

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 1233 of the Regular Session

1 State of Arkansas *As Engrossed: S2/19/07 S3/23/07 S3/26/07 S3/27/07 S3/29/07*

2 86th General Assembly

A Bill

3 Regular Session, 2007

SENATE BILL 220

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5 By: Joint Budget Committee

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For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE
11 DEPARTMENT OF HEALTH AND HUMAN SERVICES -
12 DIVISION OF DEVELOPMENTAL DISABILITIES SERVICES
13 FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND
14 FOR OTHER PURPOSES.

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Subtitle

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

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SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for the Department of Health and Human Services - Division of Developmental Disabilities Services for the 2007-2009 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying



1 positions authorized herein are hereby governed by the provisions of the
 2 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
 3 or its successor.

				<i>Maximum Annual</i>		
				<i>Maximum</i>	<i>Salary Rate</i>	
				<i>No. of</i>	<i>Fiscal Years</i>	
<i>Item</i>	<i>Class</i>			<i>Employees</i>	<i>2007-2008</i>	<i>2008-2009</i>
<i>No.</i>	<i>Code</i>	<i>Title</i>				
9	(1)	DDS PHYSICIAN SPECIALIST	7	\$137,550	\$140,301	
10	(2)	DDS DENTIST SPECIALIST	3	\$137,550	\$140,301	
11	(3)	REGISTERED PHARMACIST II	7	\$107,234	\$109,378	
12	(4)	9972 DDS COMMISSIONER	1	\$102,714	\$104,768	
13	(5)	8966 DHS DDS SUPT HDC/CONWAY	1	\$94,595	\$96,486	
14	(6)	8949 DDS DIR EVAL, PLAN & MGMT SYSTEMS	1	\$85,643	\$87,355	
15	(7)	8969 DHS DDS SUPT HDC	1	\$84,916	\$86,614	
16	(8)	8970 DHS DDS SUPT HDC	1	\$84,911	\$86,609	
17	(9)	8972 DHS DDS SUPT HDC	1	\$82,888	\$84,545	
18	(10)	8968 DHS DDS SUPT HDC	1	\$82,180	\$83,823	
19	(11)	8967 DHS DDS DIR CLIENT SERVICES	1	\$75,957	\$77,476	
20	(12)	8948 DDS ASST DIR PROGRAM MANAGEMENT	1	\$72,798	\$74,253	
21	(13)	8035 ASSISTANT DIRECTR CMS	1	\$72,772	\$74,227	
22	(14)	8971 DHS DDS SUPT HDC	1	\$71,691	\$73,124	
23	(15)	L124 PSYCHOLOGIST	3	GRADE 25		
24	(16)	M178 DHS/DDS ASST SUPT - CONWAY	1	GRADE 23		
25	(17)	R058 DDS PERSONNEL MANAGER	1	GRADE 22		
26	(18)	X338 ENGINEER, PE	1	GRADE 22		
27	(19)	L078 NURSE SUPERVISOR	13	GRADE 22		
28	(20)	A032 AGENCY FISCAL MANAGER	1	GRADE 22		
29	(21)	L074 REGISTERED NURSE PRACTITIONER II	1	GRADE 22		
30	(22)	809Z DHS PLANNING & POLICY DEV COORD	1	GRADE 21		
31	(23)	892Z DHS INSTITUTION BUSINESS MANAGER	6	GRADE 21		
32	(24)	697Z DHS PRGM MANAGER	11	GRADE 21		
33	(25)	A008 ACCOUNTING SUPERVISOR II	2	GRADE 21		
34	(26)	A251 SR AUDITOR	1	GRADE 21		
35	(27)	E023 DHS/DDS LANGUAGE DEVELOP SUPV	1	GRADE 21		
36	(28)	E104 DHS/DDS ED & TRNG CONSULTANT	2	GRADE 21		

1	(29)	L082	NURSING SERVICES SPECIALIST	3	GRADE 21
2	(30)	L090	OCCUPATIONAL THERAPY SUPERVISOR	1	GRADE 21
3	(31)	L122	PSYCHOLOGICAL EXAMINER II	18	GRADE 21
4	(32)	L030	DIETARY SERVICES DIRECTOR	1	GRADE 21
5	(33)	L019	NUTRITIONIST CONSULTANT	1	GRADE 21
6	(34)	M112	COTTAGE LIFE PROGRAM DIRECTOR	5	GRADE 21
7	(35)	L142	SPEECH PATHOLOGIST SUPV	3	GRADE 21
8	(36)	M046	DHS/DDS TEAM LEADER-CONWAY	5	GRADE 21
9	(37)	R326	QUALITY ASSURANCE COORDINATOR	5	GRADE 21
10	(38)	R488	GRANTS ADMIN SUPV	2	GRADE 21
11	(39)	R266	MANAGEMENT PROJECT ANALYST II	5	GRADE 20
12	(40)	R145	DHS PROGRAM COORDINATOR	4	GRADE 20
13	(41)	X311	DHS/DDS PRGM EVALUATOR SUPV	1	GRADE 20
14	(42)	Y116	MAINTENANCE SYSTEMS SUPV	1	GRADE 20
15	(43)	L140	SPEECH PATHOLOGIST II	14	GRADE 20
16	(44)	M013	DEVELOPMENTAL DISABILITIES SPEC II	53	GRADE 20
17	(45)	M016	SR CHAPLAIN	1	GRADE 20
18	(46)	M116	UTILIZATION REVIEW NURSE	2	GRADE 20
19	(47)	M128	DHS/DDS PRGM COORDINATOR	42	GRADE 20
20	(48)	M140	DHS/DDS TEAM LEADER	3	GRADE 20
21	(49)	M088	SOCIAL WORKER II	5	GRADE 20
22	(50)	L008	SR AUDIOLOGIST	1	GRADE 20
23	(51)	L070	NURSE II	34	GRADE 20
24	(52)	L088	OCCUPATIONAL THERAPIST II	1	GRADE 20
25	(53)	E114	STAFF DEVELOPMENT COORDINATOR	6	GRADE 20
26	(54)	E038	NURSE INSTRUCTOR	2	GRADE 20
27	(55)	G120	PLANT MAINTENANCE COORDINATOR	1	GRADE 20
28	(56)	E026	INSTITUTIONAL INSTRUCTOR SUPERVISOR	2	GRADE 20
29	(57)	B060	MEDICAL TECHNOLOGIST SUPERVISOR	1	GRADE 19
30	(58)	L028	DIETICIAN	1	GRADE 19
31	(59)	L120	PSYCHOLOGICAL EXAMINER I	2	GRADE 19
32	(60)	M086	SOCIAL WORKER I	5	GRADE 19
33	(61)	M154	DHS FIELD REPRESENTATIVE	2	GRADE 19
34	(62)	M044	DHS PRGM CONSULTANT	1	GRADE 19
35	(63)	M057	DHS/DDS FOSTER GRANDPARENT ADMR	1	GRADE 19
36	(64)	R168	GRANTS COORDINATOR II	9	GRADE 19

1	(65)	R030	ASST PERSONNEL MANAGER	1	GRADE 19
2	(66)	W012	MEDICAL RECORDS ADMINISTRATOR	1	GRADE 19
3	(67)	X309	DHS/DDS PRGM EVALUATOR	2	GRADE 19
4	(68)	V040	PURCHASE AGENT II/PURCHASE AGENT	5	GRADE 18
5	(69)	R264	MANAGEMENT PROJECT ANALYST I	3	GRADE 18
6	(70)	M050	RECREATIONAL ACTIVITY LEADER SUPV	3	GRADE 18
7	(71)	L138	SPEECH PATHOLOGIST I	1	GRADE 18
8	(72)	M082	SOCIAL SERVICE WORKER III	19	GRADE 18
9	(73)	M076	SOCIAL SERVICE REPRESENTATIVE III	1	GRADE 18
10	(74)	M078	DHS/DEMS SUPERVISOR	2	GRADE 18
11	(75)	M099	COTTAGE LIFE PROGRAM SUPERVISOR	18	GRADE 18
12	(76)	E037	LIBRARIAN II	2	GRADE 18
13	(77)	E024	INSTITUTIONAL INSTRUCTOR II	23	GRADE 18
14	(78)	H032	FOOD PRODUCTION MANAGER	6	GRADE 18
15	(79)	E050	STAFF DEVELOPMENT SPECIALIST II	2	GRADE 18
16	(80)	E072	TRAINING INSTRUCTOR	1	GRADE 18
17	(81)	E082	VOCATIONAL INSTRUCTOR II	1	GRADE 18
18	(82)	G028	BLDG PLANT MAINTENANCE SUPV II	5	GRADE 18
19	(83)	E086	HABILITATION/REHAB INSTRUCTOR II	135	GRADE 17
20	(84)	E022	INSTITUTIONAL INSTRUCTOR I	1	GRADE 17
21	(85)	B052	MEDICAL TECHNOLOGIST	2	GRADE 17
22	(86)	M102	VOCATIONAL PLAC & EVAL PROG COORD	1	GRADE 17
23	(87)	M095	VOLUNTEER PROGRAM DEVELOPER I	2	GRADE 17
24	(88)	M080	SOCIAL SERVICE WORKER II/SOC SVC WK	4	GRADE 17
25	(89)	R010	ADMINISTRATIVE ASSISTANT II	20	GRADE 17
26	(90)	R190	PERSONNEL OFFICER II	4	GRADE 17
27	(91)	Y107	WELDER	1	GRADE 17
28	(92)	X352	HLTH CARE ANALYST II	2	GRADE 17
29	(93)	Y053	JOURNEYMAN CARPENTER	9	GRADE 17
30	(94)	Y055	JOURNEYMAN ELECTRICIAN	6	GRADE 17
31	(95)	Y057	JOURNEYMAN PAINTER	6	GRADE 17
32	(96)	Y061	JOURNEYMAN PLUMBER	4	GRADE 17
33	(97)	Y065	JOURNEYMAN LOCKSMITH	1	GRADE 17
34	(98)	Y003	AUTO/DIESEL MECHANIC	3	GRADE 17
35	(99)	Y021	STATIONARY ENGINEER	9	GRADE 17
36	(100)	Y039	HEATING & A/C MECHANIC	5	GRADE 17

1	(101)	M141	DHS/DDS TEAM SHIFT COORDINATOR	18	GRADE 16
2	(102)	L153	X-RAY TECH SUPV/X-RAY TECH II	1	GRADE 16
3	(103)	L026	DENTAL HYGIENIST	1	GRADE 16
4	(104)	A053	INSURANCE SPECIALIST II	1	GRADE 16
5	(105)	A063	PAYROLL OFFICER	1	GRADE 15
6	(106)	A108	ACCOUNTING TECHNICIAN II	8	GRADE 15
7	(107)	A155	ICF COORDINATOR	6	GRADE 15
8	(108)	K011	ADMINISTRATIVE OFFICE SUPERVISOR	12	GRADE 15
9	(109)	L115	LPN II/LPTN II	132	GRADE 15
10	(110)	L061	LIFE SKILLS TRAINER SUPERVISOR	62	GRADE 15
11	(111)	L183	OCCUPATIONAL THERAPY ASSISTANT	2	GRADE 15
12	(112)	M048	RECREATIONAL ACTIVITY LEADER II	27	GRADE 15
13	(113)	R009	ADMINISTRATIVE ASSISTANT I	3	GRADE 15
14	(114)	V051	STOREROOM SUPV/STORE SUPV	4	GRADE 15
15	(115)	X350	HLTH CARE ANALYST I	1	GRADE 15
16	(116)	V039	PURCHASE AGENT I/ASST PURCHASE AGEN	4	GRADE 15
17	(117)	L184	DIETETIC TECHNICIAN	1	GRADE 14
18	(118)	M036	FOSTER GRANDPARENT SUPERVISOR	1	GRADE 14
19	(119)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	11	GRADE 14
20	(120)	K117	MEDICAL OR LEGAL SECRETARY	29	GRADE 14
21	(121)	G014	CHDC LAUNDRY OPERATIONS MANAGER	1	GRADE 14
22	(122)	H023	COMMISSARY MANAGER	1	GRADE 14
23	(123)	G139	WATER FILTER/WASTE DISPOS PLNT OPER	3	GRADE 13
24	(124)	H049	SUPERVISOR OF COOKING	5	GRADE 13
25	(125)	G115	NURSERY ASST & GROUNDSKEEPER SUPV	1	GRADE 13
26	(126)	E027	INSTITUTIONAL TEACHER ASSISTANT	88	GRADE 13
27	(127)	E017	INSTITUTION ASSISTANT LIBRARIAN	1	GRADE 13
28	(128)	K153	SECRETARY II	70	GRADE 13
29	(129)	L059	LIFE SKILLS TRAINER II	806	GRADE 13
30	(130)	L091	OCCUPATIONAL THERAPY WORKER	6	GRADE 13
31	(131)	L093	ORTHOTIST AIDE	5	GRADE 13
32	(132)	M067	SOCIAL SERVICE AIDE II	3	GRADE 13
33	(133)	M047	RECREATIONAL ACTIVITY LEADER I	1	GRADE 13
34	(134)	R125	PERSONNEL OFFICER	4	GRADE 13
35	(135)	K089	PERSONNEL ASSISTANT	2	GRADE 12
36	(136)	K039	DOCUMENT EXAMINER II	13	GRADE 12

1	(137)	C013	SWITCHBOARD OPERATOR SUPERVISOR	1	GRADE 12
2	(138)	H047	MEAT CUTTER II/BUTCHER II	1	GRADE 11
3	(139)	L025	DENTAL ASSISTANT	1	GRADE 11
4	(140)	L057	LIFE SKILLS TRAINER I	278	GRADE 11
5	(141)	K155	SECRETARY I	23	GRADE 11
6	(142)	Y001	APPRENTICE TRADESMAN	6	GRADE 11
7	(143)	V029	INVENTORY CONTROL CLERK	1	GRADE 10
8	(144)	K023	CLERICAL ASSISTANT	3	GRADE 10
9	(145)	K037	DOCUMENT EXAMINER I	4	GRADE 10
10	(146)	L097	PHARMACY ASST	2	GRADE 10
11	(147)	H027	COOK II	40	GRADE 10
12	(148)	H005	BAKER II	6	GRADE 10
13	(149)	G013	WAREHOUSE WORKER	3	GRADE 10
14	(150)	G006	MOTOR VEHICLE OPERATOR	5	GRADE 10
15	(151)	C011	SWITCHBOARD OPERATOR II	12	GRADE 09
16	(152)	L105	PHYSICAL THERAPY AIDE	5	GRADE 09
17	(153)	L089	OCCUPATIONAL THERAPY AIDE	1	GRADE 09
18	(154)	Y045	INSTITUTIONAL BEAUTICIAN	3	GRADE 09
19	(155)	L063	LIFE SKILLS TRAINER TRAINEE	8	GRADE 08
20	(156)	G010	LAUNDRY SUPERVISOR	5	GRADE 08
21	(157)	G039	CUSTODIAL SUPV II	4	GRADE 08
22	(158)	G045	EQUIPMENT OPERATOR	11	GRADE 08
23	(159)	G109	BLDG/EQUIP MAINT REPAIRMAN II	21	GRADE 08
24	(160)	H019	CANTEEN SUPERVISOR	2	GRADE 08
25	(161)	H025	COOK I	1	GRADE 08
26	(162)	H053	FOOD SERVICE WORKER III	10	GRADE 08
27	(163)	G177	MAINTENANCE WORKER SUPERVISOR	1	GRADE 07
28	(164)	G191	CLOTHING SHOP OPERATOR	1	GRADE 07
29	(165)	C009	SWITCHBOARD OPERATOR I	4	GRADE 07
30	(166)	K015	OFFICE CLERK	3	GRADE 07
31	(167)	H043	FOOD SERVICE WORKER II	41	GRADE 05
32	(168)	G175	MAINTENANCE WORKER II	6	GRADE 05
33	(169)	Y095	SEAMSTRESS II	1	GRADE 05
34	(170)	V049	STOCK CLERK II	6	GRADE 05
35	(171)	G035	CUSTODIAL WRKR II	81	GRADE 04
36	(172)	G008	LAUNDRY WORKER	27	GRADE 04

1	(173) H039 FOOD SERVICE WORKER I	5	GRADE 03
2	(174) G171 CUSTODIAL WRKR I	<u>3</u>	GRADE 03
3	MAX. NO. OF EMPLOYEES	2,605	

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5 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for the
 6 Department of Health and Human Services - Division of Developmental
 7 Disabilities Services for the 2007-2009 biennium, the following maximum
 8 number of part-time or temporary employees, to be known as "Extra Help",
 9 payable from funds appropriated herein for such purposes: two hundred
 10 eighty-nine (289) temporary or part-time employees, when needed, at rates of
 11 pay not to exceed those provided in the Uniform Classification and
 12 Compensation Act, or its successor, or this act for the appropriate
 13 classification.

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15 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA
 17 HELP - DEVELOPMENTAL DISABILITIES SERVICES. It is hereby authorized for the
 18 Department of Health and Human Services - Division of Developmental
 19 Disabilities Services for the ~~2005-2007~~ 2007-2009 biennium, that of the extra
 20 help positions authorized herein for the Department of Health and Human
 21 Services - Division of Developmental Disabilities Services, 89 of those
 22 positions, when utilized in a manner which is reimbursable under Title XIX or
 23 other federal funds, are specifically exempt from limitation of hours, either
 24 by Act or Regulation.

25 The provisions of this section shall be in effect only from July 1, ~~2005~~
 26 2007 through June 30, ~~2007~~ 2009.

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28 SECTION 4. APPROPRIATION - OPERATIONS. There is hereby appropriated, to
 29 the Department of Health and Human Services - Division of Developmental
 30 Disabilities Services, to be payable from the paying account as determined by
 31 the Chief Fiscal Officer of the State, for personal services and operating
 32 expenses of the Department of Health and Human Services - Division of
 33 Developmental Disabilities Services for the biennial period ending June 30,
 34 2009, the following:

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36 ITEM FISCAL YEARS

1	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
2	(01) REGULAR SALARIES	\$ 68,400,289	\$ 69,905,368
3	(02) EXTRA HELP	4,178,972	4,178,972
4	(03) PERSONAL SERVICES MATCHING	25,339,232	25,665,639
5	(04) OVERTIME	511,308	511,308
6	(05) EXTRA SALARIES	9,000	9,000
7	(06) MAINT. & GEN. OPERATION		
8	(A) OPER. EXPENSE	17,072,559	17,157,689
9	(B) CONF. & TRAVEL	80,000	80,000
10	(C) PROF. FEES	298,698	298,698
11	(D) CAP. OUTLAY	1,112,830	655,700
12	(E) DATA PROC.	0	0
13	(07) GRANTS/PATIENT SERVICES	7,695,643	7,695,643
14	(08) FOSTER GRANDPARENTS STIPENDS	169,851	169,851
15	(09) DATA PROCESSING SERVICES	850,159	850,159
16	(10) VOCATIONAL TRAINEES	208,368	209,368
17	(11) CHILDREN AND ADOLESCENT SERVICES	67,529	67,529
18	(12) PURCHASE OF SERVICES	<u>5,979,255</u>	<u>7,137,859</u>
19	TOTAL AMOUNT APPROPRIATED	<u>\$ 131,973,693</u>	<u>\$ 134,592,783</u>

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21 SECTION 5. APPROPRIATION - SPECIAL OLYMPICS. There is hereby appropriated,
 22 to the Department of Health and Human Services - Division of Developmental
 23 Disabilities Services, to be payable from the Developmental Disabilities
 24 Services Fund Account, for grants to the Arkansas Special Olympics for the
 25 biennial period ending June 30, 2009, the following:

26

27	ITEM	FISCAL YEARS	
28	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
29	(01) GRANTS-SPECIAL OLYMPICS	<u>\$ 179,666</u>	<u>\$ 179,666</u>

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31 SECTION 6. APPROPRIATION - COMMUNITY PROGRAMS. There is hereby
 32 appropriated, to the Department of Health and Human Services - Division of
 33 Developmental Disabilities Services, to be payable from the Developmental
 34 Disabilities Services-Dog Track Special Revenue Fund, for expenses of the
 35 private non-profit community based programs licensed by the Department of
 36 Health and Human Services - Division of Developmental Disabilities Services

1 for the biennial period ending June 30, 2009, the following:

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ITEM	FISCAL YEARS	
NO.	2007-2008	2008-2009
(01) COMMUNITY PROGRAMS	<u>\$ 50,000</u>	<u>\$ 50,000</u>

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7 SECTION 7. APPROPRIATION - GRANTS-IN-AID. There is hereby appropriated, to

8 the Department of Health and Human Services - Division of Developmental

9 Disabilities Services, to be payable from the Developmental Disabilities

10 Services Fund Account, for grants-in-aid to the community providers of

11 services to the developmentally disabled of the Department of Health and

12 Human Services - Division of Developmental Disabilities Services for the

13 biennial period ending June 30, 2009, the following:

14

ITEM	FISCAL YEARS	
NO.	2007-2008	2008-2009
(01) GRANTS TO COMMUNITY PROVIDERS	<u>\$ 15,909,753</u>	<u>\$ 15,909,753</u>

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19 SECTION 8. APPROPRIATION - INTER-DIVISIONAL PROGRAMS. There is hereby

20 appropriated, to the Department of Health and Human Services - Division of

21 Developmental Disabilities Services, to be payable from the Developmental

22 Disabilities Services Fund Account, for integrated services and programs

23 developed by the various divisions, for services and programs developed in

24 conjunction with other state agencies and for the development and

25 implementation of an integrated case management system for the Department of

26 Health and Human Services for the biennial period ending June 30, 2009, the

27 following:

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ITEM	FISCAL YEARS	
NO.	2007-2008	2008-2009
(01) INTER-DIVISIONAL PROGRAMS	<u>\$ 441,469</u>	<u>\$ 441,469</u>

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33 SECTION 9. APPROPRIATION - GRANTS - STATE. There is hereby appropriated,

34 to the Department of Health and Human Services - Division of Developmental

35 Disabilities Services, to be payable from the Department of Human Services

36 Grants Fund Account, for grant payments of the Department of Health and Human

1 Services - Division of Developmental Disabilities Services for the biennial
2 period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) CHILDREN'S MEDICAL SERVICES	\$ 1,729,279	\$ 1,729,279

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8 SECTION 10. APPROPRIATION - GRANTS - FEDERAL. There is hereby
9 appropriated, to the Department of Health and Human Services - Division of
10 Developmental Disabilities Services, to be payable from the federal funds as
11 designated by the Chief Fiscal Officer of the State, for federally funded
12 grants of the Department of Health and Human Services - Division of
13 Developmental Disabilities Services for the biennial period ending June 30,
14 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) CHILDREN'S MEDICAL SERVICES-FEDERAL	\$ 1,377,338	\$ 1,377,338

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20 SECTION 11. APPROPRIATION. GRANTS - COMMUNITY PROVIDERS FOR MEDICAID
21 REIMBURSEMENTS. There is hereby appropriated, to the Department of Health
22 and Human Services - Division of Developmental Disabilities, to be payable
23 from the General Improvement Fund or its successor fund of fund accounts, the
24 following:

25 (A) For community based developmental disability services for children
26 and adults, the sum of.....\$100,000.

27
28 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
30 DEVELOPMENTAL DISABILITIES - GRANTS TO COMMUNITY BASED PROVIDERS. Funds
31 allocated under the appropriation for community-based services, for Grants to
32 Community Providers, in the Developmental Disabilities Services - Grants-in-
33 Aid appropriation in this act shall be used only to provide services through
34 private community based services licensed or certified by the Arkansas
35 Division of Developmental Disabilities Services (DDS). Non-profit community-
36 based programs licensed by the Division of Developmental Disabilities

1 Services are quasi-governmental instrumentalities of the state which provide
2 supports and services to individuals who have a developmental disability or
3 delay, who would otherwise require supports and services through state-
4 operated programs and facilities owned by the State of Arkansas. When DDS
5 licensed providers are involved in delivering services which are Medicaid
6 reimbursable, they must enroll as a provider with the Arkansas Medicaid
7 Program and must bill the Arkansas Medicaid Program for all covered services
8 for eligible individuals.

9 Services which are covered by the Arkansas State Medicaid Program or under
10 the Alternative Community Services Waiver Program (ACS) will be utilized to
11 the maximum extent possible for any individual who is eligible for Medicaid
12 coverage. It is the intent of this section that DDS, as a general policy,
13 maximize the use of Medicaid funding available for appropriate services.

14 The State shall require each provider funded from this Appropriation for
15 community based services, including funding from the Grants/Patient Services
16 Line, in the Developmental Disabilities Services - Operations appropriation,
17 or from the Grants to Community Providers Line, in the Developmental
18 Disabilities Services - Grants-in-Aid appropriation, to screen each
19 individual to whom services are provided for a determination of eligibility
20 or ineligibility for Medicaid coverage within thirty days of the first date
21 that services are provided. It is the intent of this section to insure that
22 wherever possible and appropriate, Medicaid funds are utilized for covered or
23 waived services to individuals who are eligible for coverage under the
24 Arkansas Medicaid Program or the ACS Waiver.

25 Nothing in this Act shall prevent the Division or any provider from
26 extending emergency services when appropriate measures have been taken in a
27 timely manner to secure Medicaid eligibility.

28 ~~In the event that components of community based services now funded~~
29 ~~from state and/or federal funds are extended to unserved or underserved areas~~
30 ~~of the state, or in the event that new services categories/codes are made~~
31 ~~available, to be funded from state and/or federal funds all non-profit~~
32 ~~community programs licensed by the Division of Developmental Disabilities~~
33 ~~Services shall be granted an opportunity to make application to expand their~~
34 ~~service base to unserved or underserved areas or shall be granted an~~
35 ~~opportunity to make application to offer new services that the State intends~~
36 ~~to offer. When the Division of Developmental Disabilities Services~~

~~determines that state and/or federal funding for new or expanded services are to be available, it shall provide written notice by certified mail of its intent to existing licensed providers who are already providing services. If no existing licensed providers respond in writing to Division of Developmental Disabilities Services within thirty days that they will provide the new or expanded services, Division of Developmental Disabilities Services shall provide notice to the general public that a new entity will be allowed to develop services and obtain licensure to provide the new or expanded services. Nothing in this Act shall restrict the Division's discretion to award new or expanded services to the existing community based service licensed providers making application for the same pursuant to this section. The intent of this section is to avoid unnecessary duplication of administrative costs and services in the extension or expansion of services.~~

The provisions of this section shall be in effect only from July 1, 2005 2007 through June 30, ~~2007~~ 2009.

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

DEVELOPMENTAL DISABILITIES - VOCATIONAL TRAINEES. The Division of Developmental Disabilities Services of the Department of Health and Human Services is hereby authorized for the ~~2005-2007~~ 2007-2009 biennium to provide employment opportunities for people with developmental disabilities residing at the Human Development Centers who work less than a competitive employment level.

The provisions of this section shall be in effect only from July 1, 2005 2007 through June 30, ~~2007~~ 2009.

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

DEVELOPMENTAL DISABILITIES - CARRY FORWARD. The unexpended balances in appropriations made from federal funds, for Developmental Disabilities, as provided for in this Act on June 30, ~~2006~~ 2008 shall be carried forward and made available for expenditures for the same purpose for the fiscal year ending June 30, ~~2007~~ 2009.

Any carry forward of unexpended balance of appropriation and/or funding as

1 authorized herein, may be carried forward under the following conditions:

2
3 (1) Prior to June 30, 2008 the Agency shall by written statement set forth
4 its reason(s) for the need to carry forward said appropriation and/or funding
5 to the Department of Finance and Administration Office of Budget;

6
7 (2) The Department of Finance and Administration Office of Budget shall
8 report to the Arkansas Legislative Council all amounts carried forward from
9 the first fiscal year of the biennium to the second fiscal year of the
10 biennium by the September Arkansas Legislative Council or Joint Budget
11 Committee meeting in the second fiscal year of the biennial period which
12 report shall include the name of the Agency, Board, Commission or Institution
13 and the amount of the appropriation and/or funding carried forward from the
14 first fiscal year to the second fiscal year, the program name or line item,
15 the funding source of that appropriation and a copy of the written request
16 set forth in (1) above;

17
18 (3) Each Agency, Board, Commission or Institution shall provide a written
19 report to the Arkansas Legislative Council or Joint Budget Committee
20 containing all information set forth in item (2) above, along with a written
21 statement as to the current status of the project, contract, purpose etc. for
22 which the carry forward was originally requested no later than thirty (30)
23 days prior to the time the Agency, Board, Commission or Institution presents
24 its budget request to the Arkansas Legislative Council/Joint Budget
25 Committee; and

26
27 (4) Thereupon, the Department of Finance and Administration shall include
28 all information obtained in item (3) above in the biennial budget manuals
29 and/or a statement of non-compliance by the Agency, Board, Commission or
30 Institution.

31 The provisions of this section shall be in effect only from July 1, 2005
32 2007 through June 30, 2007 2009.

33
34 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GRANTS IN
36 AID-CONDITIONS FOR RECEIVING FUNDS. Private nonprofit community based

1 programs licensed by the Department of Health and Human Services,
2 Developmental Disabilities Services, are eligible to receive funds
3 appropriated for Grants to Community Providers in the Developmental
4 Disabilities Services - Grants-in-Aid appropriation of this Act, and as a
5 condition of receiving such funds they shall:

6 1. Meet minimum standards of performance in the delivery of services to
7 people with disabilities as defined by the Department of Health and Human
8 Services, Developmental Disabilities Services.

9 2. Supply statistical and financial data to the Department of Health and
10 Human Services, Developmental Disabilities Services.

11 3. Establish and maintain a sound financial management system in
12 accordance with guidelines as set forth by the Department of Health and Human
13 Services.

14 4. Establish and maintain community support programs designed to provide
15 coordinated care and treatment to ensure ongoing involvement and
16 individualized services for persons with disabilities. Every community
17 support program shall provide services for persons with disabilities who
18 reside within the respective area of the program.

19 The provisions of this section shall be in effect only from July 1, 2005
20 2007 through June 30, ~~2007~~ 2009.

21
22 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
24 DEVELOPMENTAL DISABILITIES – ~~TIMBER AND LAND SALES PROCEEDS - CAPITAL~~
25 IMPROVEMENTS AND EQUIPMENT. The Division of Developmental Disabilities
26 Services is authorized to use the administrative operating ~~have cash fund~~
27 accounts for capital improvements to physical plants and for the purchase of
28 capital equipment., ~~and for the operation of the six human development~~
29 ~~centers operated by the Department of Human Services, Division of~~
30 ~~Developmental Disabilities Services.~~ The ~~cash~~ funds shall be held by the
31 Department of Health and Human Services, Division of Developmental
32 Disabilities Services from the proceeds of ~~the sale of land and~~ the sale of
33 timber that may be harvested from land owned by the Division of Developmental
34 Disabilities Services. All funds deposited and all expenses shall be tracked
35 separately. ~~The sale of land and the~~ harvesting of timber is specifically
36 authorized to provide funds to finance capital improvements to the physical

1 plants, for the purchase of major capital equipment., ~~and for the operation~~
2 ~~of any of the six human development centers from which the land or timber is~~
3 ~~sold.~~

4 The Division of Developmental Disabilities Services shall report all income
5 derived from ~~the sale of land and~~ timber management to the Chief Fiscal
6 Officer of the State and the Arkansas Legislative Council. Any contracts
7 initiated for ~~the sale of land or~~ the harvesting of timber shall be submitted
8 to the Review Subcommittee of the Arkansas Legislative Council for prior
9 review. All expenditures of funds derived from ~~the sale of land and~~ the sale
10 of timber will be expended in accordance with relevant state purchasing laws.

11 The provisions of this section shall be in effect only from July 1, ~~2005~~
12 2007 through June 30, ~~2007~~ 2009.

13
14 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HUMAN
16 DEVELOPMENT CENTERS AND COMMUNITY PROVIDERS.

17 (A) The Developmental Disabilities Services Board or the Department of
18 Health and Human Services shall not close any of the state administered Human
19 Development Centers that provide therapy and residential services.

20 (B) The Department of Health and Human Services shall continue to accept
21 clients for whom it has determined that therapy and residential services are
22 needed at state administered Human Development Centers and Community Programs
23 licensed by DDS shall continue to accept clients for whom it has been
24 determined in accordance with federal law that are in need of services in the
25 community.

26 (C) Except for use as federal matching funds, no funds for community based
27 services licensed by DDS shall be transferred from Grants to Community
28 Providers line item of the Developmental Disabilities Services - Grants-in-
29 Aid appropriation unless the transfer(s) directly benefits community based
30 services for persons with developmental disabilities or from the
31 appropriation for the Human Development Centers unless the transfer(s)
32 directly benefits the Human Development Centers.

33 (D) Nor shall any general revenue funding as of March 1, ~~2005~~ 2007 from the
34 Grants to Community Providers line item of the Developmental Disabilities
35 Services - Grants-in-Aid appropriation for persons with developmental
36 disabilities or from any other general revenues as of March 1, ~~2005~~ 2007,

1 applied as federal matching funds for community based services licensed by
2 DDS on March 1, ~~2005~~ 2007 be reduced below the approved funding level on
3 March 1, ~~2005~~ 2007; nor shall the general revenues applied as federal
4 matching funds for the Human Development Centers be reduced below the
5 approved funding level on March 1, ~~2005~~ 2007.

6
7 *SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*
8 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL*
9 *PROVISIONS FOR SHIFT DIFFERENTIAL AND WEEKEND PAY FOR PERSONNEL AT HUMAN*
10 *DEVELOPMENT CENTERS. SHIFT DIFFERENTIAL. Personnel employed in areas*
11 *providing critical support and care to Patient Units at the state operated*
12 *human development centers during evening and night shifts shall be eligible*
13 *to receive up to twenty percent (20%) of the hourly rate paid as a shift*
14 *differential. Personnel required to provide critical and support care to*
15 *client units during weekend hours shall be eligible to receive up to twenty*
16 *percent (20%) of the hourly rate paid as weekend differential. When*
17 *facilities use shifts other than traditional eight-hour shifts, shift*
18 *differential may be paid for those shifts exceeding the normal day shift of*
19 *the facility. When shift and weekend differentials are provided to employees*
20 *as herein described, the total compensation may exceed the maximum annual*
21 *rate for the assigned pay grade for those positions included in this Act.*

22
23 *The Agency shall identify the shift(s) and job classifications applicable for*
24 *the differential and the shift differential percentage for which each*
25 *classification is eligible within each shift. The shift schedule, job*
26 *classification listing and the percentage of shift differential for which the*
27 *job titles will be eligible shall be submitted to the Office of Personnel*
28 *Management for approval by the Chief Fiscal Officer of the State. Subsequent*
29 *changes to the shift schedule, job classifications and shift differential*
30 *percentages on file with OPM must receive prior approval by the Chief Fiscal*
31 *Officer of the State.*

32
33 *The provisions of this section shall be in effect only from July 1, 2007*
34 *through June 30, 2009.*

35
36 *SECTION 19. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized*

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

9
10 SECTION 20. LEGISLATIVE INTENT. It is the intent of the General Assembly
11 that any funds disbursed under the authority of the appropriations contained
12 in this act shall be in compliance with the stated reasons for which this act
13 was adopted, as evidenced by the Agency Requests, Executive Recommendations
14 and Legislative Recommendations contained in the budget manuals prepared by
15 the Department of Finance and Administration, letters, or summarized oral
16 testimony in the official minutes of the Arkansas Legislative Council or
17 Joint Budget Committee which relate to its passage and adoption.

18
19 SECTION 21. EMERGENCY CLAUSE. It is found and determined by the General
20 Assembly, that the Constitution of the State of Arkansas prohibits the
21 appropriation of funds for more than a two (2) year period; that the
22 effectiveness of this Act on July 1, 2007 is essential to the operation of
23 the agency for which the appropriations in this Act are provided, and that in
24 the event of an extension of the Regular Session, the delay in the effective
25 date of this Act beyond July 1, 2007 could work irreparable harm upon the
26 proper administration and provision of essential governmental programs.
27 Therefore, an emergency is hereby declared to exist and this Act being
28 necessary for the immediate preservation of the public peace, health and
29 safety shall be in full force and effect from and after July 1, 2007.

30
31 /s/ Joint Budget Committee

32
33 APPROVED: 4/5/2007
34
35
36