

ARKANSAS SENATE
91st General Assembly - Fiscal Session, 2018
Amendment Form

DRAFT

Subtitle of Senate Bill No. 30

AN ACT FOR THE DEPARTMENT OF HUMAN SERVICES - DIVISION OF MEDICAL SERVICES
APPROPRIATION FOR THE 2018-2019 FISCAL YEAR.

Amendment No. ____ to Senate Bill No. 30

Amend Senate Bill No. 30 as originally introduced:

On page 12, immediately following SECTION 14, insert the following:

" SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL, AND TEMPORARY LAW. USE OF APPROPRIATION FOR ARKANSAS WORKS PROGRAM.

(a) As used in this section, "Arkansas Works Program" means the Arkansas Works Program established under the Arkansas Works Act of 2016, § 23-61-1001 et seq.

(b)(1) Determining the maximum number of employees, the maximum amount of appropriation, for what purposes an appropriation is authorized, and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly.

(2) The purposes of subdivision (b)(1) of this section are typically accomplished by:

(A) Identifying the purpose in the appropriation act;

(B) Delineating such maximums in the appropriation act for a state agency; and

(C) Delineating the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization Law, § 19-5-101 et seq.

(3) It is both necessary and appropriate that the General Assembly restrict the use of appropriations authorized in this act.

(c)(1) Except as provided in subdivision (c)(2) of this section, on and after December 31, 2018, the Department of Human Services shall not allocate, budget, expend, or utilize appropriations under this act for services, coverage, or premium assistance for persons enrolled in the Arkansas Works Program after December 31, 2018.

(2) The department may renew enrollment for an individual enrolled in the Arkansas Works Program before December 31, 2018, if the individual meets and has continuously met all eligibility requirements and the Federal Medical Assistance Percentage for the enrollees does not drop

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below the percentages established by section 1905(y) of the Social Security Act, 42 U.S.C. § 1396d, as it existed on January 1, 2018, or by the rules of the department.

(d) An appropriation authorized by this act is not subject to the provisions allowed through reallocation of resources or transfer-of-appropriation authority if the reallocation or transfer results in transferring an appropriation to any other appropriation authorized for the department to be allocated, budgeted, expended, or utilized for services, coverage, or premium assistance in the Arkansas Works Program that is prohibited by this section.

(e) The department shall submit and seek approval for appropriate state plan amendments or federal waivers, or both, to eliminate the eligibility for qualified family members and individuals as described under 42 C.F.R. § 435.119, as it existed on January 1, 2018. "

AND

Appropriately renumber subsequent SECTION numbers of the bill.

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator B. King

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Secretary

State of Arkansas
91st General Assembly
Fiscal Session, 2018

A Bill

SENATE BILL 30

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
AND OPERATING EXPENSES FOR THE DEPARTMENT OF HUMAN
SERVICES - DIVISION OF MEDICAL SERVICES FOR THE
FISCAL YEAR ENDING JUNE 30, 2019; AND FOR OTHER
PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF HUMAN
SERVICES - DIVISION OF MEDICAL SERVICES
APPROPRIATION FOR THE 2018-2019 FISCAL
YEAR.

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

SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established
for the Department of Human Services - Division of Medical Services for the
2018-2019 fiscal year, the following maximum number of regular employees.

		Maximum Annual	
		Maximum	Salary Rate
		No. of	Fiscal Year
Item	Class		
No.	Code Title	Employees	2018-2019
(1)	N181N DIRECTOR OF MEDICAL SERVICES	1	GRADE SE02
(2)	L016N REGISTERED PHARMACIST	4	GRADE MP05
(3)	L009C NURSE MANAGER	1	GRADE MP03
(4)	L020C NURSING SERVICES UNIT MANAGER	1	GRADE MP02
(5)	L027C REGISTERED NURSE SUPERVISOR	3	GRADE MP02



2019 fiscal year, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: ten (10) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated, to the Department of Human Services - Division of Medical Services, 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 Human Services - Division of Medical Services - Operations for the fiscal year ending June 30, 2019, the following:

ITEM	FISCAL YEAR
NO.	2018-2019
(01) REGULAR SALARIES	\$5,819,350
(02) EXTRA HELP	201,892
(03) PERSONAL SERVICES MATCHING	1,984,828
(04) OVERTIME	2,241
(05) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	1,813,290
(B) CONF. & TRAVEL	100,099
(C) PROF. FEES	338,507
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(06) DATA PROCESSING SERVICES	<u>1,499,600</u>
TOTAL AMOUNT APPROPRIATED	<u>\$11,759,807</u>

SECTION 4. APPROPRIATION - GRANTS. There is hereby appropriated, to the Department of Human Services - Division of Medical Services, to be payable from the paying account as determined by the Chief Fiscal Officer of the State, for grant payments of the Department of Human Services - Division of Medical Services for the fiscal year ending June 30, 2019, the following:

ITEM	FISCAL YEAR
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1	NO.	2018-2019
2	(01) ARKIDS B PROGRAM	\$132,222,020
3	(02) HOSPITAL AND MEDICAL SERVICES	6,573,710,120
4	(03) PRESCRIPTION DRUGS	529,386,547
5	(04) PRIVATE NURSING HOME CARE	724,715,275
6	(05) CHILD AND FAMILY LIFE INSTITUTE	2,100,000
7	(06) INFANT INFIRMARY	29,876,011
8	(07) PUBLIC NURSING HOME	217,603,340
9	TOTAL AMOUNT APPROPRIATED	<u>\$8,209,613,313</u>

10

11 SECTION 5. APPROPRIATION - NURSING HOME CLOSURE COSTS. There is hereby
 12 appropriated, to the Department of Human Services - Division of Medical
 13 Services, to be payable from the Long-Term Care Trust Fund, for the payment
 14 of relocation costs of residents in long-term care facilities, maintenance
 15 and operation of a facility pending correction of deficiencies or closure,
 16 and reimbursement of residents for personal funds lost for the fiscal year
 17 ending June 30, 2019, the following:

18

19	ITEM	FISCAL YEAR
20	NO.	2018-2019
21	(01) EXPENSES	<u>\$50,000</u>

22

23 SECTION 6. APPROPRIATION - LONG-TERM CARE FACILITY RECEIVERSHIP. There
 24 is hereby appropriated, to the Department of Human Services - Division of
 25 Medical Services, to be payable from the Long Term Care Facility Receivership
 26 Fund Account, for the payment of expenses of long-term care facility
 27 receivers as authorized by law of the Department of Human Services - Division
 28 of Medical Services - Long-Term Care Facility Receivership for the fiscal
 29 year ending June 30, 2019, the following:

30

31	ITEM	FISCAL YEAR
32	NO.	2018-2019
33	(01) EXPENSES	<u>\$100,000</u>

34

35 SECTION 7. APPROPRIATION - NURSING HOME QUALITY GRANTS. There is
 36 hereby appropriated, to the Department of Human Services - Division of

1 (2) Subdivision (e)(1) of this section does not apply to
2 certified application counselors at health related institutions, including
3 without limitation the University of Arkansas for Medical Sciences.

4 (f) An appropriation authorized by the General Assembly shall not be
5 subject to the provisions allowed through reallocation of resources or
6 transfer of appropriation authority for the purpose of transferring an
7 appropriation to any other appropriation authorized for the Department of
8 Human Services to be allocated, budgeted, expended, or utilized in a manner
9 prohibited by this section.

10 (g) The provisions of this section are severable, and the invalidity
11 of any subsection or subdivision of this section shall not affect other
12 provisions of the section that can be given effect without the invalid
13 provision.

14 (h) This section expires on June 30, ~~2018~~ 2019.

15
16 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
18 SEVERABILITY. If any provisions of this act or the application of this act
19 to any person or circumstance is held invalid, such invalidity shall not
20 affect other provisions or applications of the act which can be given effect
21 without the invalid provision or application, and to this end the provisions
22 of this act are declared to be severable.

23
24 SECTION 15. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
25 authorized by this act shall be limited to the appropriation for such agency
26 and funds made available by law for the support of such appropriations; and
27 the restrictions of the State Procurement Law, the General Accounting and
28 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
29 Procedures and Restrictions Act, or their successors, and other fiscal
30 control laws of this State, where applicable, and regulations promulgated by
31 the Department of Finance and Administration, as authorized by law, shall be
32 strictly complied with in disbursement of said funds.

33
34 SECTION 16. LEGISLATIVE INTENT. It is the intent of the General
35 Assembly that any funds disbursed under the authority of the appropriations
36 contained in this act shall be in compliance with the stated reasons for