

1 **State of Arkansas**  
2 **78th General Assembly**  
3 **Regular Session, 1991**  
4 **By: Joint Budget Committee**

# A Bill

**HOUSE BILL 1932**

## For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND  
9 OPERATING EXPENSES FOR THE DEPARTMENT OF HUMAN SERVICES -  
10 DIVISION OF DEVELOPMENTAL DISABILITIES SERVICES FOR THE  
11 BIENNIAL PERIOD ENDING JUNE 30, 1993; AND FOR OTHER  
12 PURPOSES."

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

16 SECTION 1. REGULAR SALARIES. There is hereby established for the  
17 Department of Human Services - Division of Developmental Disabilities Services  
18 for the 1991-93 biennium, the following maximum number of regular employees  
19 whose salaries shall be governed by the provisions of the Uniform  
20 Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its  
21 successor, and all laws amendatory thereto. Provided, however, that any  
22 position to which a specific maximum annual salary is set out herein in  
23 dollars, shall be exempt from the provisions of said Uniform Classification  
24 and Compensation Act. All persons occupying positions authorized herein are  
25 hereby governed by the provisions of the Regular Salaries Procedures and  
26 Restrictions Act (Arkansas Code §21-5-101), or its successor.

Item	Class	No. of	Maximum Annual		
			Maximum	Salary Rate	
No.	Code	Title	Employees	1991-92	1992-93
32	(1) 9972	DDS COMMISSIONER	1	\$ 61,000	\$ 64,050
33	(2) 6601	DENTIST	3	\$ 74,755	\$ 78,492
34	(3) 6603	GENERAL PHYSICIAN	6	\$ 74,755	\$ 78,492
35	(4) 951Z	DDS SUPT HUMAN DEVELOP CNTR-CONWAY	1	GRADE 26	

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1	(5) 496Z DDS DEP CMSNR COMMUNITY SVC	1	GRADE 25
2	497Z DDS DEP CMSNR FOR INSTITUTIONAL SVC	1	
3	L124 PSYCHOLOGIST	7	
4	518Z DDS SUPT HUMAN DEVELOPMENT CENTER	5	
5	(6) L096 SENIOR PHARMACIST	6	GRADE 24
6	(7) 950Z DDS DIR EVAL, PLAN & MGMT SYSTEMS	1	GRADE 23
7	M178 DDS ASST SUPERINTENDENT - CONWAY	1	
8	R184 NURSING SERVICES UNIT MANAGER	6	
9	116Z DHS MEDICAL SERVICES MANAGER	1	
10	(8) L078 NURSE SUPERVISOR	14	GRADE 22
11	(9) R326 QUALITY ASSURANCE COORDINATOR	6	GRADE 21
12	809Z DHS PLANNING & POLICY DEV COORD	1	
13	L122 PSYCHOLOGICAL EXAMINER II	19	
14	M046 DDS TEAM LEADER - CONWAY	5	
15	892Z DHS INSTITUTION BUSINESS MANAGER	6	
16	M112 COTTAGE LIFE PROGRAM DIRECTOR	4	
17	L090 OCCUPATIONAL THERAPY SUPERVISOR	1	
18	L142 SPEECH PATHOLOGIST SUPV	5	
19	R488 GRANTS ADMIN SUPV	1	
20	M081 DHS PROG SPEC FOR DUALY DIAGNOSED	1	
21	E023 DDS LANGUAGE DEVELOPMENT SUPERVISOR	1	
22	(10) E038 NURSE INSTRUCTOR	2	GRADE 20
23	E104 DDS EDUCATION & TRAINING CONSULTANT	1	
24	L030 DIETARY SERVICES DIRECTOR	1	
25	E026 INSTITUTIONAL INSTRUCTOR SUPERVISOR	4	
26	M128 DDS PROGRAM COORDINATOR	27	
27	R266 MANAGEMENT PROJECT ANALYST II	5	
28	M140 DDS TEAM LEADER	8	
29	E114 STAFF DEVELOPMENT COORDINATOR	1	
30	G120 PLANT MAINTENANCE COORDINATOR	1	
31	M088 SOCIAL WORKER II	5	
32	L070 NURSE II	12	
33	Y116 MAINTENANCE SYSTEMS SUPV	1	
34	X311 MR FACILITY PROGRAM EVALUATION SUPV	1	
35	L008 AUDIOLOGIST	2	
36	L140 SPEECH PATHOLOGIST II	11	

1	L088 OCCUPATIONAL THERAPIST II	1	
2	L019 NUTRITIONIST CONSULTANT	1	
3	(11) L120 PSYCHOLOGICAL EXAMINER I	6	GRADE 19
4	M019 CHAPLAIN	1	
5	L028 DIETICIAN	4	
6	M086 SOCIAL WORKER I	2	
7	X309 MR FACILITY PROGRAM EVALUATOR	2	
8	B060 MEDICAL TECHNOLOGIST SUPERVISOR	1	
9	R168 GRANTS COORDINATOR II	6	
10	E118 HABILITATION/REHAB INST SUPV	1	
11	R030 ASST PERSONNEL MANAGER	1	
12	M057 DDS FOSTER GRANDPARENT ADMR	1	
13	(12) E024 INSTITUTIONAL INSTRUCTOR II	10	GRADE 18
14	M082 SOCIAL SERVICE WORKER III	14	
15	M050 RECREATIONAL ACTIVITY LEADER SUPV	4	
16	R264 MANAGEMENT PROJECT ANALYST I	3	
17	V040 PURCHASE AGENT II/PURCHASE AGENT	1	
18	L068 NURSE I	3	
19	E050 STAFF DEVELOPMENT SPECIALIST II	7	
20	E072 TRAINING INSTRUCTOR	2	
21	G028 BUILDING PLANT MAINTENANCE SUPV II	6	
22	M124 DDS COUNSELOR	15	
23	Y027 ELECTRICIAN SUPERVISOR	1	
24	L086 OCCUPATIONAL THERAPIST I	3	
25	L138 SPEECH PATHOLOGIST I	7	
26	M099 COTTAGE LIFE PROGRAM SUPERVISOR	21	
27	(13) E086 HABILITATION/REHAB INSTRUCTOR II	18	GRADE 17
28	B052 MEDICAL TECHNOLOGIST	3	
29	M080 SOCIAL SERVICE WORKER II/SOC SVC WK	8	
30	R010 ADMINISTRATIVE ASSISTANT II	9	
31	Y053 JOURNEYMAN CARPENTER	8	
32	R190 PERSONNEL OFFICER II	6	
33	Y065 JOURNEYMAN LOCKSMITH	1	
34	M102 VOCATIONAL PLAC & EVAL PROG COORD	1	
35	Y003 AUTO/DIESEL MECHANIC	3	
36	Y039 HEATING & A/C MECHANIC	5	

1	Y055 JOURNEYMAN ELECTRICIAN	6	
2	Y057 JOURNEYMAN PAINTER	6	
3	Y061 JOURNEYMAN PLUMBER	3	
4	E022 INSTITUTIONAL INSTRUCTOR I	19	
5	H034 FOOD PRODUCTION MANAGER II	5	
6	Y021 STATIONARY ENGINEER	9	
7	E080 VOCATIONAL INSTRUCTOR I	1	
8	E036 LIBRARIAN I	2	
9	Y107 WELDER	1	
10	(14) M110 VOLUNTEER SERVICES COORDINATOR	2	GRADE 16
11	E048 STAFF DEVELOPMENT SPECIALIST I	3	
12	M141 DDS TEAM SHIFT COORDINATOR	20	
13	L026 DENTAL HYGIENIST	1	
14	L153 X-RAY TECH SUPV/X-RAY TECH II	1	
15	(15) E084 HABILITATION/REHAB INSTRUCTOR I	114	GRADE 15
16	M079 SOCIAL SERVICE WORKER I	1	
17	L183 OCCUPATIONAL THERAPY ASSISTANT	1	
18	G043 EQUIPMENT MECHANIC	1	
19	R009 ADMINISTRATIVE ASSISTANT I	7	
20	M048 RECREATIONAL ACTIVITY LEADER II	9	
21	V039 PURCHASE AGENT I/ASST PURCHASE AGEN	4	
22	K011 ADMIN SUPPORT SUPERVISOR	6	
23	L061 M R AIDE SUPERVISOR	64	
24	L179 PHYSICAL THERAPY ASSISTANT	1	
25	V051 STOREROOM SUPV/STORE SUPV	5	
26	W015 MEDICAL RECORDS TECHNICIAN	1	
27	A063 PAYROLL OFFICER	1	
28	A155 ICF COORDINATOR	6	
29	(16) L113 LPTN I	3	GRADE 14
30	L184 DIETETIC TECHNICIAN	1	
31	M036 FOSTER GRANDPARENT SUPERVISOR	2	
32	H023 COMMISSARY MANAGER	1	
33	K041 EXECUTIVE SECY/ADMINISTRATIVE SECY	1	
34	K117 MEDICAL OR LEGAL SECRETARY	3	
35	L049 LPN II	111	
36	(17) L059 M R AIDE II	91	GRADE 13

1	E027	INSTITUTIONAL TEACHER ASSISTANT	88	
2	A051	INSURANCE SPECIALIST I	1	
3	K153	SECRETARY II	24	
4	L047	LPN I	24	
5	G139	WATER FILTER/WASTE DISPOSAL PLNT OP	2	
6	H049	SUPERVISOR OF COOKING	3	
7	G115	NURSERY ASST & GROUNDSKEEPER SUPV	1	
8	L093	ORTHOTIST AIDE	5	
9	M047	RECREATIONAL ACTIVITY LEADER I	32	
10	E017	INSTITUTION ASSISTANT LIBRARIAN	2	
11	G021	BOILER OPERATOR	1	
12	(18) A106	ACCOUNTING TECHNICIAN I	8	GRADE 12
13	C013	SWITCHBOARD OPERATOR SUPERVISOR	1	
14	G092	LAUNDRY OPERATIONS MANAGER	1	
15	K089	PERSONNEL ASSISTANT	5	
16	L025	DENTAL ASSISTANT	2	
17	(19) L057	M R AIDE I	743	GRADE 11
18	Y001	APPRENTICE TRADESMAN	6	
19	G061	FURNITURE REPAIRMAN	1	
20	V041	PURCHASING ASSISTANT	3	
21	K155	SECRETARY I	63	
22	(20) H005	BAKER II	6	GRADE 10
23	H027	COOK II	9	
24	W023	RECORDS CENTER OPERATOR II	11	
25	L097	PHARMACY ASST	2	
26	G006	MOTOR VEHICLE OPERATOR	6	
27	K023	CLERK TYPIST	26	
28	(21) K103	REPRODUCTION EQUIPMENT OPERATOR	1	GRADE 09
29	L105	PHYSICAL THERAPY AIDE	9	
30	Y045	INSTITUTIONAL BEAUTICIAN	3	
31	H045	MEAT CUTTER I/BUTCHER I	1	
32	C011	SWITCHBOARD OPERATOR II	3	
33	L089	OCCUPATIONAL THERAPY AIDE	8	
34	(22) L063	M R AIDE TRAINEE	292	GRADE 08
35	G039	CUSTODIAL SUPV II	5	
36	G045	EQUIPMENT OPERATOR	11	

1	H003 BAKER I	16	
2	H025 COOK I	18	
3	H053 FOOD SERVICE WORKER III	3	
4	H019 CANTEEN SUPERVISOR	2	
5	G109 BLDG/EQUIP MAINT REPAIRMAN II	16	
6	G010 LAUNDRY SUPERVISOR	5	
7	(23) K015 OFFICE CLERK	6	GRADE 07
8	G191 CLOTHING SHOP OPERATOR	1	
9	C009 SWITCHBOARD OPERATOR I	13	
10	G059 FARM WORKER	2	
11	G177 MAINTENANCE WORKER SUPERVISOR	1	
12	(24) G107 BLDG/EQUIP MAINT REPAIRMAN I	5	GRADE 06
13	(25) G175 MAINTENANCE WORKER II	8	GRADE 05
14	H043 FOOD SERVICE WORKER II	4	
15	V049 STOCK CLERK II	8	
16	Y095 SEAMSTRESS II	1	
17	(26) G008 LAUNDRY WORKER	32	GRADE 04
18	G035 CUSTODIAL WRKR II	42	
19	(27) G171 CUSTODIAL WRKR I	47	GRADE 03
20	H039 FOOD SERVICE WORKER I	55	
21	E087 VOCATIONAL TRAINEE	18	
22	V047 STOCK CLERK I	<u>1</u>	
23			
	MAX NO. OF EMPLOYEES	2598	

24

25           SECTION 2. EXTRA HELP. There is hereby authorized, for the  
 26 Department of Human Services - Division of Developmental Disabilities Services  
 27 for the 1991-93 biennium, the following maximum number of part-time or  
 28 temporary employees, to be known as "Extra Help", payable from funds  
 29 appropriated herein for such purposes: one hundred forty nine (149) temporary  
 30 or part-time employees, when needed, at rates of pay not to exceed those  
 31 provided in the Uniform Classification and Compensation Act, or its successor,  
 32 or this act for the appropriate classification.

33

34           SECTION 3. APPROPRIATIONS - OPERATIONS - STATE. There is hereby  
 35 appropriated, to the Department of Human Services - Division of Developmental  
 36 Disabilities Services, to be payable from the *Developmental Disabilities*

1 Services Fund Account, for personal services and operating expenses of the  
 2 Department of Human Services - Division of Developmental Disabilities Services  
 3 for the biennial period ending June 30, 1993, the following:

ITEM		FISCAL YEARS	
NO.		1991-92	1992-93
(01)	REGULAR SALARIES	\$ 43,340,953	\$ 45,505,468
(02)	EXTRA HELP	772,519	772,519
(03)	PERSONAL SERV MATCHING	12,820,644	13,564,258
(04)	OVERTIME	19,868	19,868
(05)	EXTRA SALARIES	4,500	4,500
(06)	MAINT. & GEN. OPERATION		
	(A) OPER. EXPENSES	\$ 8,784,246	\$ 8,964,556
	(B) CONF. & TRAVEL	35,798	35,798
	(C) PROF. FEES	12,022	12,022
	(D) CAPITAL OUTLAY	861,722	1,210,528
	(E) DATA PROCESSING	<u>0</u>	<u>0</u>
	TOTAL MAINT. & GEN. OPER.	9,693,788	10,222,904
(07)	GRANTS/PATIENT SERVICES	5,174,835	5,359,352
(08)	PURCHASE OF SERVICES	1,518,018	1,518,018
(09)	VOCATIONAL TRAINEES	48,327	48,327
(10)	EARLY INTERVENTION	<u>1,500,000</u>	<u>2,600,000</u>
	TOTAL AMOUNT APPROPRIATED	<u>\$ 74,893,455</u>	<u>\$ 79,615,217</u>

25 SECTION 4. APPROPRIATIONS - OPERATIONS - FEDERAL. There is hereby  
 26 appropriated, to the Department of Human Services - Division of Developmental  
 27 Disabilities Services, to be payable from the federal funds as designated by  
 28 the Chief Fiscal Officer of the State, for personal services and operating  
 29 expenses of the Department of Human Services - Division of Developmental  
 30 Disabilities Services for the biennial period ending June 30, 1993, the  
 31 following:

ITEM		FISCAL YEARS	
NO.		1991-92	1992-93
(01)	REGULAR SALARIES	\$ 174,247	\$ 183,067

1	(02)	PERSONAL SERV MATCHING		48,426	51,217
2	(03)	MAINT. & GEN. OPERATION			
3	(A)	OPER. EXPENSES	\$ 13,037	\$ 58,037	
4	(B)	CONF. & TRAVEL	9,130	9,130	
5	(C)	PROF. FEES	0	0	
6	(D)	CAPITAL OUTLAY	3,500	10,000	
7	(E)	DATA PROCESSING	<u>0</u>	<u>0</u>	
8		TOTAL MAINT. & GEN. OPER.		25,667	77,167
9	(04)	PURCHASE SERVICES		<u>700,000</u>	<u>2,600,000</u>
10		TOTAL AMOUNT APPROPRIATED		<u>\$ 948,340</u>	<u>\$ 2,911,451</u>

11

12 SECTION 5. APPROPRIATIONS - FEDERAL GRANTS PROGRAM. There is hereby

13 appropriated, to the Department of Human Services - Division of Developmental

14 Disabilities Services, to be payable from the federal funds as designated by

15 the Chief Fiscal Officer of the State, for personal services and operating

16 expenses of the Department of Human Services - Division of Developmental

17 Disabilities Services for the biennial period ending June 30, 1993, the

18 following:

20	ITEM	FISCAL YEARS	
21	NO.	1991-92	1992-93
22	(01) REGULAR SALARIES	\$ 55,126	\$ 57,917
23	(02) PERSONAL SERV MATCHING	14,507	15,324
24	(03) MAINT. & GEN. OPERATION		
25	(A) OPER. EXPENSES	\$ 12,350	\$ 13,475
26	(B) CONF. & TRAVEL	2,070	2,320
27	(C) PROF. FEES	600	680
28	(D) CAPITAL OUTLAY	0	0
29	(E) DATA PROCESSING	<u>0</u>	<u>0</u>
30	TOTAL MAINT. & GEN. OPER.	15,020	16,475
31	(04) FOSTER PARENTS STIPENDS	<u>277,017</u>	<u>287,017</u>
32	TOTAL AMOUNT APPROPRIATED	<u>\$ 361,670</u>	<u>\$ 376,733</u>

33

34 SECTION 6. APPROPRIATIONS - SCHOOL LUNCH PROGRAM - CASH. There is

35 hereby appropriated, to the Department of Human Services - Division of

1 Developmental Disabilities Services, to be payable from cash funds as defined  
 2 by Arkansas Code 19-4-801 of the Department of Human Services - Division of  
 3 Developmental Disabilities Services, for operating expenses of the Department  
 4 of Human Services - Division of Developmental Disabilities Services for the  
 5 ~~biennial period ending June 30, 1993, the following:~~

7 ITEM		FISCAL YEARS	
8 NO.		1991-92	1992-93
9 (01)	MAINT. & GEN. OPERATION		
10 (A)	OPER. EXPENSES \$ 234,266	\$ 234,266	
11 (B)	CONF. & TRAVEL 0	0	
12 (C)	PROF. FEES 0	0	
13 (D)	CAPITAL OUTLAY 0	0	
14 (E)	DATA PROCESSING 0	0	
15	TOTAL MAINT. & GEN. OPER.	\$ 234,266	\$ 234,266
16	TOTAL AMOUNT APPROPRIATED	\$ 234,266	\$ 234,266

17  
 18 SECTION 7. APPROPRIATIONS - COMMUNITY PROGRAMS. There is hereby  
 19 appropriated, to the Department of Human Services - Division of Developmental  
 20 Disabilities Services, to be payable from the Developmental Disabilities  
 21 Services-Dog Track Special Revenue Fund, for expenses of the Department of  
 22 Human Services - Division of Developmental Disabilities Services private  
 23 non-profit community based programs licensed by the Department of Human  
 24 Services - Division of Developmental Disabilities Services for the biennial  
 25 ~~period ending June 30, 1993, the following:~~

27 ITEM		FISCAL YEARS	
28 NO.		1991-92	1992-93
29 (01)	COMMUNITY PROGRAMS	\$ 235,302	\$ 235,302

30  
 31 SECTION 8. APPROPRIATIONS - SPECIAL OLYMPICS. There is hereby  
 32 appropriated, to the Department of Human Services - Division of Developmental  
 33 Disabilities Services, to be payable from the *Developmental Disabilities*  
 34 *Services Fund Account*, for grants to the Special Olympics for the biennial  
 35 period ending June 30, 1993, the following:

1

ITEM		FISCAL YEARS	
NO.		1991-92	1992-93
(01)	GRANTS	<u>\$ 100,000</u>	<u>\$ 100,000</u>

5

6 SECTION 9. APPROPRIATIONS - GRANTS-IN-AID. There is hereby  
 7 appropriated, to the Department of Human Services - Division of Developmental  
 8 Disabilities Services, to be payable from the *Developmental Disabilities*  
 9 *Services Fund Account*, for grants-in-aid to community providers of services to  
 10 ~~the developmentally disabled of the Department of Human Services - Division of~~  
 11 Developmental Disabilities Services for the biennial period ending June 30,  
 12 1993, the following:

13

ITEM		FISCAL YEARS	
NO.		1991-92	1992-93
(01)	GRANTS-IN-AID	<u>\$ 15,246,854</u>	<u>\$ 15,458,430</u>

17

18 SECTION 10. APPROPRIATIONS - EARLY INTERVENTION PROGRAM - FEDERAL.  
 19 There is hereby appropriated, to the Department of Human Services - Division  
 20 of Developmental Disabilities Services, to be payable from the federal funds  
 21 as designated by the Chief Fiscal Officer of the State, for the development  
 22 and support of an Early Intervention Program for Infants and Toddlers, as  
 23 ~~administered by the Department of Human Services - Division of Developmental~~  
 24 Disabilities Services for the biennial period ending June 30, 1993, the  
 25 following:

26

ITEM		FISCAL YEARS	
NO.		1991-92	1992-93
(01)	REGULAR SALARIES	\$ 40,548	\$ 42,600
(02)	PERSONAL SERV MATCHING	11,483	12,147
(03)	MAINT. & GEN. OPERATION		
(A)	OPER. EXPENSES	\$ 41,840	\$ 42,871
(B)	CONF. & TRAVEL	17,328	17,809
(C)	PROF. FEES	0	0
(D)	CAPITAL OUTLAY	6,000	6,300

35

1	(E) DATA PROCESSING	<u>0</u>	<u>0</u>
2	TOTAL MAINT. & GEN. OPER.	65,168	66,980
3	(04) PURCH SERVICES GRANTS	616,181	614,405
4	(05) PURCHASE OF SERVICES	<u>3,947</u>	<u>3,947</u>
5	TOTAL AMOUNT APPROPRIATED	<u>\$ 737,327</u>	<u>\$ 740,079</u>

6

7 SECTION 11. APPROPRIATIONS - NURSING HOME REFORM. There is hereby

8 appropriated, to the Department of Human Services - Division of Developmental

9 Disabilities Services, to be payable from the *Developmental Disabilities*

10 *Services Fund Account*, for the provision of active treatment for

11 ~~developmentally disabled persons residing in nursing homes due to physical~~

12 impairments and those persons residing in the community who require active

13 treatment to prevent entrance into more restrictive settings, for the biennial

14 period ending June 30, 1993, the following:

16	ITEM	FISCAL YEARS	
17	NO.	1991-92	1992-93
18	(01) NURSING HOME WAIVER	\$ 1,000,000	\$ 1,154,000
19	(02) ACTIVE TREATMENT IN NURSING HOME	<u>312,000</u>	<u>346,000</u>
20	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,312,000</u>	<u>\$ 1,500,000</u>

21

22 SECTION 12. SPECIAL AUTHORIZATION - CASH FUNDS. All funds received by

23 the Division of Developmental Disabilities Services of the Department of Human

24 Services shall be placed in the State Treasury and expended via appropriation.

25 Those funds held in trust by the agency for the residents of the Human

26 Development Centers, including Gifts and Bequests, shall be considered agency

27 funds to be expended from bank accounts without legislative appropriation.

28 The Chief Fiscal Officer of the State shall have the final authority to

29 determine those funds which may be exempted from being placed in the State

30 Treasury unless otherwise provided by law. Provided, however, no agency funds

31 deposited in bank accounts shall be expended for purposes other than those

32 allowed for the expenditures of State Treasury funds under the provisions of

33 the General Accounting and Budgetary Procedures Law of Arkansas.

34

35 SECTION 13. VOCATIONAL TRAINEES. The Division of Developmental

1 Disabilities Services of the Department of Human Services is hereby authorized  
2 for the 1991-93 biennium to provide employment opportunities for people with  
3 disabilities residing at the Human Development Centers who work less than a  
4 competitive employment level separate from the currently authorized regular  
5 Vocational Trainee positions. The positions authorized herein shall not be  
6 incorporated into the present classification system but shall be provided for  
7 by each Human Development Center on a Cash Account basis. It is the intent of  
8 the General Assembly that the authorization of these positions shall  
9 facilitate the agency's ability to provide for residents with lower work  
10 productivity.

11

12 SECTION 14. TRANSFER OF FUNDS. The Director of the Department of Human  
13 Services is hereby authorized, with the approval of the Chief Fiscal Officer  
14 of the State, and after having sought a prior review by the Arkansas  
15 Legislative Council, to transfer any line item appropriation to any other line  
16 item appropriation authorized herein with one exception: Item (01) of Section  
17 9 herein, the same being Grants-in-Aid may not be decreased.

18

19 SECTION 15. COMMUNITY PROGRAM MATCHING. Nothing in this Act shall  
20 prevent use of funds allocated under the Grants-in-Aid Appropriation to match  
21 Title XIX or Social Services Block Grant (Title XX) funds to be used by  
22 private non-profit community based services. Developmental Disabilities  
23 Services (DDS) shall continue to allocated to private non-profit community  
24 based services a total percentage of Social Services Block Grant (Title XX)  
25 funds received that is equal to or greater than the percentage of Social  
26 Services Block Grant (Title XX) funds received by DDS and allocated to  
27 community based programs for Fiscal Year 1982-83.

28

29 SECTION 16. APPLICATIONS FOR SERVICES. In the event that existing  
30 services now funded from the Grants-In-Aid Appropriation, being item (01) of  
31 Section 9 herein, are extended to unserved areas of the state, or in the event  
32 that new services are made available, to be funded from the Grants-In-Aid  
33 Appropriation, existing private community based service providers shall be  
34 granted an opportunity to make application to expand their service base to  
35 unserved areas or shall be granted an opportunity to make application to offer

1 new services in their existing service area. In areas in which the Division  
2 of Developmental Disabilities Services determines that new or expanded  
3 services are to be offered, it shall provide notice of its intent to provide  
4 the services to existing providers in the area and to the general public.  
5 Before licensing new service providers in an area, the Division shall  
6 determine in writing that existing service providers are not qualified or are  
7 unable or unwilling to extend services to new areas or provide new services.  
8 Nothing in this Act shall restrict the Division's discretion to award new or  
9 expanded services to the existing community based service providers making  
10 application for the same pursuant to this section. The intent of this section  
11 is to avoid unnecessary duplication of costs and services in the extension or  
12 expansion of services.

13

14 SECTION 17. DHS/DDS-ICF MATCHING. Medicaid matching funds for the 15  
15 bed or less Intermediate Care Facility for the Mentally Retarded program shall  
16 not be paid from the Grants-in-Aid Appropriation, being item (01) of Section 9  
17 herein.

18

19 SECTION 18. COMMUNITY BASED SERVICES. Funds allocated under the  
20 Grants-in-Aid appropriation, being item (01) of Section 9 herein, shall be  
21 used only to provide services through private community based services  
22 licensed or certified by the Arkansas Division of Developmental Disabilities.  
23 When DDS licensed providers are involved in delivering services which are  
24 Medicaid reimbursable, they must enroll as a provider with the Arkansas  
25 Medicaid Program and must bill the Arkansas Medicaid Program for all covered  
26 services for eligible individuals.

27 Services which are covered by the Arkansas State Medicaid Program or  
28 under the Alternative Community Service Waiver Program (ASC) will be utilized  
29 to the maximum extent possible for any individual who is eligible for Medicaid  
30 coverage prior to any expenditure of general revenue, other than for Medicaid  
31 matching funds, or Title XX. It is the intent of this section that DDS, as a  
32 general policy, maximize the use of Medicaid funding available for services.  
33 The State shall require each provider funded from the Grant-in-Aid  
34 appropriation or from the Grants/Patient Service Line, being item (07) of  
35 Section 3 herein, to screen each individual to whom services are provided for

1 a determination of eligibility or ineligibility for Medicaid coverage within  
2 thirty days of the first date that services are provided. It is the intent of  
3 this section to insure that whenever possible, Medicaid funds are utilized for  
4 covered or waived services to individuals who are eligible for coverage  
5 under the Arkansas Medicaid Program or the ASC Waiver.

6 Nothing in this Act shall prevent the Division or any provider from  
7 extending emergency services in a timely manner.

8

9 SECTION 19. DHS/DDS-REVIEW OF RATES. The Division of Developmental  
10 Disabilities Services, in coordination with the Division of Developmental  
11 Disabilities Funding Committee and representatives from parent/consumer  
12 organizations, will review the rates for services paid from the Grant-In-Aid  
13 Appropriation and will make recommendations concerning changes in those rates.  
14 This group will recommend uses for any increased state funds made available  
15 by increased utilization of Medicaid funds for existing services now paid for  
16 by state funds from the Grant-In-Aid Appropriation.

17

18 SECTION 20. CARRY FORWARD. The unexpended balances in appropriations  
19 for the expenditure of Federal Funds as provided for in this Act shall, at the  
20 end of each fiscal year, be carried forward and made available for  
21 expenditures for the same purpose for the next fiscal year.

22

23 SECTION 21. GRANTS IN AID-CONDITIONS FOR RECEIVING FUNDS. Private  
24 nonprofit community based programs licensed by the Department of Human  
25 Services, Developmental Disabilities Services, are eligible to receive funds  
26 appropriated in Section 9 of this Act, and as a condition of receiving such  
27 funds they shall:

28 1. Meet minimum standards of performance in the delivery of services to  
29 people with disabilities as defined by the Department of Human Services,  
30 Developmental Disabilities Services.

31 2. Supply statistical and financial data to the Department of Human  
32 Services, Developmental Disabilities Services.

33 3. Establish and maintain a sound financial management system in accordance  
34 with guidelines as set forth by the Department of Human Services.

35 4. Establish and maintain community support programs designed to provide

1 coordinated care and treatment to ensure ongoing involvement and  
2 individualized services for persons with disabilities. Every community  
3 support program shall provide services for persons with disabilities who  
4 reside within the respective area of the program. At a minimum, each  
5 community support program shall provide assessment, diagnosis, identification  
6 of persons in need of services, case management, crisis intervention,  
7 supervision, counseling and activities of daily living.

8 5. The Board of Directors of each Center licensed by the Department of  
9 Human Services, Developmental Disabilities Services shall adopt and have on  
10 file an annual plan for the delivery of community support services for persons  
11 with disabilities. Each Center's plan review shall become a part of the  
12 licensure process.

13

14 SECTION 22. EXTRA HELP - OPERATIONS. There is hereby authorized for the  
15 Department of Human Services - Developmental Disabilities Services Division  
16 for the 1991-93 biennium, the following maximum number of employees to be  
17 known as "Extra Help", payable from funds appropriated herein for such  
18 purposes: Fifty-one (51) employees, when needed at rates of pay not to exceed  
19 those provided in the Uniform Classification and Compensation Act, or its  
20 successor, for the appropriate classification. Any of these positions  
21 utilized in a manner which is reimbursable under Title XIX is specifically  
22 exempt from limitation of hours, either by Act or Regulation.

23

24 SECTION 23. Of the funds appropriated for Grants-in-Aid in Section 9  
25 hereof \$414,562 is hereby designated to fund residential services for persons  
26 with developmental disabilities in HUD constructed apartments and homes. The  
27 following programs will be funded up to the following amount, which is based  
28 on 75% of the existing rate.

29	Twin Rivers Community Living Facility in Mountain Home	\$79,103
30	Lawrence County Cooperative School in Portia	\$58,856
31	Ouachita Group Home In Camden	\$82,399
32	Magnolia Specialized Services in Magnolia	\$46,232
33	Pathfinder School in Jacksonville	\$49,093
34	Garland County ARC in Hot Springs	\$98,879

35

1 Funding will be adjusted if Medicaid services are accessed for  
2 residential services for the developmentally disabled in order that the new  
3 rate will be comparable to rates for similar services.

4  
5 SECTION 24. Funds allocated under this Appropriation for community  
6 based services, for Grants-in-Aid, being item (1) of Section 9 herein, shall  
7 be used only to provide services through private community based services  
8 licensed or certified by the Arkansas Division of Developmental Disabilities  
9 Services. When DDS licensed providers are involved in delivering services  
10 which are Medicaid reimbursable, they must enroll as a provider with the  
11 Arkansas Medicaid Program and must bill the Arkansas Medicaid Program for all  
12 covered services for eligible individuals.

13 Services which are covered by the Arkansas State Medicaid Program or  
14 under the Alternative Community Services Waiver Program (ACS) or the Nursing  
15 Home Waiver will be utilized to the maximum extent possible for any individual  
16 who is eligible for Medicaid coverage prior to any expenditure of general  
17 revenue, other than for Medicaid matching funds, or Title XX. It is the  
18 intent of this section that DDS, as a general policy, maximize the use of  
19 Medicaid funding available for services.

20 The State shall require each provider funded from this Appropriation for  
21 community based services, including funding from the Grants/Patient Services  
22 Line, being item (7) of Section 3 herein, the Early Intervention Line, being  
23 item (10) of Section 3 herein or from the Grants-In-Aid Line, being item (1)  
24 of Section 9 herein, to screen each individual to whom services are provided  
25 for a determination of eligibility or ineligibility for Medicaid coverage  
26 within thirty days of the first date that services are provided. It is the  
27 intent of this section to insure that wherever possible, Medicaid funds are  
28 utilized for covered or waived services to individuals who are eligible for  
29 coverage under the Arkansas Medicaid Program or the ACS or Nursing Home  
30 Waivers.

31 Nothing in this Act shall prevent the Division or any provider from  
32 extending emergency services in a timely manner.

33  
34 SECTION 25. The Office of Long Term Care (OLTC) shall promulgate and  
35 maintain, pursuant to the requirements of the Arkansas Administrative

1 *Procedures Act, separate regulations, client rights and sanctions for ICF/MR*  
2 *operations and for other long term care facilities regulated by the OLTC.*  
3 *Regulations which cover all facilities regulated by OLTC shall be included in*  
4 *each separate set of regulations. Changes and updates to each set of*  
5 *regulations shall specify which type of regulations are being updated or*  
6 *changed.*

7  
8       *SECTION 26. The operation of the community based ICF/MR program will be*  
9 *subject to the oversight of a five member sub-committee comprised of three*  
10 *House members to be appointed by the Speaker of the House of Representatives*  
11 *and two Senate members to be appointed by the President Pro Tem of the Senate.*  
12 *The committee shall provide oversight for the operation of the small ICF/MR*  
13 *program and make recommendations, within the appropriate Federal Regulations*  
14 *and Guidelines, to DDS and OLTC to establish and clarify the mission, goals,*  
15 *levels of services and scope of the program and to provide consistency in*  
16 *state regulations, guidelines, standards and policies. The sub-committee*  
17 *shall also make recommendations for adequate funding to insure the fiscal*  
18 *integrity of the program to allow it to be operated pursuant to the state and*  
19 *federal regulations, guidelines, standards and policies.*

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

30  
31       *SECTION 28. LEGISLATIVE INTENT. It is the intent of the General*  
32 *Assembly that any funds disbursed under the authority of the appropriations*  
33 *contained in this Act shall be in compliance with the stated reasons for which*  
34 *this Act was adopted, as evidenced by the Agency Requests, Executive*  
35 *Recommendations and Legislative Recommendations contained in the budget*

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

4  
5 SECTION 29. CODE. All provisions of this Act of a general and  
6 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and  
7 the Arkansas Code Revision Commission shall incorporate the same in the Code.

8  
9 SECTION 30. SEVERABILITY. If any provision of this Act or the  
10 application thereof to any person or circumstance is held invalid, such  
11 invalidity shall not affect other provisions or applications of the Act which  
12 can be given effect without the invalid provision or application, and to this  
13 end the provisions of this Act are declared to be severable.

14  
15 SECTION 31. GENERAL REPEALER. All laws and parts of laws in conflict  
16 with this Act are hereby repealed.

17  
18 SECTION 32. HEALTH PREMIUMS. The Department of Human Services -  
19 Division of Developmental Disabilities Services shall not, during the 1992-93  
20 fiscal year, spend more for health insurance per employee than the amount  
21 being contributed to the State Employees Health Insurance Program.

22  
23 SECTION 33. EMERGENCY CLAUSE. It is hereby found and determined by the  
24 Seventy-Eighth General Assembly, that the Constitution of the State of  
25 Arkansas prohibits the appropriation of funds for more than a two (2) year  
26 period; that the effectiveness of this Act on July 1, 1991 is essential to the  
27 operation of the agency for which the appropriations in this Act are provided,  
28 and that in the event of an extension of the Regular Session, the delay in the  
29 effective date of this Act beyond July 1, 1991 could work irreparable harm  
30 upon the proper administration and provision of essential governmental  
31 programs. Therefore, an emergency is hereby declared to exist and this Act  
32 being necessary for the immediate preservation of the public peace, health and  
33 safety shall be in full force and effect from and after July 1, 1991.

34  
35 /s/ John E. Miller

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