

Department of Finance and Administration

Legislative Impact Statement

Bill: HB1328

Bill Subtitle: TO REQUIRE THE DIVISION OF YOUTH SERVICES TO APPEAR BEFORE THE GENERAL ASSEMBLY FOR ALL CONTRACTS AND CONTRACT CHANGES; TO REQUIRE NOTICE TO BE GIVEN BEFORE CHANGES TO COMMUNITY-BASED PROVIDER CONTRACTS ARE MADE.

Basic Change :

Rep. Wilkins,

This bill would add a new section to Title 9, Chapter 28, Subchapter 7 to require all contracts and all contract changes between the Department of Human Services' Division of Youth Services and community-based providers be submitted for review before the Arkansas Legislative Council's (ALC) Administrative Rules and Regulations subcommittee.

Revenue Impact :

None

Taxpayer Impact :

None

Resources Required :

None

Time Required :

None

Procedural Changes :

None

Other Comments :

None

Legal Analysis :

There is no monetary threshold contained in the bill above which a contract or amendment requires Admin. Rules & Regs review. Thus, all contracts or modifications, no matter their significance, would be subject to this review.

The bill does not contain an exemption for Professional and Consultant Services (PCS) contracts, which already are subject to review by the ALC Review subcommittee. This bill, as a result, would require all PCS contracts & amendments with community-based providers to undergo two different levels of General Assembly review. Because these committees have varying and uncertain meeting dates, and because of the lack of any thresholds as mentioned above, the effect of this bill would be to substantially delay execution of these types of contracts and amendments.