

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

As Engrossed: S2/1/21 S3/15/21

A Bill

SENATE BILL 38

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 HUMAN
10 SERVICES - DIVISION OF AGING, ADULT, AND BEHAVIORAL
11 HEALTH SERVICES FOR THE FISCAL YEAR ENDING JUNE 30,
12 2022; AND FOR OTHER PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE DEPARTMENT OF HUMAN
16 SERVICES - DIVISION OF AGING, ADULT, AND
17 BEHAVIORAL HEALTH SERVICES APPROPRIATION
18 FOR THE 2021-2022 FISCAL YEAR.
19
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. REGULAR SALARIES - STATE OPERATIONS. There is hereby
25 established for the Department of Human Services - Division of Aging, Adult,
26 and Behavioral Health Services for the 2021-2022 fiscal year, the following
27 maximum number of regular employees.
28

Item	Class		Maximum	Maximum Annual
No.	Code	Title	No. of	Salary Rate
			Employees	Fiscal Year
				2021-2022
33	(1)	N221N ARKANSAS STATE HOSPITAL COO	1	GRADE SE03
34	(2)	N181N DIRECTOR OF MEDICAL SERVICES	1	GRADE SE02
35	(3)	N019N DHS DEP DIR BEHAV HLTH SERVICES	1	GRADE SE01
36	(4)	N027N DHS DEPUTY DIRECTOR ADULT SERVICES	1	GRADE SE01



1	(5)	L005N PSYCHIATRIC SPECIALIST	1	GRADE MP08
2	(6)	L011N DENTIST	1	GRADE MP06
3	(7)	L009N DHS BEHAV HLTH GENERAL PHYSICIAN	4	GRADE MP06
4	(8)	L014N DIRECTOR OF PHARMACY	1	GRADE MP06
5	(9)	L013N GENERAL PHYSICIAN	1	GRADE MP06
6	(10)	L016N REGISTERED PHARMACIST	3	GRADE MP05
7	(11)	L105C AHC NURSING DIRECTOR	1	GRADE MP04
8	(12)	L001C PSYCHOLOGIST SUPERVISOR	1	GRADE MP04
9	(13)	L006C ASSOCIATE DIRECTOR OF NURSING	3	GRADE MP03
10	(14)	L009C NURSE MANAGER	8	GRADE MP03
11	(15)	L003C PSYCHOLOGIST	4	GRADE MP03
12	(16)	L015C CLINICAL SPEECH PATHOLOGIST	1	GRADE MP02
13	(17)	L036C NURSE INSTRUCTOR	1	GRADE MP02
14	(18)	L027C REGISTERED NURSE SUPERVISOR	30	GRADE MP02
15	(19)	L038C REGISTERED NURSE	81	GRADE MP01
16	(20)	L032C REGISTERED NURSE - HOSPITAL	61	GRADE MP01
17	(21)	N103N DHS MENTAL HEALTH CENTER DIRECTOR	1	GRADE GS14
18	(22)	N124N DHS/DYS ASSISTANT DIVISION DIRECTOR	1	GRADE GS14
19	(23)	N128N DHS ASST DIR QUALITY ASSURANCE	1	GRADE GS13
20	(24)	M002C DHS BEHAV HLTH ASSOC DIR, AHC	1	GRADE GS13
21	(25)	G277C DHS PROCESS IMPROVEMENT DIRECTOR	1	GRADE GS13
22	(26)	N127N DHS/DBHS DIR ALCOHOL & DRUG ABUSE PREV	1	GRADE GS13
23	(27)	G004C MANAGING ATTORNEY	1	GRADE GS13
24	(28)	G101C DHS AREA MANAGER	1	GRADE GS12
25	(29)	N152N DHS/DBHS ASSISTANT DIR ADMIN SVCS	1	GRADE GS12
26	(30)	G047C ATTORNEY SPECIALIST	1	GRADE GS11
27	(31)	L011C DHS ALCHL/DRUG ABUSE PREV ASST DEP DIR	2	GRADE GS11
28	(32)	G027N DHS RESEARCH ANALYSIS MANAGER	1	GRADE GS11
29	(33)	N153N DHS/DBHS CLINICAL DIRECTOR	1	GRADE GS11
30	(34)	G076C ADMINISTRATIVE SERVICES MANAGER	1	GRADE GS10
31	(35)	G100C DHS COUNTY ADMINISTRATOR III	1	GRADE GS10
32	(36)	L024C DHS BEHAV HLTH FACILITY ADMIN	1	GRADE GS09
33	(37)	G099C DHS PROGRAM ADMINISTRATOR	10	GRADE GS09
34	(38)	L040C DIETARY SERVICES DIRECTOR	1	GRADE GS09
35	(39)	G109C GRANTS MANAGER	3	GRADE GS09
36	(40)	M009C LICENSED CERTIFIED SOCIAL WORKER	29	GRADE GS09

1	(41)	M014C PROGRAM ELIGIBILITY COORDINATOR III	1	GRADE GS09
2	(42)	L033C PSYCHOLOGICAL EXAMINER	1	GRADE GS09
3	(43)	E035C CERTIFIED MASTERS TEACHER	1	GRADE GS08
4	(44)	L050C CERTIFIED RESPIRATORY THERAPY TECH	4	GRADE GS08
5	(45)	T031C DHS BEHAV HLTH PUBLIC SAFETY DIR	1	GRADE GS08
6	(46)	M016C DHS FIELD MANAGER	5	GRADE GS08
7	(47)	G152C DHS PROGRAM MANAGER	6	GRADE GS08
8	(48)	G083C DHS/DAAS DIVISION MANAGER	1	GRADE GS08
9	(49)	E026C EDUCATION & INSTRUCTION COORDINATOR	1	GRADE GS08
10	(50)	M010C FAMILY SERVICE WORKER CLINICAL SPEC	1	GRADE GS08
11	(51)	S004C MAINTENANCE MANAGER	1	GRADE GS08
12	(52)	E029C SIGN LANGUAGE COORDINATOR	1	GRADE GS08
13	(53)	E023C TRAINING PROJECT MANAGER	1	GRADE GS08
14	(54)	G131C DHS BEHAV HLTH MED BUS PRACTICES ADMIN	1	GRADE GS07
15	(55)	G183C DHS PROGRAM COORDINATOR	25	GRADE GS07
16	(56)	G153C DHS/DAAS PROGRAM SUPERVISOR	2	GRADE GS07
17	(57)	L055C DIETICIAN	1	GRADE GS07
18	(58)	L062C LICENSED PRACTICAL NURSE SUPERVISOR	12	GRADE GS07
19	(59)	M026C LICENSED SOCIAL WORKER	5	GRADE GS07
20	(60)	M025C PROGRAM ELIGIBILITY COORDINATOR I	1	GRADE GS07
21	(61)	L052C REHAB FACILITY SUPERVISOR	2	GRADE GS07
22	(62)	A072C RESEARCH & STATISTICS MANAGER	1	GRADE GS07
23	(63)	A063C RESEARCH & STATISTICS SUPERVISOR	1	GRADE GS07
24	(64)	M049C SENIOR CHAPLAIN	1	GRADE GS07
25	(65)	C037C ADMINISTRATIVE ANALYST	9	GRADE GS06
26	(66)	M045C ADULT PROTECTIVE SERVICES WORKER	39	GRADE GS06
27	(67)	E044C CERTIFIED BACHELORS TEACHER	3	GRADE GS06
28	(68)	L044C DHS BEHAV HLTH CASE REVIEW ANALYST	1	GRADE GS06
29	(69)	G184C DHS PROGRAM CONSULTANT	2	GRADE GS06
30	(70)	G210C DHS PROGRAM SPECIALIST	3	GRADE GS06
31	(71)	G198C DHS/DAAS PROGRAM SPECIALIST	3	GRADE GS06
32	(72)	T052C DHS/DBHS PUBLIC SAFETY SUPERVISOR	4	GRADE GS06
33	(73)	G180C GRANTS ANALYST	3	GRADE GS06
34	(74)	X101C INTERNAL AFFAIRS INVESTIGATOR	1	GRADE GS06
35	(75)	G179C LEGAL SERVICES SPECIALIST	2	GRADE GS06
36	(76)	L069C LICENSED PRACTICAL NURSE	118	GRADE GS06

1	(77)	S033C MAINTENANCE SUPERVISOR	2	GRADE GS06
2	(78)	G124C OMBUDSMAN	1	GRADE GS06
3	(79)	G178C POLICY DEVELOPMENT COORDINATOR	1	GRADE GS06
4	(80)	M066C PROGRAM ELIGIBILITY SPECIALIST	6	GRADE GS06
5	(81)	L103C PSYCHOLOGICAL EVALUATOR	3	GRADE GS06
6	(82)	X136C QUALITY ASSURANCE REVIEWER	2	GRADE GS06
7	(83)	C026C RECORDS/INTAKE SUPERVISOR	2	GRADE GS06
8	(84)	L051C REHABILITATION COUNSELOR	2	GRADE GS06
9	(85)	B076C RESEARCH PROJECT ANALYST	2	GRADE GS06
10	(86)	S022C SKILLED TRADES SUPERVISOR	8	GRADE GS06
11	(87)	G202C VOLUNTEER PROGRAM COORDINATOR	1	GRADE GS06
12	(88)	S021C WATER FILTER/WASTE DISPOSAL PLNT SUPV	1	GRADE GS06
13	(89)	C050C ADMINISTRATIVE SUPPORT SUPERVISOR	1	GRADE GS05
14	(90)	S041C BOILER OPERATOR	4	GRADE GS05
15	(91)	A091C FISCAL SUPPORT ANALYST	1	GRADE GS05
16	(92)	C030C HEALTH RECORDS SPECIALIST	1	GRADE GS05
17	(93)	D077C HELP DESK SPECIALIST	2	GRADE GS05
18	(94)	A090C PAYROLL SERVICES SPECIALIST	1	GRADE GS05
19	(95)	T055C PUBLIC SAFETY OFFICER	20	GRADE GS05
20	(96)	M065C RECREATIONAL ACTIVITY SUPERVISOR	4	GRADE GS05
21	(97)	L066C REHABILITATION INSTRUCTOR	36	GRADE GS05
22	(98)	S031C SKILLED TRADESMAN	25	GRADE GS05
23	(99)	V018C WAREHOUSE MANAGER	1	GRADE GS05
24	(100)	S030C WATER FILTER/WASTE DISPOSAL PLNT OPER	2	GRADE GS05
25	(101)	C056C ADMINISTRATIVE SPECIALIST III	37	GRADE GS04
26	(102)	X167C COMPLAINTS INVESTIGATOR	1	GRADE GS04
27	(103)	L102C DIETETIC SPECIALIST	2	GRADE GS04
28	(104)	S044C FOOD PREPARATION MANAGER	1	GRADE GS04
29	(105)	V020C INVENTORY CONTROL MANAGER	3	GRADE GS04
30	(106)	B111C LABORATORY TECHNICIAN	3	GRADE GS04
31	(107)	C043C RECORDS MANAGEMENT ANALYST	4	GRADE GS04
32	(108)	T072C SECURITY OFFICER SUPERVISOR	1	GRADE GS04
33	(109)	V023C STOREROOM SUPERVISOR	1	GRADE GS04
34	(110)	L074C THERAPY ASSISTANT	3	GRADE GS04
35	(111)	V025C WAREHOUSE SPECIALIST	1	GRADE GS04
36	(112)	C073C ADMINISTRATIVE SPECIALIST II	8	GRADE GS03

1	(113)	M084C BEHAV HLTH AIDE	75	GRADE GS03
2	(114)	L082C CERTIFIED NURSING ASSISTANT	156	GRADE GS03
3	(115)	S056C FOOD PREPARATION SUPERVISOR	8	GRADE GS03
4	(116)	S067C HOUSEKEEPER SUPERVISOR	1	GRADE GS03
5	(117)	V027C INVENTORY CONTROL TECHNICIAN	5	GRADE GS03
6	(118)	C074C MEDICAL RECORDS ASSISTANT	1	GRADE GS03
7	(119)	T084C PUBLIC SAFETY SECURITY OFFICER	59	GRADE GS03
8	(120)	C087C ADMINISTRATIVE SPECIALIST I	5	GRADE GS02
9	(121)	S070C EQUIPMENT TECHNICIAN	4	GRADE GS02
10	(122)	S085C FOOD PREPARATION SPECIALIST	7	GRADE GS02
11	(123)	S084C INSTITUTIONAL SERVICES SUPERVISOR	4	GRADE GS02
12	(124)	M076C RECREATIONAL ACTIVITY LEADER II	25	GRADE GS02
13	(125)	V030C SHIPPING & RECEIVING CLERK	1	GRADE GS02
14	(126)	E056C TEACHER ASSISTANT	4	GRADE GS02
15	(127)	V028C WAREHOUSE WORKER	2	GRADE GS02
16	(128)	S089C FOOD PREPARATION TECHNICIAN	31	GRADE GS01
17	(129)	S087C INSTITUTIONAL SERVICES ASSISTANT	49	GRADE GS01
18	(130)	L086C PHARMACY ASSISTANT	2	GRADE GS01
19	(131)	M082C RECREATIONAL ACTIVITY LEADER I	<u>3</u>	GRADE GS01
20		MAX. NO. OF EMPLOYEES	1,167	

21

22 SECTION 2. EXTRA HELP - STATE OPERATIONS. There is hereby authorized,
 23 for the Department of Human Services - Division of Aging, Adult, and
 24 Behavioral Health Services for the 2021-2022 fiscal year, the following
 25 maximum number of part-time or temporary employees, to be known as "Extra
 26 Help", payable from funds appropriated herein for such purposes: three
 27 hundred forty-seven (347) temporary or part-time employees, when needed, at
 28 rates of pay not to exceed those provided in the Uniform Classification and
 29 Compensation Act, or its successor, or this act for the appropriate
 30 classification.

31

32 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby
 33 appropriated, to the Department of Human Services, to be payable from the
 34 paying account as determined by the Chief Fiscal Officer of the State, for
 35 personal services and operating expenses of the Department of Human Services
 36 - Division of Aging, Adult, and Behavioral Health Services for the fiscal

1 year ending June 30, 2022, the following:

2		
3	ITEM	FISCAL YEAR
4	<u>NO.</u>	<u>2021-2022</u>
5	(01) REGULAR SALARIES	\$50,688,060
6	(02) EXTRA HELP	5,764,305
7	(03) PERSONAL SERVICES MATCHING	19,836,392
8	(04) OVERTIME	4,212,006
9	(05) MAINT. & GEN. OPERATION	
10	(A) OPER. EXPENSE	28,828,027
11	(B) CONF. & TRAVEL	159,913
12	(C) PROF. FEES	10,431,280
13	(D) CAP. OUTLAY	0
14	(E) DATA PROC.	0
15	(06) FOSTER GRANDPARENT PROGRAM	<u>340,135</u>
16	TOTAL AMOUNT APPROPRIATED	<u>\$120,260,118</u>

17

18 SECTION 4. APPROPRIATION - AGING AND ADULT SERVICES - OPERATIONS.

19 There is hereby appropriated, to the Department of Human Services, to be
 20 payable from the paying account as determined by the Chief Fiscal Officer of
 21 the State, for operating expenses, grants, and programs for aging and adult
 22 services of the Department of Human Services - Division of Aging, Adult, and
 23 Behavioral Health Services for the fiscal year ending June 30, 2022, the
 24 following:

25

26	ITEM	FISCAL YEAR
27	<u>NO.</u>	<u>2021-2022</u>
28	(01) NURSING HOME CARE ALTERNATIVES	\$4,802,025
29	(02) NUTRITION PROGRAMS	18,929,216
30	(03) OLDER WORKER PROGRAM	1,052,665
31	(04) PROJECT GRANTS	14,491,416
32	(05) RETIRED & SENIOR VOLUNTEER PROGRAM	75,000
33	(06) SENIOR CITIZEN CENTERS	<u>8,000,000</u>
34	TOTAL AMOUNT APPROPRIATED	<u>\$47,350,322</u>

35

36 SECTION 5. APPROPRIATION - COMMUNITY ALCOHOL SAFETY OPERATIONS. There

1 is hereby appropriated, to the Department of Human Services, to be payable
2 from the Highway Safety Special Fund, for grant payments of the Department of
3 Human Services - Division of Aging, Adult, and Behavioral Health Services for
4 the fiscal year ending June 30, 2022, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2021-2022</u>
(01) COMMUNITY ALCOHOL SAFETY GRANTS AND AID	<u>\$2,416,834</u>

11 SECTION 6. APPROPRIATION - PATIENT BENEFITS - CASH. There is hereby
12 appropriated, to the Department of Human Services, to be payable from the
13 cash fund deposited in the State Treasury as determined by the Chief Fiscal
14 Officer of the State, for benefits of the patients of the Department of Human
15 Services - Division of Aging, Adult, and Behavioral Health Services for the
16 fiscal year ending June 30, 2022, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2021-2022</u>
(01) PATIENT BENEFIT FUND	<u>\$34,676</u>

22 SECTION 7. APPROPRIATION - MENTAL HEALTH GRANTS. There is hereby
23 appropriated, to the Department of Human Services, to be payable from the
24 paying account as determined by the Chief Fiscal Officer of the State, for
25 grant payments of the Department of Human Services - Division of Aging,
26 Adult, and Behavioral Health Services for the fiscal year ending June 30,
27 2022, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2021-2022</u>
(01) MENTAL HEALTH GRANTS AND AID	<u>\$43,672,554</u>

33 SECTION 8. APPROPRIATION - ALCOHOL AND DRUG ABUSE PREVENTION. There is
34 hereby appropriated, to the Department of Human Services, to be payable from
35 the Drug Abuse Prevention and Treatment Fund, for education, drug abuse
36 prevention, and treatment services of the Department of Human Services -

1 Division of Aging, Adult, and Behavioral Health Services for the fiscal year
2 ending June 30, 2022, the following:

3		
4	ITEM	FISCAL YEAR
5	<u>NO.</u>	<u>2021-2022</u>
6	(01) EDUCATION/PREVENTION/TREATMENT	<u>\$40,513,788</u>

7
8 SECTION 9. APPROPRIATION - COMMUNITY BASED CRISIS INTERVENTION. There
9 is hereby appropriated, to the Department of Human Services, to be payable
10 from the Behavioral Health Services Fund Account, for grants and operating
11 expenses related to crisis intervention of the Department of Human Services -
12 Division of Aging, Adult, and Behavioral Health Services for the fiscal year
13 ending June 30, 2022, the following:

14		
15	ITEM	FISCAL YEAR
16	<u>NO.</u>	<u>2021-2022</u>
17	(01) CRISIS INTERVENTION GRANTS AND AID	<u>\$5,000,000</u>

18
19 SECTION 10. APPROPRIATION - MEALS ON WHEELS. There is hereby
20 appropriated, to the Department of Human Services, to be payable from the
21 Aging and Adult Services Fund Account, for the Meals on Wheels Program and
22 transportation services for the elderly of the Department of Human Services -
23 Division of Aging, Adult, and Behavioral Health Services for the fiscal year
24 ending June 30, 2022, the following:

25		
26	ITEM	FISCAL YEAR
27	<u>NO.</u>	<u>2021-2022</u>
28	(01) TRANSPORTATION SERVICES	<u>\$2,400,000</u>

29
30 SECTION 11. APPROPRIATION - ARKANSAS SENIOR OLYMPICS. There is hereby
31 appropriated, to the Department of Human Services, to be payable from the
32 Behavioral Health Services Fund Account, for matching funds for the Arkansas
33 Senior Olympics of the Department of Human Services - Division of Aging,
34 Adult, and Behavioral Health Services for the fiscal year ending June 30,
35 2022, the following:

36

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2021-2022</u>
(01) STATE MATCH	<u>\$70,000</u>

SECTION 12. APPROPRIATION - VETERANS MENTAL HEALTH GRANT PROGRAM. There is hereby appropriated, to the Department of Human Services, to be payable from the paying account as determined by the Chief Fiscal Officer of the State, for a grant program to veterans service organizations to support veterans and their families by the Department of Human Services - Division of Aging, Adult, and Behavioral Health Services for the fiscal year ending July 30, 2022, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2021-2022</u>
(01) VETERANS MENTAL HEALTH GRANT PROGRAM	<u>\$5,000,000</u>

SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BEHAVIORAL HEALTH SERVICES - FEDERAL FUNDS. It is the specific intent of the General Assembly that in the event of the availability of federal funding for the Division of Aging, Adult, and Behavioral Health Services during the fiscal year ending June 30, ~~2021~~ 2022, that such funding be utilized to conserve or reduce the expenditure of general revenue except where prohibited by law.

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

SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BEHAVIORAL HEALTH SERVICES. Pay rates for physicians and chief psychologists within the Division of Aging, Adult, and Behavioral Health Services may include the special allowances available to UAMS physicians and professional faculty as described in the special language of the UAMS appropriation. Part of the salaries of such staff will come from the receipt of professional income in the care of patients and/or funds received from federal agencies, foundations and other private sponsors in the support of research. Provided

1 that any such allowance shall not exceed, for any employee, an amount equal
2 to two and one half times the salary authorized by the General Assembly. The
3 specific Division of Aging, Adult, and Behavioral Health Services
4 classifications covered by this language are:

5 Class

6 Code Title

7 L005N Psychiatric Specialist

8 L009N DHS Behavioral Health General Physician

9 L001C Psychologist Supervisor

10 Prior to these allowances being made available for an individual, they
11 will be approved by the Chief Fiscal Officer of the State and reviewed by the
12 Personnel Committee of the Arkansas Legislative Council or the Joint Budget
13 Committee.

14 The provisions of this section shall be in effect only from July 1, ~~2020~~
15 2021 through June 30, ~~2021~~ 2022.

16

17 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

19 BEHAVIORAL HEALTH SERVICES - VOCATIONAL TRAINEES. The Division of Aging,
20 Adult, and Behavioral Health Services of the Department of Human Services is
21 hereby authorized to provide employment opportunities for some of the working
22 residents who are separate from the currently authorized regular vocational
23 trainee positions. The positions authorized herein shall not be incorporated
24 into the present classification system but shall be provided for by each
25 Community Mental Health Center or the State Hospital, on a cash account
26 basis. It is the intent of the General Assembly that the authorization of
27 these positions shall facilitate the Agency's ability to provide for
28 residents who are not part of a regular vocational training program.

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

31

32 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

34 BEHAVIORAL HEALTH SERVICES - JOB SHARE. The Division of Aging, Adult, and
35 Behavioral Health Services can utilize job share for positions within the
36 nursing classification (RN, LPN/LPTN, BHA/CNA) for up to 24 hours per week

1 per individual. This will allow the Division to offer weekend option shifts
2 to nursing personnel without increasing the number of positions.

3 The provisions of this section shall be in effect only from July 1, ~~2020~~
4 2021 through June 30, ~~2021~~ 2022.

5
6 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

8 BEHAVIORAL HEALTH SERVICES - STATE HOSPITAL CONTINGENCY POSITIONS. If the
9 Department of Human Services determines, and after prior review by the
10 Legislative Council or Joint Budget Committee, it shall be determined that it
11 is in the best interest of the State of Arkansas to discontinue a management
12 contract with a private provider and it is deemed necessary to utilize
13 Department staff to provide the required services, the ~~Director~~ Secretary of
14 the Department of Human Services may request the ~~Department of Finance and~~
15 ~~Administration~~ Department of Transformation and Shared Services to approve
16 the establishment of one or more additional positions at salary rates not to
17 exceed the maximum salaries established for comparable positions in the
18 Uniform Classification and Compensation Act, the Department of Human
19 Services' Appropriation Act, and the University of Arkansas for Medical
20 Sciences' Appropriation Act. Upon approval by the ~~Department of Finance and~~
21 ~~Administration~~ Department of Transformation and Shared Services and after
22 review by the Legislative Council or Joint Budget Committee, the Department
23 of Human Services - Division of Aging, Adult, and Behavioral Health Services
24 may establish such positions.

25 If the agency requests continuation of a "Growth Pool" position(s) as
26 established herein, the position(s) must be requested as a new position(s) in
27 the agency's budget request.

28 The provisions of this section shall be in effect only from July 1, ~~2020~~
29 2021 through June 30, ~~2021~~ 2022.

30
31 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS
33 HEALTH CENTER. (A) The Department of Human Services shall not close the
34 Arkansas Health Center that provides skilled nursing through specialized
35 services and programs.

36 (B) The Department of Human Services shall continue to accept clients for

1 whom it has determined that skilled nursing and specialized services are
2 needed at the Arkansas Health Center.

3 (C) No funds shall be transferred or reduced from the Arkansas Health
4 Center, except for use as federal matching funds, below the approved funding
5 level on March 1, 2003 without the prior approval of the Arkansas Legislative
6 Council or the Joint Budget Committee.

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

23 The provisions of this section shall be in effect only from July 1, ~~2020~~
24 2021 through June 30, ~~2021~~ 2022.

25

26 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA
28 HELP – BEHAVIORAL HEALTH SERVICES. Employees in extra-help positions at the
29 Department of Human Services – Division of Aging, Adult, and Behavioral
30 Health Services may receive an amount not to exceed eighty-five percent (85%)
31 of the maximum annual salary for a comparable position as authorized under §
32 21-5-201 et seq. during any fiscal year, nor shall such an employee be
33 employed for a period of time to exceed one thousand eight hundred (1,800)
34 hours in any single fiscal year.

35 The provisions of this section shall be in effect only from July 1, ~~2020~~
36 2021 through June 30, ~~2021~~ 2022.

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2 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
4 BEHAVIORAL HEALTH SERVICES - PROCEEDS FOR SALES OF TIMBER AND HAY - CAPITAL
5 IMPROVEMENTS AND EQUIPMENT. The Division of Aging, Adult, and Behavioral
6 Health Services is authorized to use the administrative operating account for
7 capital improvements to the physical plant, and for the purchase of capital
8 equipment, and for the operation of the Arkansas Health Center, operated by
9 the Department of Human Services - Division of Aging, Adult, and Behavioral
10 Health Services. The funds shall be held by the Department of Human Services
11 - Division of Aging, Adult, and Behavioral Health Services, from the proceeds
12 of the sale of timber and hay that may be harvested from land owned by the
13 Division of Aging, Adult, and Behavioral Health Services. All funds deposited
14 and all expenses shall be tracked separately. The harvesting of timber and
15 hay is specifically authorized to provide funds to finance capital
16 improvements to the physical plant, for the purchase of major capital
17 equipment, and for the operation of the Arkansas Health Center. The Division
18 of Aging, Adult, and Behavioral Health Services shall report all income
19 derived from the sale of timber and hay to the Chief Fiscal Officer of the
20 State and the Legislative Council or Joint Budget Committee. Any contracts
21 initiated for the harvesting of timber and hay shall be submitted to the
22 Review Subcommittee of the Arkansas Legislative Council or Joint Budget
23 Committee for prior review. All expenditures of funds derived from the sale
24 of timber and hay will be expended in accordance with relevant state
25 purchasing laws.

26 The provisions of this section shall be in effect only from July 1, ~~2020~~
27 2021 through June 30, ~~2021~~ 2022.

28
29 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL
31 RATES OF PAY AND EMPLOYMENT WORK DAYS. For employees hired on or after July
32 1, 2013, at the Arkansas State Hospital in the classifications listed below,
33 the Division of Aging, Adult, and Behavioral Health Services Director shall
34 implement salary adjustments utilizing the approved pay grid for teachers
35 employed by the Arkansas Schools for the Blind and Deaf.

36 To achieve the salary adjustments, the Division of Aging, Adult, and

1 Behavioral Health Services is authorized to pay special rates of pay for
 2 classifications at the Arkansas State Hospital listed below:

3	Classification	Title	Grade
4	E035C	Certified Masters Teacher	GS08
5	E044C	Certified Bachelors Teacher	GS06

6 Funding for the minimum compensation provided for in this section that
 7 is supported in whole or in part from general revenues, shall, if required,
 8 be provided by a transfer from the Performance Fund to the proper fund or
 9 fund account and in such amounts as determined by the Chief Fiscal Officer of
 10 the State. The Division of Aging, Adult, and Behavioral Health Services
 11 shall in addition to the funds provided in this Act for Annual Career Service
 12 Recognition Payments from the Performance Fund, make available any funding
 13 generated from agency salary savings for such purposes from the funds or fund
 14 accounts as provided by law.

15 For employees hired on or after July 1, 2013, at the Arkansas State
 16 Hospital in the classifications listed above, the Division of Aging, Adult,
 17 and Behavioral Health Services Director shall set the number of work days for
 18 the employment year to equal the number of days worked by those employed in
 19 the same classifications at the Arkansas Schools for the Blind and Deaf. The
 20 accrual, use, and carryover of sick days, personal days, and holidays of the
 21 employees at the Arkansas State Hospital that are hired on or after July 1,
 22 2013, or current employees choosing to adopt this plan, shall be treated in
 23 the same manner as those employed in the same classifications at the Arkansas
 24 Schools for the Blind and Deaf.

25 Those currently employed at the Arkansas State Hospital in the
 26 classifications listed above as of June 30, 2013, have the one-time option of
 27 adopting this language or continuing to operate under the same salary, leave
 28 and benefit plans they are currently receiving. Employees must make their
 29 decision by June 30, 2013.

30 Accrued annual and holiday leave, up to 240 hours, as of June 30,
 31 2013, will be paid out to current employees choosing to adopt this plan. Any
 32 additional accrued annual and holiday leave will be forfeited. Accrued sick
 33 leave, as of June 30, 2013, shall be retained on file and shall be exhausted
 34 before any newly accrued sick leave may be taken.

35 All employees affected by this section shall be eligible to receive
 36 hazardous duty pay for time worked in eligible areas.

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

3
4 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
6 FORWARD - COMMUNITY BASED CRISIS INTERVENTION. Any unexpended balance of
7 funds allocated for Community Based Crisis Intervention in the Department of
8 Human Services - Division of Aging, Adult, and Behavioral Health Services
9 from the Behavioral Health Services Fund Account which remains at the close
10 of each state fiscal year shall be carried forward to the next state fiscal
11 year to be used for the same intent and purposes as set forth in law. Any
12 carry forward of unexpended balance of funding as authorized herein may be
13 carried forward under the following conditions:

14 (1) Prior to June 30, ~~2020~~ 2021, the Agency shall, by written
15 statement, set forth its reason(s) for the need to carry forward said funding
16 to the Department of Finance and Administration Office of Budget;

17 (2) The Department of Finance and Administration Office of Budget shall
18 report to the Arkansas Legislative Council all amounts carried forward by the
19 September Arkansas Legislative Council or Joint Budget Committee meeting
20 which report shall include the name of the Agency, Board, Commission or
21 Institution and the amount of the funding carried forward, the program name
22 or line item, the funding source of that appropriation and a copy of the
23 written request set forth in (1) above;

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

32 (4) Thereupon, the Department of Finance and Administration shall
33 include all information obtained in item (3) above in the budget manuals
34 and/or a statement of non-compliance by the Agency, Board, Commission or
35 Institution.

36 The provisions of this section shall be in effect only from July 1,

1 ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

2

3 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND
5 ADULT SERVICES - MATCHING FUNDS. The funds appropriated for state match for
6 the Arkansas Senior Olympics Program in this Act shall be paid on a two-to-
7 one state/local matching basis. The Senior Arkansas Sports Organization must
8 certify its portion of the match to the Division of Aging, Adult, and
9 Behavioral Health Services before any funds appropriated for state match for
10 the Arkansas Senior Olympics Program in this Act are disbursed.

11 The provisions of this section shall be in effect only from July 1, ~~2020~~
12 2021 through June 30, ~~2021~~ 2022.

13

14 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND
16 ADULT SERVICES - STATE MATCH AUTHORIZED. The ~~Director~~ Secretary of the
17 Department of Human Services is authorized to use State funds appropriated in
18 this Act to match Federal funds available under Title III and Title V of the
19 Older Americans Act, Social Services Block Grant, or such other federal funds
20 as may become available.

21 The provisions of this section shall be in effect only from July 1, ~~2020~~
22 2021 through June 30, ~~2021~~ 2022.

23

24 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND
26 ADULT SERVICES - GRANT/CONTRACT DISBURSEMENT GUIDELINES. All appropriations
27 for state and federal funding contained herein for Aging and Adult Services
28 and that are distributed under grant or contract methodologies may be
29 disbursed by the Department of Human Services in the same manner as
30 authorized under federal regulations for the disbursement of Title III Older
31 Americans Act funds. Otherwise, all disbursements shall comply with the
32 provisions of this Act.

33 The provisions of this section shall be in effect only from July 1, ~~2020~~
34 2021 through June 30, ~~2021~~ 2022.

35

36 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND
2 ADULT SERVICES - NURSING HOME CARE ALTERNATIVES. Funding for "Nursing Home
3 Care Alternatives", as it appears in the Aging and Adult Services -
4 Operations appropriation may be used for home delivered meals, adult day
5 care, homemaker/chore, respite care, personal care, health promotion, and
6 other community-based activities. These funds may also be used to match
7 Medicaid community-based programs.

8 The provisions of this section shall be in effect only from July 1, ~~2020~~
9 2021 through June 30, ~~2021~~ 2022.

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11 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SENIOR
13 CITIZEN CENTERS. The appropriation in this act for Senior Citizen Centers
14 shall be distributed in the same manner as the funding formula requirements
15 set out in the federal Older Americans Act funding law. The additional
16 funding provided by this provision shall supplement and not supplant any
17 monies currently funding services for Senior Citizen Centers.

18 The requirements in this section shall only be implemented in accordance
19 with any necessary approval by the Centers for Medicare and Medicaid Services
20 and in the event that additional general revenue funding is provided by the
21 General Assembly for these purposes. Should additional funding provided for
22 these purposes be insufficient to provide for the increases in full, the
23 increases shall be provided to the extent that funding is made available.

24 The provisions of this section shall be in effect only from July 1, ~~2020~~
25 2021 through June 30, ~~2021~~ 2022.

26
27 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
29 FORWARD OF UNOBLIGATED GENERAL REVENUE FUNDS FOR SENIOR CITIZEN CENTERS. (a)
30 On June 30, 2019, or as soon as is practicable to determine funds available
31 as authorized in this Section, and each fiscal year thereafter the Chief
32 Fiscal Officer of the State shall cause to be transferred on his or her books
33 and those of the State Treasurer and Auditor of State the balance of
34 unobligated general revenue funds, excluding funds carried forward for other
35 purposes, remaining in the Fund or Fund Accounts and the corresponding paying
36 accounts as determined by the Chief Fiscal Officer of the State, as set out

1 in subsection (b) herein, to the Department of Human Services - Division of
2 Aging, Adult, and Behavioral Health Services paying account to be used
3 exclusively for the disbursement of funds for Senior Citizen Centers in the
4 amount of recouped and recovered general revenue not to exceed five hundred
5 thousand dollars (\$500,000).

6 (b) Any unobligated general revenue, excluding funds carried forward for
7 other purposes, remaining in the following Fund or Fund Accounts and the
8 corresponding paying accounts at the end of the Fiscal Year that would
9 normally be transferred into the General Revenue Allotment Reserve Fund as
10 recouped or recovered General Revenue shall be transferred as authorized in
11 subsection (a) herein:

- 12 (1) Department of Human Services Administration Fund Account;
- 13 (2) Children and Family Services Fund Account;
- 14 (3) Child Care and Early Childhood Education Fund Account;
- 15 (4) Youth Services Fund Account;
- 16 (5) Developmental Disabilities Services Fund Account;
- 17 (6) Medical Services Fund Account;
- 18 (7) Behavioral Health Services Fund Account;
- 19 (8) County Operations Fund Account; and
- 20 (9) Provider Services and Quality Assurance Fund Account.

21 (c)(1) Any general revenue recouped or recovered as authorized in
22 subsections (a) and (b) herein shall be carried forward to the following
23 fiscal year for Senior Citizen Centers and shall be distributed in the same
24 manner as the funding formula requirements set out in the federal Older
25 Americans Act funding law.

26 (2) The additional funding provided by this provision shall supplement
27 and not supplant any monies currently funding services for Senior Citizen
28 Centers.

29 (d) Should additional funding provided for in subsections (a) and (b)
30 herein be insufficient to provide for the full five hundred thousand dollars
31 (\$500,000) authorized, the increases shall be provided to the extent that
32 general revenue is recouped and carried forward.

33 (e)(1) The Department of Human Services shall provide a written report to
34 the Department of Finance and Administration Budget Office, the Arkansas
35 Legislative Council or Joint Budget Committee the total amount of general
36 revenue carried forward and distributed as set forth in this section no later

1 than thirty (30) days prior to the time the Department presents its budget
2 request to the Legislative Council or Joint Budget Committee.

3 (2) The Department of Finance and Administration shall include all
4 information obtained in subsection (e)(1) herein in the budget manual
5 submitted to the Arkansas Legislative Council or Joint Budget Committee for
6 the Department.

7
8 SECTION 29. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
9 authorized by this act shall be limited to the appropriation for such agency
10 and funds made available by law for the support of such appropriations; and
11 the restrictions of the State Procurement Law, the General Accounting and
12 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
13 Procedures and Restrictions Act, or their successors, and other fiscal
14 control laws of this State, where applicable, and regulations promulgated by
15 the Department of Finance and Administration, as authorized by law, shall be
16 strictly complied with in disbursement of said funds.

17
18 SECTION 30. LEGISLATIVE INTENT. It is the intent of the General
19 Assembly that any funds disbursed under the authority of the appropriations
20 contained in this act shall be in compliance with the stated reasons for
21 which this act was adopted, as evidenced by the Agency Requests, Executive
22 Recommendations and Legislative Recommendations contained in the budget
23 manuals prepared by the Department of Finance and Administration, letters, or
24 summarized oral testimony in the official minutes of the Arkansas Legislative
25 Council or Joint Budget Committee which relate to its passage and adoption.

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

1 and safety shall be in full force and effect from and after July 1, 2021.

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/s/Joint Budget Committee