

State of Arkansas

76th General Assembly

Regular Session, 1987 As engrossed 3-4-87

SENATE BILL 574

By: Joint Budget Committee

As engrossed 3-31-87

"AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES OF THE DEPARTMENT OF HUMAN SERVICES - ECONOMIC AND MEDICAL 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 - Economic and Medical 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 No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate	
				1987-88	1988-89
(1)	6603	GENERAL PHYSICIAN	9	\$64,631	\$64,631
(2)	9985	DHS DEPUTY DIR ECON & MED SVCS	1	\$55,232	\$55,232
(3)	9751	DHS DIRECTOR COMMUNITY SVCS	1	\$37,379	\$37,379
(4)	705Z	SOC SVCS DEP CMSNR PRGM OPERATIONS	1		GRADE 26
	896Z	SOC SVCS DEP CMSNR FOR MEDICAL SVCS	1		
(5)	704Z	SOC SVCS DEP CMSNR POLICY & SYS MGT	1		GRADE 25
	937Z	SOC SVC DIR LONG TERM CARE	1		
(6)	923Z	SOC SVCS PROGRAM ADMINISTRATOR	4		GRADE 23

(7)	L192 SOC SVCS MEDICAL ASSISTANCE ADMR	1	GRADE 22
	699Z SOC SVCS ASST DIR PROGRAM OPER	5	
	924Z SOC SVCS MGMT & SYS ANALYSIS ADMR	1	
	975Z DHS WEATHERIZATION PROGRAM ADMIN	1	
(8)	D066 SYSTEMS COORDINATION ANALYST	1	GRADE 21
	L076 NURSE PRACTITIONER III	1	
	L096 PHARMACIST II	4	
	M032 DHS/DEMS ECON & MED SUPV PUL SOUTH	1	
	R488 GRANTS ADMIN SUPV	2	
	X430 INSPECTION ENGINEER II	2	
	697Z SOC SVCS ADMINISTRATOR	5	
	925Z SOC SVCS SPECIALTY PROG DIRECTOR	4	
	926Z SOC SVCS FOOD SERVICE DIRECTOR	1	
	930Z SOC SVCS QUALITY CONTROL MANAGER	1	
	939Z SOC SVCS COUNTY DIRECTOR III	1	
(9)	A042 FINANCIAL EXAMINER II	1	GRADE 20
	D036 SR PROGRAMMER/ANALYST	1	
	E112 WEATHERIZATION TRAINING COORD	1	
	L078 NURSE SUPERVISOR	1	
	M029 DHS/DEMS ECONOMIC & MED SUPV III	8	
	932Z SOC SVCS PROGRAM COORD	12	
(10)	L082 NURSING SERVICES SPECIALIST	7	GRADE 19
	M027 DHS/DEMS ECONOMIC & MED SUPV II	29	
	M150 SOC SVCS COUNTY DIRECTOR I	2	
	Q046 MEDICARE SURVEY SPECIALIST	2	
	R266 MANAGEMENT PROJECT ANALYST II	3	
	R298 AGENCY PROGRAM COORDINATOR	1	
	R332 SOC SVCS POLICY DEVELOPMENT COORD	4	
	719Z SOC SVCS STAFF MANAGER	15	
(11)	D034 PROGRAMMER ANALYST	1	GRADE 18
	L028 DIETICIAN	1	
	L070 NURSE II	9	
	M025 DHS/DEMS ECONOMIC & MEDICAL SUPV I	35	
	M068 SOCIAL SERVICES PROGRAM CONSULTANT	7	
	M076 SOCIAL SERVICES REPRESENTATIVE III	13	
	M078 SOCIAL SERVICE STAFF SUPERVISOR	16	

	M154 SOC SVCS INCOME MAINT FIELD REP	18	
	M160 SOC SVCS FIELD SVCS REP	5	
	M176 WORK PROGRAM SUPERVISOR	9	
	R114 NUTRITIONIST	1	
	R136 PLANNING SPECIALIST III	3	
	R168 SUB-GRANT ADMINISTRATOR III	2	
	R264 MANAGEMENT PROJECT ANALYST I	4	
	X320 DIETICIAN SURVEYOR	1	
	X358 HOS & NURSING HOME SURVEYOR II	10	
	X366 NURSING SERVICES INSPECTOR	18	
(12)	A004 ACCOUNTANT II	1	GRADE 17
	M008 CAREER PLNG & PLAC ADVISOR	11	
	M072 SOCIAL SERVICE INVESTIGATOR II	2	
	M075 SOCIAL SERVICE REPRESENTATIVE II	83	
	M080 SOCIAL SERVICE WORKER II/SOC SVC WK	13	
	M164 QUALITY CONTROL REVIEW SUPV	7	
	W012 MEDICAL RECORDS ADMINISTRATOR	1	
	W032 MEDICAL RECORDS FIELD REP	1	
	X352 HLTH CARE ANALYST II	12	
(13)	M070 SOCIAL SERVICE INVESTIGATOR I	45	GRADE 16
	M110 VOLUNTEER SERVICES COORDINATOR	1	
	M170 QUALITY CONTROL REVIEWER	42	
	R010 ADMINISTRATIVE ASSISTANT II	7	
	R110 MEDICAL PROGRAM REPRESENTATIVE	4	
(14)	A002 ACCOUNTANT I	1	GRADE 15
	M073 SOCIAL SERVICE REPRESENTATIVE I	612	
	M079 SOCIAL SERVICE WORKER I	83	
(15)	R009 ADMINISTRATIVE ASSISTANT I	6	GRADE 14
	V021 COMMODITY DIST REP	5	
	X350 HLTH CARE ANALYST I	12	
(16)	K087 OFFICE SERVICES SUPV/OFFICE MANAGER	2	GRADE 13
	K133 MANAGEMENT SUPPORT TECHNICIAN	4	
	V051 STOREROOM SUPV/STORE SUPV	1	
(17)	K039 DOCUMENT EXAMINER II	14	GRADE 12
	K117 MEDICAL OR LEGAL SECRETARY	14	
(18)	K011 CLERICAL SUPERVISOR	5	GRADE 11

	K153 SECRETARY II	21	
	K165 MEDICAL TRANSCRIPTIONIST	2	
(19)	M174 SOC SVCS REP TRAINEE	3	GRADE 10
(20)	A011 BOOKKEEPER I/ACCOUNTING ASST I	1	GRADE 09
	K037 DOCUMENT EXAMINER I	44	
	K155 SECRETARY I	43	
	V057 WAREHOUSE SUPERVISOR	1	
(21)	A061 ISSUANCE CASHIER	1	GRADE 07
	G045 EQUIPMENT OPERATOR I	1	
	K023 CLERK TYPIST II	25	
	K157 DATA ENTRY OPERATOR I	2	
	M065 SOCIAL SERVICE AIDE II	45	
(22)	K015 CLERK II	1	GRADE 05
	V049 STOCK CLERK II	<u>1</u>	
	MAX NO. OF EMPLOYEES	1472	

SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of Human Services - Economic and Medical 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: thirteen (13) 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 classification.

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

ITEM NO.	FISCAL YEARS	
	1987-88	1988-89
(01) REGULAR SALARIES	\$ 9,254,422	\$ 9,404,601
(02) EXTRA HELP	22,536	22,909
(03) PERSONAL SERV MATCHING	2,117,242	2,216,402
(04) MAINT. & GEN. OPERATION		

(A)	OPER. EXPENSES	\$ 2,054,336	\$ 2,087,852
(B)	CONF. & TRAVEL	211,856	215,360
(C)	PROF. FEES	482,911	490,897
(D)	CAPITAL OUTLAY	30,928	16,457
(E)	DATA PROCESSING	_____0	_____0
	TOTAL MAINT. & GEN. OPER.		2,780,031 2,810,566
(05)	PURCHASE OF DATA PROCESSING		_____273,832 _____194,832
	TOTAL AMOUNT APPROPRIATED		\$ 14,448,063 \$ 14,649,310

SECTION 4. APPROPRIATIONS - OPERATIONS - FEDERAL. There is hereby appropriated, to the Department of Human Services - Economic and Medical 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 - Economic and Medical Services Division for the biennial period ending June 30, 1989, the following:

ITEM NO.		FISCAL YEARS	
		1987-88	1988-89
(01)	REGULAR SALARIES	\$ 17,386,178	\$ 17,235,999
(02)	EXTRA HELP	42,720	42,347
(03)	PERSONAL SERV MATCHING	3,979,016	4,064,382
(04)	MAINT. & GEN. OPERATION		
	(A) OPER. EXPENSES	\$ 3,869,367	\$ 3,835,851
	(B) CONF. & TRAVEL	401,601	398,097
	(C) PROF. FEES	915,418	907,432
	(D) CAPITAL OUTLAY	58,627	30,421
	(E) DATA PROCESSING	_____0	_____0
	TOTAL MAINT. & GEN. OPER.	5,245,013	5,171,801
(05)	PURCHASE OF DATA PROCESSING	273,832	194,832
(06)	AFDC CONTRACT SERVICES	_____2,805,000	_____2,805,000
	TOTAL AMOUNT APPROPRIATED	\$ 29,731,759	\$ 29,514,361

SECTION 5. APPROPRIATIONS - GRANTS - STATE. There is hereby appropriated, to the Department of Human Services - Economic and Medical

Services Division, to be payable from Department of Human Services Grants Fund Account, for grant payments of the Department of Human Services - Economic and Medical Services Division for the biennial period ending June 30, 1989, the following:

ITEM NO.	FISCAL YEARS	
	1987-88	1988-89
(01) FOOD STAMP EMPLOYMENT & TRAINING	\$ 125,000	\$ 187,500
(02) BOARDING HOMES	1,122,000	1,122,000
(03) A.A.B.D.	30,000	30,000
(04) CRIPPLED CHILDREN	1,193,978	1,193,978
(05) A.F.D.C.	13,299,371	13,847,847
(06) PRIVATE NURSING HOME CARE	35,500,689	35,500,689
(07) EASTER SEAL- NURSING HOME CARE	338,243	365,231
(08) INFANT INFIRMARY- NURSING HOME CARE	1,702,659	1,907,547
(09) PUBLIC NURSING HOME CARE	20,625,396	22,342,660
(10) PRESCRIPTION DRUGS	11,944,793	12,828,746
(11) HOSPITAL & MEDICAL SERVICES	60,447,040	66,150,156
(12) WORK INCENTIVE PROGRAM	128,612	117,513
(13) CONTINGENCY	5,000,000	5,000,000
(14) EXPANDED PROGRAMS	\$_10,000,000	\$_10,000,000
TOTAL AMOUNT APPROPRIATED	\$162,457,781	\$170,593,867

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

ITEM NO.	FISCAL YEARS	
	1987-88	1988-89
(01) FOOD STAMP EMPLOYMENT & TRAINING	\$ 125,000	\$ 187,500
(02) CRIPPLED CHILDREN	1,019,741	1,019,741
(03) WEATHERIZATION PROGRAM GRANTS	4,200,000	4,200,000
(04) EMERGENCY FOOD	351,362	351,362

(05)	LOW INCOME ENERGY ASSISTANCE	11,812,293	11,812,293
(06)	VIETNAMESE REFUGEE ASSISTANCE	519,476	519,476
(07)	COMMUNITY SERVICES BLOCK GRANT	4,200,000	4,200,000
(08)	A.F.D.C.	40,634,824	39,351,719
(09)	PRIVATE NURSING HOME CARE	100,883,057	100,883,057
(10)	EASTER SEAL- NURSING HOME CARE	961,307	1,037,999
(11)	INFANT INFIRMARY- NURSING HOME CARE	4,838,771	5,421,003
(12)	PUBLIC NURSING HOME CARE	58,618,038	63,498,022
(13)	PRESCRIPTION DRUGS	33,945,238	36,457,186
(14)	HOSPITAL & MEDICAL SERVICES	164,487,329	180,712,854
(15)	WORK INCENTIVE PROGRAM	1,157,514	1,057,613
(16)	CONTINGENCY	15,000,000	15,000,000
(17)	EXPANDED PROGRAMS	\$_30,000,000	\$_30,000,000
	TOTAL AMOUNT APPROPRIATED	\$472,753,950	\$495,709,825

SECTION 7. APPROPRIATIONS - INDIGENT HEALTH CARE. There is hereby appropriated, to the Department of Human Services - Economic and Medical Services Division, to be payable from the Indigent Health Care Fund, for personal services and operating expenses of the Department of Human Services - Economic and Medical Services Division - Indigent Health Care Program for the biennial period ending June 30, 1989, the following:

ITEM	FISCAL YEARS	
NO. _____	1987-88 _____	1988-89 _____
(01) REGULAR SALARIES	\$ 68,305	\$ 70,016
(02) PERSONAL SERV MATCHING	16,087	16,999
(03) INDIGENT HEALTH CARE	__15,023,687	__15,023,687
TOTAL AMOUNT APPROPRIATED	\$ 15,108,079	\$ 15,110,702

SECTION 8. APPROPRIATIONS - COMMODITY DISTRIBUTION SALVAGE AND CONTAINER. There is hereby appropriated, to the Department of Human Services - Economic and Medical Services Division, to be payable from cash funds, for operating expenses of the Department of Human Services - Economic and Medical Services Division - Commodity Distribution Salvage and Container Program for the biennial period ending June 30, 1989, the following:

ITEM	FISCAL YEARS	
NO. _____	1987-88 _____	1988-89 _____
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSES \$	18,000	\$ 18,000
(B) CONF. & TRAVEL	2,000	2,000
(C) PROF. FEES	0	0
(D) CAPITAL OUTLAY	10,000	10,000
(E) DATA PROCESSING	_____ 0	_____ 0
TOTAL MAINT. & GEN. OPER.	_____ 30,000	_____ 30,000
TOTAL AMOUNT APPROPRIATED	\$ 30,000	\$ 30,000

SECTION 9. The Department of Human Services is authorized to pay the employer's portion of contributions and withholdings required by the Federal and State Income Tax laws, the Federal Insurance Contributions Act, the Arkansas Workers Compensation Act, and the Arkansas Employment Security Act, in all cases wherein the recipient has been determined to be the employer of the provider and, as such, required to withhold an amount from the employee's wage and contribute an amount based upon such wages, under the provisions of the above enumerated acts. The Department of Human Services shall report, pay, or contribute such amounts from the appropriation for paying grants under the program concerned.

SECTION 10. The Director of the Department of Human Services is authorized to use State Funds appropriated in this Act for General Relief and Foster Care to match Federal funds available under the Social Services Block Grant of the Security Act or such other federal funds as may become available.

SECTION 11. The Director of the Department of Human Services is authorized to transfer from the Department of Human Services Federal Funds as designated by the Chief Fiscal Officer of the State to the appropriate State Fund Account those federal funds recovered as reimbursement for indirect costs which are not required to be transferred to the Constitutional and Fiscal Agencies Fund pursuant to Act 498 of 1983. The Director of the Department of Human Services shall not transfer State General Revenue appropriation between those Medicaid appropriations authorized for the Department of Human Services.

SECTION 12. TRANSFER OF SPECIFIC FUNDS. Under the requirements of the Social Security Act, as amended, the Department of Human Services will, in cooperation with the Department of Labor, carry on the Work Incentive Training Program. Since by law, ten (10) percentum of the cost of this training must be borne by the Department of Human Services, the Director of the Department of Human Services, after seeking the advice of the Arkansas Legislative Council, is authorized to transfer such funds to the Department of Labor up to the amounts appropriated.

SECTION 13. CARRY FORWARD. The unexpended balances in appropriations provided for the expenditure of federal funds as provided for in this Act on June 30, 1988 shall be carried forward and made available for expenditures for the same purpose for the fiscal year ending June 30, 1989.

SECTION 14. DEPARTMENT OF HUMAN SERVICES. It is hereby found and determined by the Seventy-Sixth General Assembly that regional offices tend to create inefficiency in the operation of the programs and services provided by the Department of Human Services. Therefore, no office of the Department of Human Services shall be called a "Regional Office", nor shall any function of any office, other than the Department of Human Services Central Office, include supervision of any district Department of Human Services Office.

SECTION 15. REPORTING REQUIREMENTS. The Department of Human Services - Economic and Medical Services Division shall file a semi-annual report with the Arkansas Legislative Council concerning performance and progress made in administering the Child Support Enforcement Program approved under Title IV-D of the Social Security Act.

SECTION 16. BIENNIAL GOALS. The Director of the Department of Human Services is hereby directed to adopt the following goals in the Health Delivery and Economic and Medical Programs which he administers for the upcoming biennial period:

1. Develop statewide alternatives to Nursing Home Placement for the financially dependent elderly and disabled citizens of our State;
2. Implement preventive Home Health and Social Maintenance Programs

designed to avoid the unnecessary deterioration of the mental and physical health of our State's elderly and disabled citizens which ultimately results in Nursing Home Placement, and;

3. Conduct formal screening of all current nursing home placements in a manner that will assure a systematic means of providing alternatives to Nursing Home Services.

It is further intended that the Arkansas Legislative Council be advised on a quarterly basis as to visible progress in reaching these goals as well as any legislation needed to be considered by the Arkansas General Assembly in this regard.

SECTION 17. TRANSFER OF STATE FUNDS. Authority is hereby granted to the Department of Human Services, Economic and Medical Services Division to transfer funds and appropriations for the purpose of implementing and operating a Work Program in the eventuality that the federal government will mandate such a program.

SECTION 18. TRANSFER OF FEDERAL FUNDS. Authority is hereby granted to the Department of Human Services, Economic and Medical Services Division to transfer funds and appropriations for the purpose of implementing and operating a Work Program in the eventuality that the federal government will mandate such a program.

SECTION 19. PURCHASE OF AUTOMOBILES. The Department of Human Services is hereby exempt from the provisions of Act 490 of 1983. Authority is granted to the Department of Human Services to purchase vehicles utilizing Federal Funds and the appropriate State matching required.

SECTION 20. MOTOR VEHICLE REGISTRATION. None of the funds appropriated in this Act shall be used to purchase, lease for over thirty (30) days, operate, repair, or provide services for more than (444) passenger motor vehicles for highway use, including but not limited to automobiles, trucks and vans at any one time during each year of the 1987-89 biennium except in an emergency as proclaimed by the Governor. Mileage reimbursement for employees' utilization of their personal automobiles shall not be deemed to be included in this restriction.

SECTION 21. Of the state and federal funds appropriated for the Hospital and Medical line item in Sections 5 and 6 of this Act, a minimum of \$3 million each year shall be distributed between the Children and Family Services Division and the Mental Health Services Division of the Department of Human Services. These funds shall be allocated based on the prevailing Medicaid state match arrangement for use by these agencies in meeting the needs of the Emotionally Disturbed Youth (EDY) population of this State.

SECTION 22. CONTINGENCY LINE ITEM. The appropriation line item entitled "CONTINGENCY" in Sections 5 and 6 of this Act shall be utilized in the following manner and under each of the following restrictions:

a) The Contingency appropriation may be transferred to existing appropriations for Medicaid services or to a new line item for Medicaid services not available to the citizens of this State at the time of the passage of this act only;

b) Transfers may be granted by the Chief Fiscal Officer of the State upon request by the Director of the Department of Human Services in the event that the Federal Government requires that the State of Arkansas participate in a program under Medicaid which was unanticipated at the time of the passage of this Act or in the event that insufficient appropriation is available in any Medicaid line item when such insufficiency is a result of increases in utilization. No transfer from the Contingency appropriation is to be approved if the need for such transfer is due to any increase in program costs that are a result of state regulation changes in the rate of payment per unit of service which were not mandated at the federal level;

c) After determining that there is an insufficiency in any Medicaid appropriation due solely to those conditions as set out herein, the Director of the Department of Human Services shall certify such to the Chief Fiscal Officer of the State who shall, after consultation with the Arkansas Legislative Council and seeking its advice concerning the level of state support required for such program, transfer on his books and on the books of the State Auditor such amount as is necessary and as funds are available therefor;

d) Other than the transfers authorized under this Section, no transfers are authorized between any appropriations which pay for services under the State Medicaid program.

SECTION 23. EXPANDED PROGRAMS LINE ITEM. The appropriation line item entitled "EXPANDED PROGRAMS" in Sections 5 and 6 of this Act is not set aside for any particular program, but is to be used by the Department of Human Services, if funds become available, to increase the number of eligible clients in any Medicaid program in the Department of Human Services. These funds and appropriations are not to be used to increase any reimbursement rates for providers of medical care either by raising per diem or by changing the reimbursement process and may be transferred upon request by the Director of the Department of Human Services to the Chief Fiscal Officer of the State.

SECTION 24. 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 25. 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 26. 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 27. 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/ Howell

