PROGRAM MANAGER	5	GRADE GS08
32	(86)	E031C EDUCATION PROGRAM COORDINATOR	1	GRADE GS08
33	(87)	A047C FINANCIAL ANALYST II	3	GRADE GS08
34	(88)	A066C INTERNAL AUDITOR	3	GRADE GS08
35	(89)	R014C PERSONNEL MANAGER	5	GRADE GS08
36	(90)	V007C PROCUREMENT COORDINATOR	5	GRADE GS08

1	(91)	V004C	PROCUREMENT MANAGER	5	GRADE	GS08
2	(92)	A041C	PROGRAM FISCAL MANAGER	4	GRADE	GS08
3	(93)	X062C	QUALITY ASSURANCE COORDINATOR	2	GRADE	GS08
4	(94)	A060C	SENIOR AUDITOR	21	GRADE	GS08
5	(95)	E023C	TRAINING PROJECT MANAGER	1	GRADE	GS08
6	(96)	A089C	ACCOUNTANT I	10	GRADE	GS07
7	(97)	R024C	ASSISTANT PERSONNEL MANAGER	8	GRADE	GS07
8	(98)	A081C	AUDITOR	1	GRADE	GS07
9	(99)	V008C	BUYER SUPERVISOR	1	GRADE	GS07
10	(100)	G183C	DHS PROGRAM COORDINATOR	9	GRADE	GS07
11	(101)	M042C	DHS STAFF SUPERVISOR	1	GRADE	GS07
12	(102)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE	GS07
13	(103)	M040C	FAMILY SERVICES PROGRAM COORDINATOR	1	GRADE	GS07
14	(104)	A076C	FINANCE PROGRAM ANALYST	2	GRADE	GS07
15	(105)	A075C	FINANCIAL ANALYST I	2	GRADE	GS07
16	(106)	X125C	FRAUD INVESTIGATOR COORDINATOR	2	GRADE	GS07
17	(107)	G147C	GRANTS COORDINATOR	2	GRADE	GS07
18	(108)	S017C	MAINTENANCE COORDINATOR	1	GRADE	GS07
19	(109)	A065C	PAYROLL SERVICES COORDINATOR	2	GRADE	GS07
20	(110)	P013C	PUBLIC INFORMATION COORDINATOR	3	GRADE	GS07
21	(111)	A063C	RESEARCH & STATISTICS SUPERVISOR	1	GRADE	GS07
22	(112)	G265C	SENIOR TECHNICAL WRITER	1	GRADE	GS07
23	(113)	E040C	STAFF DEVELOPMENT COORDINATOR	6	GRADE	GS07
24	(114)	C037C	ADMINISTRATIVE ANALYST	14	GRADE	GS06
25	(115)	M045C	ADULT PROTECTIVE SERVICES WORKER	2	GRADE	GS06
26	(116)	R027C	BUDGET SPECIALIST	14	GRADE	GS06
27	(117)	R026C	CIVIL RIGHTS/EMPLOYEE RELATIONS COORD	5	GRADE	GS06
28	(118)	G170C	DHS ADMINISTRATIVE REVIEW OFFICER	6	GRADE	GS06
29	(119)	G210C	DHS PROGRAM SPECIALIST	14	GRADE	GS06
30	(120)	P021C	EDITOR	2	GRADE	GS06
31	(121)	A074C	FISCAL SUPPORT SUPERVISOR	12	GRADE	GS06
32	(122)	X156C	FRAUD INVESTIGATOR	6	GRADE	GS06
33	(123)	G180C	GRANTS ANALYST	18	GRADE	GS06
34	(124)	G214C	GRANTS SPECIALIST	1	GRADE	GS06
35	(125)	P049C	GRAPHIC ARTIST	1	GRADE	GS06
36	(126)	L053C	HEALTH PROGRAM SPECIALIST I	1	GRADE	GS06

1	(127)	R025C HUMAN RESOURCES ANALYST	12	GRADE GS06
2	(128)	R029C HUMAN RESOURCES RECRUITER	5	GRADE GS06
3	(129)	X101C INTERNAL AFFAIRS INVESTIGATOR	2	GRADE GS06
4	(130)	G179C LEGAL SERVICES SPECIALIST	7	GRADE GS06
5	(131)	P031C MEDIA SPECIALIST	2	GRADE GS06
6	(132)	G178C POLICY DEVELOPMENT COORDINATOR	1	GRADE GS06
7	(133)	M066C PROGRAM ELIGIBILITY SPECIALIST	2	GRADE GS06
8	(134)	B076C RESEARCH PROJECT ANALYST	3	GRADE GS06
9	(135)	G202C VOLUNTEER PROGRAM COORDINATOR	3	GRADE GS06
10	(136)	C050C ADMINISTRATIVE SUPPORT SUPERVISOR	1	GRADE GS05
11	(137)	A088C ASSETS COORDINATOR	2	GRADE GS05
12	(138)	C022C BUSINESS OPERATIONS SPECIALIST	2	GRADE GS05
13	(139)	V013C CENTRAL WAREHOUSE OPERATIONS MGR	1	GRADE GS05
14	(140)	A091C FISCAL SUPPORT ANALYST	17	GRADE GS05
15	(141)	L070C HEALTH CARE ANALYST	2	GRADE GS05
16	(142)	D077C HELP DESK SPECIALIST	3	GRADE GS05
17	(143)	R032C HUMAN RESOURCES PROGRAM REP	5	GRADE GS05
18	(144)	C040C LEASING SPECIALIST	1	GRADE GS05
19	(145)	A090C PAYROLL SERVICES SPECIALIST	3	GRADE GS05
20	(146)	V015C PURCHASING SPECIALIST	9	GRADE GS05
21	<del>(147)</del>	<del>D081C TELECOMMUNICATIONS SPECIALIST</del>	<del>1</del>	<del>GRADE GS05</del>
22	(148)	V018C WAREHOUSE MANAGER	1	GRADE GS05
23	(149)	A101C ACCOUNTING TECHNICIAN	1	GRADE GS04
24	(150)	C056C ADMINISTRATIVE SPECIALIST III	21	GRADE GS04
25	(151)	A098C FISCAL SUPPORT SPECIALIST	28	GRADE GS04
26	(152)	R038C HUMAN RESOURCES ASSISTANT	1	GRADE GS04
27	(153)	R036C HUMAN RESOURCES SPECIALIST	1	GRADE GS04
28	(154)	V020C INVENTORY CONTROL MANAGER	1	GRADE GS04
29	(155)	C046C LEGAL SUPPORT SPECIALIST	37	GRADE GS04
30	(156)	A097C PAYROLL TECHNICIAN	2	GRADE GS04
31	(157)	V022C PURCHASING TECHNICIAN	1	GRADE GS04
32	(158)	C043C RECORDS MANAGEMENT ANALYST	3	GRADE GS04
33	(159)	V021C SURPLUS PROPERTY AGENT	1	GRADE GS04
34	(160)	V025C WAREHOUSE SPECIALIST	1	GRADE GS04
35	(161)	C073C ADMINISTRATIVE SPECIALIST II	9	GRADE GS03
36	(162)	V027C INVENTORY CONTROL TECHNICIAN	1	GRADE GS03

1	(163)	C062C LOCAL OFFICE ADMINISTRATIVE ASST	1	GRADE GS03
2	(164)	S054C PRINTER	2	GRADE GS03
3	(165)	C087C ADMINISTRATIVE SPECIALIST I	<u>1</u>	GRADE GS02
4		MAX. NO. OF EMPLOYEES	690	

5

6 SECTION 4. EXTRA HELP - OPERATIONS. There is hereby authorized, for  
7 the Department of Human Services - Secretary's Office for the 2021-2022  
8 fiscal year, the following maximum number of part-time or temporary  
9 employees, to be known as "Extra Help", payable from funds appropriated  
10 herein for such purposes: twenty-seven (27) temporary or part-time  
11 employees, when needed, at rates of pay not to exceed those provided in the  
12 Uniform Classification and Compensation Act, or its successor, or this act  
13 for the appropriate classification.

14

15 SECTION 5. APPROPRIATION - OPERATIONS. There is hereby appropriated,  
16 to the Department of Human Services, to be payable from the paying account as  
17 determined by the Chief Fiscal Officer of the State, for personal services  
18 and operating expenses of the Department of Human Services - Secretary's  
19 Office for the fiscal year ending June 30, 2022, the following:

20

21	ITEM	FISCAL YEAR
22	<u>NO.</u>	<u>2021-2022</u>
23	(01) REGULAR SALARIES	\$36,419,898
24	(02) EXTRA HELP	298,556
25	(03) PERSONAL SERVICES MATCHING	12,450,210
26	(04) OVERTIME	8,383
27	(05) MAINT. & GEN. OPERATION	
28	(A) OPER. EXPENSE	5,571,873
29	(B) CONF. & TRAVEL	59,433
30	(C) PROF. FEES	9,661,800
31	(D) CAP. OUTLAY	0
32	(E) DATA PROC.	0
33	(06) DATA PROCESSING SERVICES	<u>2,016,710</u>
34	TOTAL AMOUNT APPROPRIATED	<u>\$66,486,863</u>

35

36 SECTION 6. APPROPRIATION - VARIOUS BUILDING CONSTRUCTION. There is

1 hereby appropriated, to the Department of Human Services, to be payable from  
 2 the Department of Human Services Renovation Fund, for construction,  
 3 renovation, maintenance, equipment, and repairs for various buildings  
 4 operated by the Department of Human Services - Secretary's Office for the  
 5 fiscal year ending June 30, 2022, the following:

6		
7	ITEM	FISCAL YEAR
8	<u>NO.</u>	<u>2021-2022</u>
9	(01) CONSTRUCTION	<u>\$15,914,729</u>

10

11 SECTION 7. APPROPRIATION - CONSOLIDATED COST. There is hereby  
 12 appropriated, to the Department of Human Services, to be payable from the DHS  
 13 Consolidated Cost Revolving Fund, for operating expenses of the Department of  
 14 Human Services - Secretary's Office - Consolidated Cost for the fiscal year  
 15 ending June 30, 2022, the following:

16

17	ITEM	FISCAL YEAR
18	<u>NO.</u>	<u>2021-2022</u>
19	(01) MAINT. & GEN. OPERATION	
20	(A) OPER. EXPENSE	\$821,500
21	(B) CONF. & TRAVEL	0
22	(C) PROF. FEES	0
23	(D) CAP. OUTLAY	0
24	(E) DATA PROC.	<u>0</u>
25	TOTAL AMOUNT APPROPRIATED	<u>\$821,500</u>

26

27 SECTION 8. APPROPRIATION - GRANTS PAYING. There is hereby  
 28 appropriated, to the Department of Human Services, to be payable from the  
 29 paying account as determined by the Chief Fiscal Officer of the State, for  
 30 purchase of services of the Department of Human Services - Secretary's Office  
 31 for the fiscal year ending June 30, 2022, the following:

32

33	ITEM	FISCAL YEAR
34	<u>NO.</u>	<u>2021-2022</u>
35	(01) PURCHASE OF SERVICES	<u>\$129,084</u>

36



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

13 The provisions of this section shall be in effect only from July 1, ~~2020~~  
14 2021 through June 30, ~~2021~~ 2022.

15  
16 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HUMAN  
18 SERVICES RENOVATION FUND. Department of Human Services Renovation Fund.

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

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

25 (c) The fund shall consist of:

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

28 (2) General revenues transferred from the Division of Youth Services, the  
29 Division of Aging, Adult, and Behavioral Health Services, and the Division of  
30 Developmental Disabilities Services for the purposes of repairing,

31 renovating, equipping, acquiring and constructing Department of Human  
32 Services facilities with an annual maximum of five million dollars

33 (\$5,000,000). The projects for which these transfers are authorized must be  
34 projects which were unanticipated during the preceding regular session of the  
35 Arkansas General Assembly and must be projects which, if not carried out in  
36 the interim period between regular sessions of the Arkansas General Assembly

1 would cause greater harm to the facilities, clients or programs of the  
2 Department of Human Services than to wait until the next regular session.

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

5 (d)(1) At the request of the ~~Director~~ Secretary of the Department of Human  
6 Services, and upon certification of the availability of such funds, the Chief  
7 Fiscal Officer of the State shall initiate the necessary transfer documents  
8 to reflect the transfer on the books of record of the Treasurer of State, the  
9 Auditor of State, the Chief Fiscal Officer of the State, and the Department  
10 of Human Services.

11 (2) The ~~Director~~ Secretary of the Department of Human Services shall submit  
12 any transfer plan to and must receive approval of the plan from the Chief  
13 Fiscal Officer of the State, the Governor and the Arkansas Legislative  
14 Council or Joint Budget Committee prior to the effective date of the  
15 transfer.

16 (e) Provided, that any non-general revenue funding that may remain in the  
17 fund at the end of any fiscal year shall be carried over into the next fiscal  
18 year and all obligated general revenue funding that may remain in the fund at  
19 the end of any fiscal year shall be carried over into the next fiscal year to  
20 satisfy such legal and contractual obligations that have been entered into  
21 prior to the end of the fiscal year.

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

1 court of competent jurisdiction, this entire section is void.

2 The provisions of this section shall be in effect only from July 1, ~~2020~~  
3 2021 through June 30, ~~2021~~ 2022.

4

5 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
7 AUTHORITY. The ~~Director~~ Secretary of the Department of Human Services shall  
8 have transfer authority provided by the following:

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

13 (b) MATCH TRANSFER. The ~~Director~~ Secretary of the Department of Human  
14 Services, with the approval of the Chief Fiscal Officer of the State, is  
15 authorized to effect inter-agency and inter-divisional fund transfers for the  
16 purpose of providing the State's matching share for payments made to that  
17 Division or Office or its service providers for services eligible for federal  
18 reimbursement under programs administered by the Department of Human  
19 Services. The Department of Human Services shall report to the Legislative  
20 Council or Joint Budget Committee on a quarterly basis all fund transfers  
21 made in accordance with the authority granted by this section; and

22 (c) REALLOCATION OF RESOURCES: (1) The Department of Human Services (DHS)  
23 provides hundreds of different services to over 1 million Arkansans. The  
24 specific mix of service needs and the funding and staffing required to  
25 provide them can vary significantly based on many factors, including natural  
26 disasters, changing federal mandates and funding sources, demographic shifts,  
27 fluctuating court-ordered services, social trends, and job market variations  
28 such as nursing shortages. The impact of these factors through the course of  
29 any fiscal year make it very difficult for the Department to accurately  
30 predict the exact needs for funding, appropriation and positions in each of  
31 its over 100 different appropriations. To ensure that it can respond quickly  
32 to changing client needs and make the most effective use of the resources  
33 allocated to it, the Department of Human Services shall be authorized to  
34 utilize the reallocation of resource authority to make the proper adjustments  
35 to the budgets within the Department. Therefore, upon determination by the  
36 ~~Director~~ Secretary of the Department of Human Services that a reallocation of

1 resources within the department is necessary for the efficient and effective  
2 operation of the department, the ~~director~~ Secretary, with approval of the  
3 Governor, shall have the authority to request, from the Chief Fiscal Officer  
4 of the State, a transfer of positions, appropriations, line item  
5 appropriations, and funds within or between existing and newly created  
6 divisions, offices, sections, or units of the department. Provided, however,  
7 that no transfer of funds or appropriation that provides direct support or  
8 matching support for the Arkansas Medicaid Program shall be made to any other  
9 fund account or appropriation that does not directly support the Arkansas  
10 Medicaid Program. Further, no positions, funds, or appropriation authorized  
11 during the budget process for the Division of Children and Family Services'  
12 compliance with initiatives established under the Angela R. consent decree  
13 shall be transferred to any other division. Nothing in this provision is  
14 intended to prevent the one-time transfers of savings in any other program to  
15 the Arkansas Medicaid Program, with the exception of the provisions  
16 previously cited for the Division of Children and Family Services – Angela R.  
17 consent decree. The Division of Developmental Disabilities – Grants to  
18 Community Providers line item of the Developmental Disabilities Services -  
19 Grants-in-Aid appropriation may not be decreased. The appropriation, funding,  
20 and positions provided for the five Human Development Centers shall remain at  
21 a level sufficient to ensure quality care for the Centers' residents. The  
22 exemptions provided in this subsection whereby certain DHS Programs and  
23 Divisions are protected from appropriation, fund, or position transfers are  
24 applicable only to the reallocation or transfer authority granted herein, and  
25 not by any reductions which are applicable to all state programs.

26 The ~~Director~~ Secretary of the Department of Human Services shall submit  
27 any requests for transfers to and must receive approval of the requests for  
28 transfers from the Chief Fiscal Officer of the State, the Governor, and the  
29 Arkansas Legislative Council or Joint Budget Committee prior to the effective  
30 date of the transfers. Provided, however, that the Department of Human  
31 Services shall be limited to submitting no more than four reallocation of  
32 resources transfer requests during any fiscal year. In each Departmental  
33 request no single division will request reallocation for more than one  
34 purpose as listed in this section. Transfer authority for unforeseen purposes  
35 shall further be limited to no more than 5% of the total appropriation,  
36 funding, and positions authorized for the Department. Reallocation of

1 resources transfers may include multiple items but shall be limited to the  
2 following purposes:  
3 i) Medicaid Program;  
4 ii) Facilities and institutions costs, including operational expenses and  
5 construction/renovation/equipping expenses;  
6 iii) Departmental grants and contracts;  
7 iv) Court ordered settlements and payments;  
8 v) Payment of administrative expenses, including but not limited to, overtime  
9 and other costs of personnel for critical services or functions necessary to  
10 carry out the mission of the agency;  
11 vi) Restructuring efforts as deemed necessary to comply with new and/or  
12 unanticipated federal or state mandates; and/or  
13 vii) Redirecting internal resources, both direct and/or indirect, to meet  
14 client needs and services.

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

31 (2) If it is determined that the requested reallocation of resources  
32 transfers should be made, the Chief Fiscal Officer of the State shall then  
33 initiate the necessary transfer documents to reflect the transfers upon the  
34 fiscal records of the Treasurer of State, the Auditor of State, the Chief  
35 Fiscal Officer of the State, and the Department of Human Services. In  
36 addition, the Chief Fiscal Officer of the State, together with the Co-

1 Chairpersons of the Legislative Council or Joint Budget Committee, may  
2 approve, on an emergency basis, requests for utilization of this Section  
3 without prior approval of the Arkansas Legislative Council or Joint Budget  
4 Committee, with any such actions reported at the next meeting of the Arkansas  
5 Legislative Council or Joint Budget Committee.

6 The provisions of this section shall be in effect only from July 1, ~~2020~~  
7 2021 through June 30, ~~2021~~ 2022.

8

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

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

19 The stipend is \$5,000 per person per year. Any student who is awarded and  
20 accepts a stipend is under employment commitment to the respective DHS  
21 Division and is required to work for that division, in a full-time employee  
22 status effective immediately upon graduation. The student employment  
23 commitment is equal to the number of years the stipend was awarded and  
24 accepted. In the event of Employee/Student default of the employment  
25 commitment, the Employee/Student will be considered in breach of contract and  
26 repayment of the stipend will be required as specified in the Stipend  
27 Contract.

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

30 The provisions of this section shall be in effect only from July 1, ~~2020~~  
31 2021 through June 30, ~~2021~~ 2022.

32

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

35 NURSING/DIRECT CARE RECRUITMENT/RETENTION BONUSES. Special provision to  
36 provide Nursing/Direct Care Recruitment and Retention Bonuses for the

1 Department of Human Services is hereby authorized to be paid from State and  
2 Federal funds appropriated for each respective Division. Nursing/direct care  
3 service recruitment/retention bonuses are in addition to the maximum annual  
4 amounts provided in the Regular Salaries Section of the respective Division's  
5 Act for Registered Nurse, Licensed Practical Nurse, Certified Nursing  
6 Assistant, Residential Care Assistant, Residential Care Technician,  
7 Residential Care Supervisor and Behavioral Health Aide. New hire nurses must  
8 be licensed by the Arkansas State Board of Nursing. The total  
9 recruitment/retention bonus payment commitment for eligible nurses shall not  
10 exceed \$4,000 per Registered Nurse and \$2,000 per Licensed Practical Nurse  
11 and \$1,000 per Certified Nursing Assistant, Residential Care Assistant,  
12 Residential Care Technician, Residential Care Supervisor and Behavioral  
13 Health Aide.

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

16

17 Registered Nurse Classifications

18 \$1,000 after completing 6 months probationary employment

19 \$1,500 after completing 1st year employment

20 \$1,500 after completing 2nd year employment

21

22 Licensed Practical Nurse Classifications

23 \$ 500 after completing 6 months probationary employment

24 \$ 500 after completing 1st year employment

25 \$1,000 after completing 2nd year employment

26

27 Certified Nursing Assistant/Residential Care Assistant/Residential Care

28 Technician/Residential Care Supervisor/Behavioral Health Aide

29 Classifications

30 \$ 500 after completing 6 months probationary employment

31 \$ 500 after completing 1st year employment

32

33 Any qualified person hired and offered bonus payment described herein will  
34 forfeit the balance of the payments if he/she voluntarily resigns or is  
35 terminated for cause from employment from the Department of Human Services  
36 prior to completing the required employment commitment time periods outlined

1 above.

2 The provisions of this section shall be in effect only from July 1, ~~2020~~  
3 2021 through June 30, ~~2021~~ 2022.

4  
5 SECTION 14. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
6 authorized by this act shall be limited to the appropriation for such agency  
7 and funds made available by law for the support of such appropriations; and  
8 the restrictions of the State Procurement Law, the General Accounting and  
9 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
10 Procedures and Restrictions Act, or their successors, and other fiscal  
11 control laws of this State, where applicable, and regulations promulgated by  
12 the Department of Finance and Administration, as authorized by law, shall be  
13 strictly complied with in disbursement of said funds.

14  
15 SECTION 15. LEGISLATIVE INTENT. It is the intent of the General  
16 Assembly that any funds disbursed under the authority of the appropriations  
17 contained in this act shall be in compliance with the stated reasons for  
18 which this act was adopted, as evidenced by the Agency Requests, Executive  
19 Recommendations and Legislative Recommendations contained in the budget  
20 manuals prepared by the Department of Finance and Administration, letters, or  
21 summarized oral testimony in the official minutes of the Arkansas Legislative  
22 Council or Joint Budget Committee which relate to its passage and adoption.

23  
24 SECTION 16. EMERGENCY CLAUSE. It is found and determined by the  
25 General Assembly, that the Constitution of the State of Arkansas prohibits  
26 the appropriation of funds for more than a one (1) year period; that the  
27 effectiveness of this Act on July 1, 2021 is essential to the operation of  
28 the agency for which the appropriations in this Act are provided, and that in  
29 the event of an extension of the legislative session, the delay in the  
30 effective date of this Act beyond July 1, 2021 could work irreparable harm  
31 upon the proper administration and provision of essential governmental  
32 programs. Therefore, an emergency is hereby declared to exist and this Act  
33 being necessary for the immediate preservation of the public peace, health  
34 and safety shall be in full force and effect from and after July 1, 2021.

35  
36

APPROVED: 3/25/21