

**Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.
Act 1129 of the Regular Session**

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007
4

A Bill

HOUSE BILL 1926

5 By: Representative J. Johnson
6
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For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT
10 OF HEALTH AND HUMAN SERVICES - DIVISION OF
11 DEVELOPMENTAL DISABILITIES SERVICES FOR SUPPORT
12 OF THE STATEWIDE EXCELLENCE INITIATIVE FOR
13 DEVELOPMENTAL DISABILITY SERVICES; AND FOR OTHER
14 PURPOSES.
15

Subtitle

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18 AN ACT FOR THE DEPARTMENT OF HEALTH AND
19 HUMAN SERVICES - DIVISION OF
20 DEVELOPMENTAL DISABILITIES SERVICES -
21 STATEWIDE EXCELLENCE INITIATIVE FOR
22 DEVELOPMENTAL DISABILITY SERVICES
23 GENERAL IMPROVEMENT APPROPRIATION.
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26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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28 SECTION 1. APPROPRIATIONS - STATEWIDE EXCELLENCE INITIATIVE. There is
29 hereby appropriated, to the Department of Health and Human Services -
30 Division of Developmental Disabilities Services, to be payable from the
31 General Improvement Fund or its successor fund or fund accounts, the
32 following:

33 (A) For support of the Statewide Excellence Initiative for Developmental
34 Disability Services for national accreditation of nonprofit community
35 programs licensed by the Division of Developmental Disabilities of the



1 Department of Health and Human Services and for matching funds to assist with
2 the purchase of a vehicle or vehicles by nonprofit community programs
3 licensed by the division for the purpose of transporting individuals with
4 disabilities, the sum of\$1,300,000.
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6 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STATEWIDE
8 EXCELLENCE INITIATIVE FOR DEVELOPMENTAL DISABILITY SERVICES. (a) As stated in
9 Ark. Code Ann. §20-48-701, the General Assembly has determined that nonprofit
10 community programs licensed by the Division of Developmental Disabilities of
11 the Department of Health and Human Services are quasi-governmental
12 instrumentalities of the state that provide support and services to
13 individuals who have developmental disabilities or delays who would otherwise
14 require support and services in facilities owned and operated by the State of
15 Arkansas. The statewide network of nonprofit community programs enhances the
16 state’s ability to deliver services to individuals with developmental
17 disabilities or delays in the least restrictive setting as required by the
18 U.S. Supreme Court and federal statutory law. In order to promote ongoing
19 efforts to improve service delivery and scope of services to individuals with
20 developmental disabilities or delays, the General Assembly establishes the
21 Statewide Excellence Initiative for Developmental Disabilities Services.

22 (b) The Statewide Excellence Initiative for Developmental Disabilities
23 Services encourages nonprofit community programs licensed by the division to
24 improve service delivery and scope of services to individuals with
25 developmental disabilities or delays by:

26 (1)(A) Applying for and attaining national accreditation.
27 (B) National accrediting organization under this section include
28 without limitation:

- 29 (i) The Commission for the Accreditation of Rehabilitation
- 30 Facilities;
- 31 (ii) The Joint Commission on Accreditation; or
- 32 (iii) Any other similar national accrediting organization
- 33 recognized by the division; and

34 (2) Purchasing vehicles in conjunction with the Arkansas Transit
35 Association for the purpose of improving transportation options for
36 individuals with developmental disabilities or delays.

1 (c) A nonprofit community program licensed by the division may submit a
 2 request for and receive a grant in the amount of thirteen thousand dollars
 3 (\$13,000) to be used in support of an activity or activities listed in
 4 subsection (b) of this section.

5 (d) The Statewide Excellence Initiative for Developmental Disabilities
 6 Services shall expire on June 30, 2009.

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 8 SECTION 3. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
 9 obligations otherwise incurred in relation to the project or projects
 10 described herein in excess of the State Treasury funds actually available
 11 therefor as provided by law. Provided, however, that institutions and
 12 agencies listed herein shall have the authority to accept and use grants and
 13 donations including Federal funds, and to use its unobligated cash income or
 14 funds, or both available to it, for the purpose of supplementing the State
 15 Treasury funds for financing the entire costs of the project or projects
 16 enumerated herein. Provided further, that the appropriations and funds
 17 otherwise provided by the General Assembly for Maintenance and General
 18 Operations of the agency or institutions receiving appropriation herein shall
 19 not be used for any of the purposes as appropriated in this act.

20 (B) The restrictions of any applicable provisions of the State Purchasing
 21 Law, the General Accounting and Budgetary Procedures Law, the Revenue
 22 Stabilization Law and any other applicable fiscal control laws of this State
 23 and regulations promulgated by the Department of Finance and Administration,
 24 as authorized by law, shall be strictly complied with in disbursement of any
 25 funds provided by this act unless specifically provided otherwise by law.

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 27 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General Assembly
 28 that any funds disbursed under the authority of the appropriations contained
 29 in this act shall be in compliance with the stated reasons for which this act
 30 was adopted, as evidenced by the Agency Requests, Executive Recommendations
 31 and Legislative Recommendations contained in the budget manuals prepared by
 32 the Department of Finance and Administration, letters, or summarized oral
 33 testimony in the official minutes of the Arkansas Legislative Council or
 34 Joint Budget Committee which relate to its passage and adoption.

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 36 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General

1 Assembly, that the Constitution of the State of Arkansas prohibits the
2 appropriation of funds for more than a two (2) year period; that the
3 effectiveness of this Act on July 1, 2007 is essential to the operation of
4 the agency for which the appropriations in this Act are provided, and that in
5 the event of an extension of the Regular Session, the delay in the effective
6 date of this Act beyond July 1, 2007 could work irreparable harm upon the
7 proper administration and provision of essential governmental programs.
8 Therefore, an emergency is hereby declared to exist and this Act being
9 necessary for the immediate preservation of the public peace, health and
10 safety shall be in full force and effect from and after July 1, 2007.

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APPROVED: 4/4/2007