

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

As Engrossed: S4/15/20

A Bill

SENATE BILL 58

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 THE
10 INSPECTOR GENERAL FOR THE FISCAL YEAR ENDING JUNE 30,
11 2021; AND FOR OTHER PURPOSES.
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Subtitle

14 AN ACT FOR THE DEPARTMENT OF THE
15 INSPECTOR GENERAL APPROPRIATION FOR THE
16 2020-2021 FISCAL YEAR.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. REGULAR SALARIES - SHARED SERVICES. There is hereby
23 established for the Department of the Inspector General for the 2020-2021
24 fiscal year, the following maximum number of regular employees.
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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2020-2021
(1)	SC009	SECRETARY OF INSPECTOR GENERAL	<u>1</u>	GRADE SE05
		MAX. NO. OF EMPLOYEES	1	

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33 SECTION 2. APPROPRIATION - SHARED SERVICES PAYING ACCOUNT. There is
34 hereby appropriated, to the Department of the Inspector General, to be
35 payable from the paying account as determined by the Chief Fiscal Officer of
36 the State with transfers from the State Central Services Fund, for personal



1 services and operating expenses of the Department of the Inspector General -
 2 Shared Services for the fiscal year ending June 30, 2021, the following:

4	ITEM	FISCAL YEAR
5	<u>NO.</u>	<u>2020-2021</u>
6	(01) REGULAR SALARIES	\$159,120
7	(02) PERSONAL SERVICES MATCHING	40,061
8	(03) MAINT. & GEN. OPERATION	
9	(A) OPER. EXPENSE	0
10	(B) CONF. & TRAVEL	0
11	(C) PROF. FEES	0
12	(D) CAP. OUTLAY	0
13	(E) DATA PROC.	0
14	(04) SHARED SERVICES PROGRAMS	<u>0</u>
15	TOTAL AMOUNT APPROPRIATED	<u>\$199,181</u>

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17 SECTION 3. REGULAR SALARIES - OPERATIONS - OFFICE OF MEDICAID INSPECTOR
 18 GENERAL. There is hereby established for the Department of the Inspector
 19 General - Office of Medicaid Inspector General for the 2020-2021 fiscal year,
 20 the following maximum number of regular employees.

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22			Maximum Annual
23		Maximum	Salary Rate
24	Item Class	No. of	Fiscal Year
25	<u>No. Code Title</u>	<u>Employees</u>	<u>2020-2021</u>
26	(1) U124U MEDICAID INSPECTOR GENERAL	1	GRADE SE03
27	(2) U125U INSPECTOR GENERAL CHIEF COUNSEL	1	GRADE SE01
28	(3) L009C NURSE MANAGER	1	GRADE MP03
29	(4) L027C REGISTERED NURSE SUPERVISOR	3	GRADE MP02
30	(5) L038C REGISTERED NURSE	3	GRADE MP01
31	(6) D056C SYSTEMS COORDINATION ANALYST	1	GRADE IT05
32	(7) N199N OMIG DEPUTY ADMINISTRATOR	1	GRADE GS14
33	(8) A115C OMIG CHIEF FINANCIAL OFFICER	1	GRADE GS12
34	(9) G249C OMIG PROGRAM ADMINISTRATOR	2	GRADE GS12
35	(10) G250C OMIG OPERATIONS MANAGER	1	GRADE GS11
36	(11) G073C ATTORNEY	1	GRADE GS10

1	(12)	M009C LICENSED CERTIFIED SOCIAL WORKER	1	GRADE GS09
2	(13)	G251C OMIG PROGRAM MANAGER	1	GRADE GS08
3	(14)	A113C OMIG SR. AUDITOR	10	GRADE GS08
4	(15)	C010C EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE GS07
5	(16)	X200C MEDICAID FRAUD INVESTIGATOR	1	GRADE GS07
6	(17)	C037C ADMINISTRATIVE ANALYST	1	GRADE GS06
7	(18)	R025C HUMAN RESOURCES ANALYST	1	GRADE GS06
8	(19)	G179C LEGAL SERVICES SPECIALIST	1	GRADE GS06
9	(20)	A114C OMIG AUDITOR	1	GRADE GS06
10	(21)	B076C RESEARCH PROJECT ANALYST	1	GRADE GS06
11	(22)	A101C ACCOUNTING TECHNICIAN	1	GRADE GS04
12	(23)	C046C LEGAL SUPPORT SPECIALIST	1	GRADE GS04
13	(24)	C073C ADMINISTRATIVE SPECIALIST II	<u>1</u>	GRADE GS03
14		MAX. NO. OF EMPLOYEES	<u>37</u>	

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16 SECTION 4. EXTRA HELP - OPERATIONS - OFFICE OF MEDICAID INSPECTOR

17 GENERAL. There is hereby authorized, for the Department of the Inspector
 18 General - Office of Medicaid Inspector General for the 2020-2021 fiscal year,
 19 the following maximum number of part-time or temporary employees, to be known
 20 as "Extra Help", payable from funds appropriated herein for such purposes:
 21 two (2) temporary or part-time employees, when needed, at rates of pay not to
 22 exceed those provided in the Uniform Classification and Compensation Act, or
 23 its successor, or this act for the appropriate classification.

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25 SECTION 5. APPROPRIATION - STATE OPERATIONS - OFFICE OF MEDICAID

26 INSPECTOR GENERAL. There is hereby appropriated, to the Department of the
 27 Inspector General, to be payable from the Miscellaneous Agencies Fund
 28 Account, for personal services and operating expenses of the Department of
 29 the Inspector General - Office of Medicaid Inspector General for the fiscal
 30 year ending June 30, 2021, the following:

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32	ITEM	FISCAL YEAR
33	<u>NO.</u>	<u>2020-2021</u>
34	(01) REGULAR SALARIES	\$851,539
35	(02) EXTRA HELP	4,999
36	(03) PERSONAL SERVICES MATCHING	268,134

1	(04) MAINT. & GEN. OPERATION	
2	(A) OPER. EXPENSE	152,500
3	(B) CONF. & TRAVEL	3,400
4	(C) PROF. FEES	2,800
5	(D) CAP. OUTLAY	12,500
6	(E) DATA PROC.	<u>0</u>
7	TOTAL AMOUNT APPROPRIATED	<u><u>\$1,295,872</u></u>

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9 SECTION 6. APPROPRIATION - FEDERAL OPERATIONS - OFFICE OF MEDICAID

10 INSPECTOR GENERAL. There is hereby appropriated, to the Department of the

11 Inspector General, to be payable from the federal funds as designated by the

12 Chief Fiscal Officer of the State, for personal services and operating

13 expenses of the Department of the Inspector General - Office of Medicaid

14 Inspector General for the fiscal year ending June 30, 2021, the following:

16	ITEM	FISCAL YEAR
17	<u>NO.</u>	<u>2020-2021</u>
18	(01) REGULAR SALARIES	\$1,151,535
19	(02) EXTRA HELP	5,001
20	(03) PERSONAL SERVICES MATCHING	365,616
21	(04) MAINT. & GEN. OPERATION	
22	(A) OPER. EXPENSE	185,494
23	(B) CONF. & TRAVEL	3,800
24	(C) PROF. FEES	2,800
25	(D) CAP. OUTLAY	12,500
26	(E) DATA PROC.	<u>0</u>
27	TOTAL AMOUNT APPROPRIATED	<u><u>\$1,726,746</u></u>

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29 SECTION 7. APPROPRIATION - ENTERPRISE FRAUD PROGRAM - STATE - OFFICE OF

30 MEDICAID INSPECTOR GENERAL. There is hereby appropriated, to the Department

31 of the Inspector General, to be payable from the Miscellaneous Agencies Fund

32 Account, for personal services and operating expenses of the Enterprise Fraud

33 Program of the Department of the Inspector General - Office of Medicaid

34 Inspector General for the fiscal year ending June 30, 2021, the following:

36	ITEM	FISCAL YEAR
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1	<u>NO.</u>	<u>2020-2021</u>
2	(01) ENTERPRISE FRAUD PROGRAM	<u>\$900,000</u>

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4 SECTION 8. APPROPRIATION - ENTERPRISE FRAUD PROGRAM - FEDERAL - OFFICE
5 OF MEDICAID INSPECTOR GENERAL. There is hereby appropriated, to the
6 Department of the Inspector General, to be payable from the federal funds as
7 designated by the Chief Fiscal Officer of the State, for personal services
8 and operating expenses of the Enterprise Fraud Program of the Department of
9 the Inspector General - Office of Medicaid Inspector General for the fiscal
10 year ending June 30, 2021, the following:

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12	ITEM	FISCAL YEAR
13	<u>NO.</u>	<u>2020-2021</u>
14	(01) ENTERPRISE FRAUD PROGRAM	<u>\$3,600,000</u>

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16 SECTION 9. APPROPRIATION - CASH OPERATIONS - OFFICE OF MEDICAID
17 INSPECTOR GENERAL. There is hereby appropriated, to the Department of the
18 Inspector General, to be payable from the cash fund deposited in the State
19 Treasury as determined by the Chief Fiscal Officer of the State, for personal
20 services and operating expenses of the Department of the Inspector General -
21 Office of Medicaid Inspector General for the fiscal year ending June 30,
22 2021, the following:

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24	ITEM	FISCAL YEAR
25	<u>NO.</u>	<u>2020-2021</u>
26	(01) REGULAR SALARIES	\$170,945
27	(02) PERSONAL SERVICES MATCHING	54,954
28	(03) MAINT. & GEN. OPERATION	
29	(A) OPER. EXPENSE	16,675
30	(B) CONF. & TRAVEL	6,710
31	(C) PROF. FEES	1,200
32	(D) CAP. OUTLAY	0
33	(E) DATA PROC.	<u>0</u>
34	TOTAL AMOUNT APPROPRIATED	<u>\$250,484</u>

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36 SECTION 10. REGULAR SALARIES - ARKANSAS FAIR HOUSING COMMISSION. There

1 is hereby established for the Department of the Inspector General - Arkansas
 2 Fair Housing Commission for the 2020-2021 fiscal year, the following maximum
 3 number of regular employees.

Item	Class	Maximum	Maximum Annual
No.	Code Title	No. of	Salary Rate
		Employees	Fiscal Year
			2020-2021
9	(1) N177N AFHC DIRECTOR	1	GRADE GS14
10	(2) G076C ADMINISTRATIVE SERVICES MANAGER	1	GRADE GS10
11	(3) X112C AFHC CHIEF INVESTIGATOR	1	GRADE GS07
12	(4) C010C EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE GS07
13	(5) X150C AFHC INVESTIGATOR	5	GRADE GS06
14	(6) A074C FISCAL SUPPORT SUPERVISOR	1	GRADE GS06
15	(7) G180C GRANTS ANALYST	1	GRADE GS06
16	(8) P027C PUBLIC INFORMATION SPECIALIST	<u>1</u>	GRADE GS06
17	MAX. NO. OF EMPLOYEES	6	

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 19 SECTION 11. EXTRA HELP - ARKANSAS FAIR HOUSING COMMISSION. There is
 20 hereby authorized, for the Department of the Inspector General - Arkansas
 21 Fair Housing Commission for the 2020-2021 fiscal year, the following maximum
 22 number of part-time or temporary employees, to be known as "Extra Help",
 23 payable from funds appropriated herein for such purposes: two (2) temporary
 24 or part-time employees, when needed, at rates of pay not to exceed those
 25 provided in the Uniform Classification and Compensation Act, or its
 26 successor, or this act for the appropriate classification.

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 28 SECTION 12. APPROPRIATION - ARKANSAS FAIR HOUSING COMMISSION. There is
 29 hereby appropriated, to the Department of the Inspector General, to be
 30 payable from the Miscellaneous Agencies Fund Account, for personal services
 31 and operating expenses of the Department of the Inspector General - Arkansas
 32 Fair Housing Commission for the fiscal year ending June 30, 2021, the
 33 following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>

1	(01)	REGULAR SALARIES	\$326,587
2	(02)	EXTRA HELP	40,000
3	(03)	PERSONAL SERVICES MATCHING	106,674
4	(04)	MAINT. & GEN. OPERATION	
5	(A)	OPER. EXPENSE	250,000
6	(B)	CONF. & TRAVEL	58,000
7	(C)	PROF. FEES	57,007
8	(D)	CAP. OUTLAY	0
9	(E)	DATA PROC.	0
10	(05)	PUBLIC EDUCATION	<u>899</u>
11		TOTAL AMOUNT APPROPRIATED	<u><u>839,167</u></u>

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13 SECTION 13. APPROPRIATION - EDUCATION - TRUST - ARKANSAS FAIR HOUSING
 14 COMMISSION. There is hereby appropriated, to the Department of the Inspector
 15 General, to be payable from the Arkansas Fair Housing Commission Trust Fund,
 16 for operating expenses of the Department of the Inspector General - Arkansas
 17 Fair Housing Commission for the fiscal year ending June 30, 2021, the
 18 following:

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20	ITEM	FISCAL YEAR
21	<u>NO.</u>	<u>2020-2021</u>
22	(01) MAINT. & GEN. OPERATION	
23	(A) OPER. EXPENSE	\$115,000
24	(B) CONF. & TRAVEL	55,000
25	(C) PROF. FEES	0
26	(D) CAP. OUTLAY	0
27	(E) DATA PROC.	<u>0</u>
28	TOTAL AMOUNT APPROPRIATED	<u><u>\$170,000</u></u>

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30 SECTION 14. REGULAR SALARIES - INTERNAL AUDIT. There is hereby
 31 established for the Department of the Inspector General - Internal Audit for
 32 the 2020-2021 fiscal year, the following maximum number of regular employees.

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34		Maximum Annual
35		Salary Rate
36	Item Class	No. of Fiscal Year

No.	Code	Title	Employees	2020-2021
(1)	N219N	DFA ADMINISTRATOR-INTERNAL AUDIT	1	GRADE SE02
(2)	A010C	AGENCY CONTROLLER II	1	GRADE GS13
(3)	A044C	AUDIT COORDINATOR	4	GRADE GS10
(4)	A081C	AUDITOR	<u>1</u>	GRADE GS07
		MAX. NO. OF EMPLOYEES	7	

SECTION 15. APPROPRIATION - INTERNAL AUDIT - OPERATIONS. There is hereby appropriated, to the Department of the Inspector General, to be payable from the State Central Services Fund, for personal services and operating expenses of the Department of the Inspector General - Internal Audit - Operations for the fiscal year ending June 30, 2021, the following:

ITEM NO.		FISCAL YEAR
		2020-2021
(01)	REGULAR SALARIES	\$563,659
(02)	PERSONAL SERVICES MATCHING	164,752
(03)	MAINT. & GEN. OPERATION	
	(A) OPER. EXPENSE	51,542
	(B) CONF. & TRAVEL	3,500
	(C) PROF. FEES	40,000
	(D) CAP. OUTLAY	0
	(E) DATA PROC.	0
(04)	DATA PROCESSING SERVICES	<u>50,000</u>
	TOTAL AMOUNT APPROPRIATED	<u><u>\$873,453</u></u>

SECTION 16. REGULAR SALARIES - INVESTIGATIONS. There is hereby established for the Department of the Inspector General for the 2020-2021 fiscal year, the following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year
				2020-2021
(1)	G250C	OMIG OPERATIONS MANAGER	1	GRADE GS11
(2)	X112C	AFHC CHIEF INVESTIGATOR	1	GRADE GS07

1	(3) X200C MEDICAID FRAUD INVESTIGATOR	1	GRADE GS07
2	(4) X150C AFHC INVESTIGATOR	<u>5</u>	GRADE GS06
3	MAX. NO. OF EMPLOYEES	8	

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SECTION 17. APPROPRIATION - INVESTIGATIONS. There is hereby appropriated, to the Department of the Inspector General, to be payable from the paying account as determined by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Department of the Inspector General - Investigations for the fiscal year ending June 30, 2021, the following:

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ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>
(01) REGULAR SALARIES	\$352,047
(02) PERSONAL SERVICES MATCHING	121,503
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	0
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$473,550</u></u>

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SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS FAIR HOUSING COMMISSION PROMOTIONAL ITEMS. Upon approval of the Chief Fiscal Officer of the State, the Arkansas Fair Housing Commission is hereby authorized to transfer appropriation from Operating Expenses to Promotional Items in the Education-Trust Appropriation provided by this Act in an amount not to exceed eight thousand dollars (\$8,000) each fiscal year to meet the Commission's educational needs. The provisions of this section shall be in effect only from July 1, ~~2019~~ 2020 through June 30, ~~2020~~ 2021.

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SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SHARED SERVICES.

1 (a)(1)(A) The Chief Fiscal Officer of the State may create paying
2 accounts on his or her books and on the books of the Treasurer of State and
3 the Auditor of State for the payment of personal services and operating
4 expenses by the Department of the Inspector General.

5 (B) Upon prior approval of the Arkansas Legislative Council, or
6 if meeting in Legislative Session the Joint Budget Committee, the Chief
7 Fiscal Officer of the State shall direct the transfer of funds and
8 appropriations to the Shared Services Paying Account appropriation section of
9 this act and the transfer of positions to the Regular Salaries – Shared
10 Services appropriation section of this act on the books of the Treasurer of
11 State, the Auditor of State, and the Chief Fiscal Officer of the State.

12 (2) The transfer authority provided in subdivision (a)(1) of
13 this section for efficiencies and to eliminate duplication of services are
14 limited only to those services that are provided for multiple divisions of a
15 department, including without limitation to administration, human resources,
16 procurement, communications, fleet operations, and information services.

17 (3) The transfer authority provided to the department in
18 subdivision (a)(1) of this section may be used to make transfers only within
19 the department's appropriation act or between other appropriation acts
20 authorized for the department.

21 (b)(1) Each department utilizing the Shared Services Paying Account
22 section or Regular Salaries – Shared Services section of this act shall
23 submit a report to be included in the Budget Manuals for hearings, conducted
24 by the General Assembly, listing all shared services transfers of positions,
25 funds, and appropriation under this section, which shall be submitted as
26 instructed by the Department of Finance and Administration - Office of Budget
27 for uniformity.

28 (2) A report submitted under subdivision (b)(1) of this section
29 shall include the following:

30 (A) The position number, authorized position title, class
31 code, grade, business area, and name of the division, section, or unit for
32 the position being transferred to the Regular Salaries – Shared Services
33 section of this act; and

34 (B) The fund center, appropriation, appropriation amount,
35 commitment item or items, business area, and name of the division, section,
36 or unit for the fund or appropriation being transferred to the Shared

1 Services Paying Account.

2 (c)(1) It is the intent of the Ninety-Second General Assembly that the
3 authority under this section to transfer positions is intended for use for
4 the time period prior to Fiscal Year 2022 to allow cabinet-level departments
5 to establish a centralized Regular Salaries - Shared Services section, with
6 the recommendation that the position transfer authority granted under this
7 section be discontinued after that time.

8 (2) The Bureau of Legislative Research shall bring the
9 recommendation in subdivision (c)(1) of this section to the attention of the
10 chairs conducting the 2021 Regular Session pre-session budget hearings, the
11 chairs of the Special Language Subcommittee, and the members of the Special
12 Language Subcommittee during pre-session budget hearings.

13 (d) Determining the maximum number of employees and the maximum amount
14 of appropriation and general revenue funding for a cabinet-level department
15 each fiscal year is the prerogative of the General Assembly and is usually
16 accomplished by delineating the maximums in the appropriation act or acts and
17 establishing authorized positions and the general revenue allocations
18 authorized for each fund and fund account by amendment to the Revenue
19 Stabilization Law. Further, the General Assembly has determined that the
20 cabinet-level departments created under Acts 2019, No. 910, may operate more
21 efficiently if some flexibility is provided as authorized under this section.
22 Therefore, it is both necessary and appropriate that the General Assembly
23 maintain oversight by requiring prior approval of the Legislative Council or,
24 if the General Assembly is in session, the Joint Budget Committee, as
25 provided by this section. The requirement of approval by the Legislative
26 Council or Joint Budget Committee is not a severable part of this section.
27 If the requirement of approval by the Legislative Council or Joint Budget
28 Committee is ruled unconstitutional by a court of competent jurisdiction,
29 this entire section is void.

30 (e) The provisions of this section shall be in effect from the date of
31 passage through June 30, 2021.

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33 SECTION 20. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
34 authorized by this act shall be limited to the appropriation for such agency
35 and funds made available by law for the support of such appropriations; and
36 the restrictions of the State Procurement Law, the General Accounting and

1 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
2 Procedures and Restrictions Act, or their successors, and other fiscal
3 control laws of this State, where applicable, and regulations promulgated by
4 the Department of Finance and Administration, as authorized by law, shall be
5 strictly complied with in disbursement of said funds.

6
7 SECTION 21. LEGISLATIVE INTENT. It is the intent of the General
8 Assembly that any funds disbursed under the authority of the appropriations
9 contained in this act shall be in compliance with the stated reasons for
10 which this act was adopted, as evidenced by the Agency Requests, Executive
11 Recommendations and Legislative Recommendations contained in the budget
12 manuals prepared by the Department of Finance and Administration, letters, or
13 summarized oral testimony in the official minutes of the Arkansas Legislative
14 Council or Joint Budget Committee which relate to its passage and adoption.

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

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29 */s/Joint Budget Committee*
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