

State of Arkansas

76th General Assembly

Regular Session, 1987

AS ENGROSSED 3/17/87

HOUSE BILL 1779

By: Joint Budget Committee

AS ENGROSSED 4/1/87

AS ENGROSSED 4/8/87

"AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES OF THE DEPARTMENT OF HUMAN SERVICES - CHILDREN AND FAMILY SERVICES DIVISION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1989; AND FOR OTHER PURPOSES."

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 - Children and Family Services Division for the 1987-89 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act, or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act, or its successor.

Item	Class	No. _____	Code _____	Title _____	Maximum	Maximum Annual	
						No. of	Salary Rate
		Employees				1987-88	1988-89
(1)	9720	DHS/DEPUTY DIR	DCFS		1	\$51,510	\$51,510
(2)	396Z	YOUTH SVCS	DEP CMSNR	OPERATIONS	1		GRADE 26
(3)	397Z	YOUTH SVCS	DEP CMSNR	COMM SVCS	1		GRADE 24
	878Z	DCFS ADMR	PROGRAM	OPERATIONS	1		
	880Z	DCFS AMDR	PROGRAM	SUPPORT	1		
	886Z	DCFS ADMR	ADMINISTRATIVE	SERVICES	1		
(4)	L124	PSYCHOLOGIST			2		GRADE 23
	403Z	YOUTH SVCS	CENTER	SUPT	2		

	923Z SOC SVCS PROGRAM ADMINISTRATOR	2	
(5)	M087 DHS FIELD MANAGER	7	GRADE 22
	393Z YOUTH SVCS SUPPORT SVCS DIR	1	
	544Z YOUTH SVCS DIR DIAGNOSTIC SVCS	1	
	897Z YOUTH SVCS PROGRAM MANAGER	3	
(6)	M085 DCFS PROGRAM ADMINISTRATOR	3	GRADE 21
	257Z ED SCHOOL PRINCIPAL	2	
	697Z SOC SVCS ADMINISTRATOR	2	
	809Z DHS POLICY ANALYSIS COORD	1	
	925Z SOC SVCS SPECIALTY PROG DIRECTOR	3	
(7)	L078 NURSE SUPERVISOR	2	GRADE 20
	L122 PSYCHOLOGICAL EXAMINER II	7	
	M083 DCFS PROGRAM COORD (GUARDIANSHIP)	2	
	543Z YOUTH SVCS PROGRAM ADMR STAFF SVCS	1	
	826Z AGENCY DIR RESEARCH & STATISTICS	1	
	892Z YOUTH SVCS BUSINESS MANAGER	2	
	932Z SOC SVCS PROGRAM COORD	8	
(8)	E026 INSTITUTIONAL INSTRUCTOR SUPERVISOR	2	GRADE 19
	E108 VOCATIONAL EDUCATION PROGRAM COORD	1	
	G004 AGRICULTURAL UNIT SUPERVISOR II	1	
	L156 PUBLIC HLTH NURSE II	1	
	M035 FAMILY SERVICE WORKER III	14	
	M088 SOCIAL WORKER III/SOCIAL WORKER II	8	
	R266 MANAGEMENT PROJECT ANALYST II	3	
	401Z YOUTH SVCS COTTAGE LIFE PROG COORD	4	
	545Z YOUTH SVCS EDUCATIONAL COORD	1	
	719Z SOC SVCS STAFF MANAGER	3	
	724Z CIVIL RIGHTS COORDINATOR	1	
(9)	L070 NURSE II	1	GRADE 18
	L154 PUBLIC HLTH NURSE I	1	
	M030 FAMILY SERVICE WORKER II	66	
	M068 SOCIAL SERVICES PROGRAM CONSULTANT	5	
	M078 SOCIAL SERVICE STAFF SUPERVISOR	3	
	M082 SOCIAL SERVICE WORKER III	9	
	M086 SOCIAL WORKER II/SOCIAL WORKER I	15	
	M138 YOUTH SVCS COUNSELOR III	2	

	M160 SOC SVCS FIELD SVCS REP	23	
	R136 PLANNING SPECIALIST III	1	
	R168 SUB-GRANT ADMINISTRATOR III	6	
	R264 MANAGEMENT PROJECT ANALYST I	6	
(10)	A004 ACCOUNTANT II	1	GRADE 17
	E024 INSTITUTIONAL INSTRUCTOR II	41	
	E050 STAFF DEVELOPMENT SPECIALIST II	2	
	E082 VOCATIONAL INSTRUCTOR II	11	
	E086 HABILITATION/REHAB INSTRUCTOR II	1	
	G028 BUILDING PLANT MAINTENANCE SUPV II	2	
	H032 FOOD PRODUCTION MANAGER	2	
	M050 RECREATIONAL ACTIVITY LEADER SUPV	6	
	M080 SOCIAL SERVICE WORKER II/SOC SVC WK	5	
	M106 VOCATIONAL REHAB EVALUATOR II	1	
	M136 YOUTH SVCS COUNSELOR II	14	
	M156 ADOPTION SPECIALIST	16	
	R134 PLANNING SPECIALIST II	3	
(11)	M070 SOCIAL SERVICE INVESTIGATOR I	8	GRADE 16
	M168 CHILD CARE LICENSING SPECIALIST	22	
	R010 ADMINISTRATIVE ASSISTANT II	4	
	R166 SUB-GRANT ADMINISTRATOR II	7	
	T049 SECURITY OFFICER SUPERVISOR	5	
	Y053 JOURNEYMAN CARPENTER	3	
	Y057 JOURNEYMAN PAINTER	1	
(12)	A002 ACCOUNTANT I	1	GRADE 15
	G027 BUILDING PLANT MAINTENANCE SUPV I	1	
	M034 FAMILY SERVICE WORKER I	226	
	M073 SOCIAL SERVICE REPRESENTATIVE I	1	
	M134 YOUTH SVCS COUNSELOR I	7	
	R057 COTTAGE LIFE PROGRAM SUPV	5	
	R190 PERSONNEL OFFICER II	2	
(13)	L115 LPTN II	12	GRADE 14
	R009 ADMINISTRATIVE ASSISTANT I	4	
	T047 SECURITY OFFICER III	9	
	V039 PURCHASE AGENT I/ASST PURCHASE AGENT	1	
(14)	G051 FARM FOREMAN	1	GRADE 13

	H033 FOOD PRODUCTION MANAGER I	3	
	K041 EXECUTIVE SECY/ADMINISTRATIVE SECY	2	
	L049 LPN II	1	
(15)	H049 SUPERVISOR OF COOKING	1	GRADE 12
	K039 DOCUMENT EXAMINER II	3	
	K117 MEDICAL OR LEGAL SECRETARY	1	
	M039 HOUSEPARENT SUPERVISOR	58	
(16)	E027 INSTITUTIONAL TEACHER ASSISTANT	4	GRADE 11
	K153 SECRETARY II	13	
	T045 SECURITY OFFICER II	5	
(17)	G093 LAUNDRY SUPERVISOR II	1	GRADE 10
	H027 COOK II	9	
	M037 HOUSEPARENT	62	
	M067 SOCIAL SERVICE AIDE III	44	
	M174 SOC SVCS REP TRAINEE	1	
	V043 SHIPPING & RECEIVING CLERK	1	
	W023 RECORDS CENTER OPERATOR II	1	
	Y001 APPRENTICE TRADESMAN	3	
(18)	K037 DOCUMENT EXAMINER I	1	GRADE 09
	K155 SECRETARY I	28	
(19)	G143 EQUIPMENT OPERATOR II	1	GRADE 08
	H019 CANTEEN SUPERVISOR	1	
	H025 COOK I	6	
(20)	G191 CLOTHING SHOP OPERATOR	1	GRADE 07
	K023 CLERK TYPIST II	10	
	K157 DATA ENTRY OPERATOR I	1	
(21)	K015 CLERK II	<u>2</u>	GRADE 05
	MAX NO. OF EMPLOYEES	924	

SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of Human Services - Children and Family Services Division for the 1987-89 biennium, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: one-hundred and forty-six (146) 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, for the appropriate classifica-

tion.

SECTION 3. APPROPRIATIONS - OPERATIONS - STATE. There is hereby appropriated, to the Department of Human Services - Children and Family Services Division, to be payable from the Children and Family Services Fund Account, for personal services and operating expenses of the Department of Human Services - Children and Family Services Division for the biennial period ending June 30, 1989, the following:

ITEM NO.	FISCAL YEARS	
	1987-88	1988-89
(01) REGULAR SALARIES	\$ 8,737,116	\$ 8,918,310
(02) EXTRA HELP	57,935	58,911
(03) PERSONAL SERV MATCHING	2,058,305	2,173,586
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSES	\$ 1,439,318	\$ 1,463,550
(B) CONF. & TRAVEL	53,922	54,829
(C) PROF. FEES	422,351	427,369
(D) CAPITAL OUTLAY	110,686	96,581
(E) DATA PROCESSING	0	0
TOTAL MAINT. & GEN. OPER.	2,026,277	2,042,329
TOTAL AMOUNT APPROPRIATED	\$ 12,879,633	\$ 13,193,136

SECTION 4. APPROPRIATIONS - OPERATIONS - FEDERAL. There is hereby appropriated, to the Department of Human Services - Children and Family Services Division, to be payable from the Department of Human Services Federal Funds as designated by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Department of Human Services - Children and Family Services Division for the biennial period ending June 30, 1989, the following:

ITEM NO.	FISCAL YEARS	
	1987-88	1988-89
(01) REGULAR SALARIES	\$ 6,329,725	\$ 6,162,472
(02) EXTRA HELP	45,758	44,782
(03) PERSONAL SERVICES MATCHING	1,483,055	1,483,892
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSES	\$ 1,136,791	\$ 1,112,559

(B) CONF. & TRAVEL	42,588	41,681
(C) PROF. FEES	325,291	348,773
(D) CAPITAL OUTLAY	88,314	73,419
(E) DATA PROCESSING	0	0
TOTAL MAINT. & GEN. OPER.		1,592,984 1,576,432
TOTAL AMOUNT APPROPRIATED		\$ 9,451,522 \$ 9,267,578

SECTION 5. APPROPRIATIONS - GRANTS - STATE. There is hereby appropriated, to the Department of Human Services - Children and Family Services Division, to be payable from the Children and Family Services Fund Account, for grant payments of the Department of Human Services - Children and Family Services Division for the biennial period ending June 30, 1989, the following:

ITEM	FISCAL YEARS	
NO. _____	1987-88 _____	1988-89 _____
(01) FOSTER CARE- DAY CARE	\$ 770,376	\$ 830,435
(02) RESIDENTIAL TREATMENT CARE	1,696,000	1,771,019
(03) FOSTER CARE	4,718,048	4,906,478
(04) S.C.A.N.	270,000	296,244
(05) COMMUNITY SERVICES MATCH	660,446	1,201,158
(06) COMMUNITY SERVICES	2,022,600	2,128,787
(07) RESIDENTIAL YOUTH TREATMENT	245,371	269,221
(08) A.F.D.C./ FOSTER CARE	307,993	299,037
TOTAL AMOUNT APPROPRIATED	\$ 10,690,834	\$ 11,702,379

SECTION 6. APPROPRIATIONS - GRANTS - FEDERAL. There is hereby appropriated, to the Department of Human Services - Children and Family Services Division, to be payable from the Department of Human Services Federal Funds as designated by the Chief Fiscal Officer of the State, for grant payments of the Department of Human Services - Children and Family Services Division for the biennial period ending June 30, 1989, the following:

ITEM	FISCAL YEARS	
NO. _____	1987-88 _____	1988-89 _____
(01) CHILD ABUSE	\$ 130,000	\$ 137,150

(02) CHILD CARE FOOD	5,243,358	5,243,358
(03) CHILD WELFARE ASSISTANCE	576,961	576,961
(04) CHILDREN & YOUTH SERVICES- GRANTS	408,931	431,422
(05) A.F.D.C./ FOSTER CARE	<u>875,229</u>	<u>849,780</u>
TOTAL AMOUNT APPROPRIATED	\$ 7,234,479	\$ 7,238,671

SECTION 7. DEPARTMENT OF HUMAN SERVICES - CHILDREN AND FAMILY SERVICES DIVISION - CHILD ABUSE EDUCATION. By enacting this legislation, it is the specific intent of the General Assembly that federal funds appropriated in Item (01) of Section 6 of this Act be used to (1) purchase, create, or promote the creation of educational materials appropriate for training of professionals involved in the evaluation, investigation, treatment and legal management of sexually abused children, their parents and guardians and the perpetrators of sexual abuse; and (2) develop a means of dissemination of child sexual abuse education materials to interested and affected professionals throughout the State of Arkansas. For the purposes of this Section, "professionals" is defined to include, but not be limited to: prosecuting attorneys, judges, law enforcement bodies, social workers, nurses, physicians, and mental health professions.

SECTION 8. RESIDENTIAL TREATMENT CARE. Of the State General Revenues appropriated to the Department of Human Services - Children and Family Services Division, under Item (02) of Section 5 of this Act, a minimum of \$60,000 in each fiscal year shall be utilized as state match for Medicaid funding of operational costs associated with the provision of residential psychiatric treatment services at JCAH Accredited and State Licensed Psychiatric Residential Treatment Facilities. It is anticipated that the receipt of these funds will enable such facilities to provide higher quality services and will have a positive impact on the youth population currently receiving such services out-of-state.

SECTION 9. It is the intent of the Legislature that treatment for Emotionally Disturbed Youth (EDY) within the State of Arkansas will result in higher quality care provided for less cost when compared with similar services delivered out-of-state. It is recognized that there are many factors which

may cause the total cost for treatment for youth to rise and that the Legislature must be able to determine if in-state placement is cost effective. The Department of Human Services, therefore, shall provide a report monthly to the Legislative Council and the Joint Interim Committee on Public Health, Welfare and Labor reflecting the unit cost of providing services in-state contrasted with what the cost would have been to provide the same services out-of-state and other appropriate information as may be requested by the Committees that they may feel necessary for proper evaluation. Out-of-state placements for emotionally disturbed youth should only be considered in the event that all other alternatives for placement in-state have been exhausted.

SECTION 10. By enacting this legislation, it is the specific intent of the General Assembly that all Emotionally Disturbed Youth (EDY) currently receiving services out-of-state or proposed to be served out-of-state be returned to Arkansas for appropriate treatment within the State. In order to accomplish this objective in a timely manner, one-half (|) of the EDY population served out-of-state shall be required to be returned to the State of Arkansas no later than June 30, 1988. The balance of this population shall be required to be returned no later than June 30, 1989. Effective July 1, 1989, the State of Arkansas shall no longer authorize the assignment of Emotionally Disturbed Youth to any out-of-state treatment facility.

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

SECTION 12. LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this Act shall be in compliance with the stated reasons for which this Act was adopted, as evidenced by the Agency Requests, Executive

Recommendations and Legislative Recommendations contained in the budget manuals prepared by the Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of the Arkansas Legislative Council or Joint Budget Committee which relate to its passage and adoption.

SECTION 13. CONTRACT RESTRICTIONS. The agency, board, commission, department or institution to whom funds are appropriated by this Act shall not enter into any contract for any professional or consultant services which shall extend for more than twenty (20) actual working days or the total compensation exceeds five thousand dollars (\$5,000) during any one fiscal year without first seeking the advice of the Arkansas Legislative Council. Provided further, that all contracts for professional or consultant services shall be submitted monthly to the Chief Fiscal Officer of the State for reporting to the Legislative Council.

SECTION 14. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Sixth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1987 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1987 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1987.

/s/ John E. Miller

