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(OTHER BUSINESS)

Stricken language will be deleted and underlined language will be added.

1 State of Arkansas  
2 88th General Assembly  
3 Regular Session, 2011

As Engrossed: H3/4/11  
**A Bill**

HOUSE BILL 1542

4  
5 By: Representative *Tyler*  
6

7 **For An Act To Be Entitled**

8 AN ACT TO MAKE AN APPROPRIATION *FOR PERSONAL*  
9 *SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS*  
10 *SCIENCE AND TECHNOLOGY AUTHORITY - OFFICE OF*  
11 *HEALTH INFORMATION TECHNOLOGY FOR THE FISCAL YEAR*  
12 ENDING JUNE 30, 2012; AND FOR OTHER PURPOSES.  
13

14  
15 **Subtitle**

16 AN ACT FOR THE ARKANSAS SCIENCE AND  
17 TECHNOLOGY AUTHORITY - *OFFICE OF HEALTH*  
18 *INFORMATION TECHNOLOGY* APPROPRIATION FOR  
19 THE 2011-2012 FISCAL YEAR.  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 *SECTION 1. REGULAR SALARIES. There is hereby established for the*  
25 *Arkansas Science and Technology Authority - Office of Health Information*  
26 *Technology for the 2011-2012 fiscal year, the following maximum number of*  
27 *regular employees.*  
28

			<i>Maximum Annual</i>	
			<i>Maximum</i>	<i>Salary Rate</i>
<i>Item</i>	<i>Class</i>		<i>No. of</i>	<i>Fiscal Year</i>
<i>No.</i>	<i>Code</i>	<i>Title</i>	<i>Employees</i>	<i>2011-2012</i>
33	<i>(1) U121U</i>	<i>HEALTH INFORMATION TECH DIRECTOR</i>	<i>1</i>	<i>\$122,232</i>
34	<i>(2) N174N</i>	<i>HEALTH INFO TECH POLICY DIRECTOR</i>	<i>1</i>	<i>GRADE N908</i>
35	<i>(3) D007C</i>	<i>INFORMATION SYSTEMS MANAGER</i>	<i>1</i>	<i>GRADE C128</i>
36	<i>(4) G241C</i>	<i>HEALTH INFO TECH OPER &amp; TECH OFFICER</i>	<i>1</i>	<i>GRADE C128</i>



1	(5) D022C SYSTEMS SPECIALIST	1	GRADE C124
2	(6) D044C SYSTEMS ANALYST	1	GRADE C122
3	(7) P013C PUBLIC INFORMATION COORDINATOR	1	GRADE C120
4	(8) D061C INFO SYSTEMS COORDINATION SPEC	1	GRADE C119
5	(9) G159C DEPARTMENT BUSINESS COORDINATOR	1	GRADE C119
6	(10) C010C EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE C118
7	(11) G178C POLICY DEVELOPMENT COORDINATOR	<u>1</u>	GRADE C117
8	MAX. NO. OF EMPLOYEES	11	

SECTION 2. APPROPRIATION - OFFICE OF HEALTH INFORMATION TECHNOLOGY - FEDERAL OPERATIONS. There is hereby appropriated, to the Arkansas Science and Technology Authority, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Arkansas Science and Technology Authority - Office of Health Information Technology - Federal Operations for the fiscal year ending June 30, 2012, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2011-2012</u>
(01) REGULAR SALARIES	\$710,000
(02) PERSONAL SERV MATCHING	220,100
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	500,000
(B) CONF. & TRAVEL	25,000
(C) PROF. FEES	100,000
(D) CAP. OUTLAY	100,000
(E) DATA PROC.	0
(04) HIT EXPENSES AND GRANTS	<u>5,644,900</u>
TOTAL AMOUNT APPROPRIATED	<u>\$7,300,000</u>

SECTION 3. APPROPRIATION - OFFICE OF HEALTH INFORMATION TECHNOLOGY - HEALTH INFORMATION EXCHANGE - STATE. There is hereby appropriated, to the Arkansas Science and Technology Authority, to be payable from the Health Information Technology Fund, for personal services, state match, operating expenses and program matching grants by the Arkansas Science and Technology Authority - Office of Health Information Technology for the fiscal year

1 ending June 30, 2012, the following:

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<i>ITEM</i>	<i>FISCAL YEAR</i>
<u><i>NO.</i></u>	<u><i>2011-2012</i></u>
5 <i>(01) STATE HEALTH INFORMATION EXCHANGE,</i> 6 <i>COOPERATIVE PERSONAL SERVICES,</i> 7 <i>STATE MATCH, OPERATING EXPENSES,</i> 8 <i>PROGRAM MATCHING GRANTS</i>	<u><u><i>\$1,500,000</i></u></u>

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10 *SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*  
 11 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND*  
 12 *TRANSFER PROVISION. At the close of the fiscal year ending June 30, 2011,*  
 13 *any unexpended balance of funds remaining in the Miscellaneous Agencies Fund*  
 14 *Account for the DFA-Health Information Exchange Program shall be transferred*  
 15 *to the Health Information Technology Fund to provide state match for the*  
 16 *Federal – Health Information Technology Program.*

17 *The provisions of this section shall be in effect only from July 1,*  
 18 *2011 through June 30, 2012.*

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20 *SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds*  
 21 *authorized by this act shall be limited to the appropriation for such agency*  
 22 *and funds made available by law for the support of such appropriations; and*  
 23 *the restrictions of the State Procurement Law, the General Accounting and*  
 24 *Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary*  
 25 *Procedures and Restrictions Act, or their successors, and other fiscal*  
 26 *control laws of this State, where applicable, and regulations promulgated by*  
 27 *the Department of Finance and Administration, as authorized by law, shall be*  
 28 *strictly complied with in disbursement of said funds.*

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30 *SECTION 6. LEGISLATIVE INTENT. It is the intent of the General*  
 31 *Assembly that any funds disbursed under the authority of the appropriations*  
 32 *contained in this act shall be in compliance with the stated reasons for*  
 33 *which this act was adopted, as evidenced by the Agency Requests, Executive*  
 34 *Recommendations and Legislative Recommendations contained in the budget*  
 35 *manuals prepared by the Department of Finance and Administration, letters, or*  
 36 *summarized oral testimony in the official minutes of the Arkansas Legislative*

1 Council or Joint Budget Committee which relate to its passage and adoption.

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3 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General  
4 Assembly, that the Constitution of the State of Arkansas prohibits the  
5 appropriation of funds for more than a one (1) year period; that the  
6 effectiveness of this Act on July 1, 2011 is essential to the operation of  
7 the agency for which the appropriations in this Act are provided, and that in  
8 the event of an extension of the legislative session, the delay in the  
9 effective date of this Act beyond July 1, 2011 could work irreparable harm  
10 upon the proper administration and provision of essential governmental  
11 programs. Therefore, an emergency is hereby declared to exist and this Act  
12 being necessary for the immediate preservation of the public peace, health  
13 and safety shall be in full force and effect from and after July 1, 2011.

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*/s/Lindsey*

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1 State of Arkansas  
2 88th General Assembly  
3 Regular Session, 2011

# A Bill

HOUSE BILL 1768

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5 By: Representative D. Hutchinson  
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## For An Act To Be Entitled

8 AN ACT CONCERNING STATE AGENCY PERSONNEL CHANGES DUE  
9 TO A SHORTAGE OF FUNDS; TO DECLARE AN EMERGENCY; AND  
10 FOR OTHER PURPOSES.  
11

12

## Subtitle

13 CONCERNING STATE AGENCY PERSONNEL CHANGES  
14 DUE TO A SHORTAGE OF FUNDS AND TO DECLARE  
15 AND EMERGENCY.  
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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21 SECTION 1. TEMPORARY LANGUAGE - DO NOT CODIFY. (a) As used in this  
22 act, "state agency" means:

- 23 (1) The Department of Education;  
24 (2) The Department of Correction;  
25 (3) The Department of Community Correction;  
26 (4) The Department of Health;  
27 (5) The Department of Human Services; and  
28 (6) An institution of higher education.

29 (b) For the fiscal year beginning July 1, 2011, and ending June 30,  
30 2012, a state agency that elects to terminate employees or eliminate  
31 employment positions due to a shortage of funds available to the state agency  
32 shall not, solely on the basis of a shortage of funds available to the state  
33 agency:

- 34 (1) Terminate an employee whose primary job function is to  
35 interact with members of the public; or  
36 (2) Eliminate a position with a primary function of interacting



1 with the public.

2 (c) If a state agency elects to terminate employees or eliminate  
3 employment positions due to a shortage of funds available to the state  
4 agency, the state agency shall:

5 (1) Terminate employees in management positions who do not  
6 interact with the public as a primary function of their job; or

7 (2) Eliminate management positions for which interaction with  
8 the public is not a primary function of the job.

9 (d) This section does not prohibit a state agency from terminating an  
10 employee or eliminating an employment position for reasons other than a  
11 shortage of funds available to the state agency.

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13 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the  
14 General Assembly of the State of Arkansas that this act concerns personnel  
15 decisions by state agencies due to a shortage of available funds during the  
16 fiscal year beginning July 1, 2011; and that this act should become effective  
17 at the beginning of the fiscal year to be operative throughout its effective  
18 period. Therefore, an emergency is declared to exist and this act being  
19 necessary for the preservation of the public peace, health, and safety shall  
20 become effective on July 1, 2011.

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