

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005

A Bill

HOUSE BILL 1180

4
5 By: Joint Budget Committee
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7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE HEALTH
11 SERVICES PERMIT AGENCY FOR THE BIENNIAL PERIOD
12 ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.
13

Subtitle

14
15 AN ACT FOR THE HEALTH SERVICES PERMIT
16 AGENCY APPROPRIATION FOR THE 2005-2007
17 BIENNIUM.
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20
21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. REGULAR SALARIES - STATE OPERATIONS. There is hereby
24 established for the Health Services Permit Agency for the 2005-2007 biennium,
25 the following maximum number of regular employees whose salaries shall be
26 governed by the provisions of the Uniform Classification and Compensation Act
27 (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory
28 thereto. Provided, however, that any position to which a specific maximum
29 annual salary is set out herein in dollars, shall be exempt from the
30 provisions of said Uniform Classification and Compensation Act. All persons
31 occupying positions authorized herein are hereby governed by the provisions
32 of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-
33 101), or its successor.
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35 Maximum Annual
36 Maximum Salary Rate



Item	Class		No. of Employees	Fiscal Years	
	No.	Code Title		2005-2006	2006-2007
3	(1)	9957 HLTH DIR ADM HLTH SERVICES AGEN	1	\$86,054	\$88,239
4	(2)	A032 AGENCY FISCAL MANAGER	1	GRADE	22
5	(3)	R473 DDPC COORDINATOR	1	GRADE	21
6	(4)	R266 MANAGEMENT PROJECT ANALYST II	1	GRADE	20
7	(5)	R168 GRANTS COORDINATOR II	1	GRADE	19
8	(6)	R264 MANAGEMENT PROJECT ANALYST I	1	GRADE	18
9	(7)	R134 PLANNING SPECIALIST II	2	GRADE	18
10	(8)	R010 ADMINISTRATIVE ASSISTANT II	1	GRADE	17
11	(9)	K041 EXECUTIVE SECY/ADMINISTRATIVE SECY	1	GRADE	14
12	(10)	K153 SECRETARY II	<u>1</u>	GRADE	13
13		MAX. NO. OF EMPLOYEES	11		

SECTION 2. APPROPRIATION - PERMIT OF APPROVAL PROGRAM. There is hereby appropriated, to be payable from the funds and fund accounts as set out herein, to the Health Services Permit Agency for the biennial period ending June 30, 2007, the following:

(a) For the Permit of Approval Program, the sum of \$358,917 for the 2005-2006 fiscal year and \$366,142 for the 2006-2007 fiscal year.

(1) Program Description. The Health Services Permit Agency 1) ensures appropriate distribution of health care providers through the regulation of new services 2) protects quality care 3) negotiates with competing interests so that community needs are appropriately met without unnecessary duplication and expense.

(2) Appropriation payable from:	FISCAL YEARS	
	<u>2005-2006</u>	<u>2006-2007</u>
(A) General Revenue:		
Miscellaneous Agencies Fund		
Account	\$ <u>267,157</u>	\$ <u>272,321</u>
TOTAL General Revenue	\$ 267,157	\$ 272,321
(B) Other Funds	\$ 306,338	\$ 264,578

(3) Performance Targets:
 (A) Number of industries regulated by the POA process for which annual reports have been

1	developed, disseminated,		
2	collected and analyzed.	4	5
3	(B) Number of prior year audit		
4	findings repeated in subsequent		
5	audit.	0	0
6	(C) Number of updated bed need books		
7	published per year	4	4
8	(D) Percentage of applications that		
9	are reviewed and processed within		
10	required time frames.	100%	100%

SECTION 3. APPROPRIATION - DEVELOPMENTAL DISABILITIES COUNCIL PROGRAM.

There is hereby appropriated, to be payable from the funds and fund accounts as set out herein, to the Health Services Permit Agency for the biennial period ending June 30, 2007, the following:

(a) For the Developmental Disabilities Council Program, the sum of \$1,387,620 for the 2005-2006 fiscal year and \$1,395,063 for the 2006-2007 fiscal year.

(1) Program Description. The 26 member Council supports individuals with developmental disabilities and their families by 1) advocating for needed improvements and changes to the service system; 2) providing training and education on disability issues; 3) working with other state agencies and organizations; 4) providing information and referral services; 5) providing funding for pilot projects; and, 6) maintaining contact with federal agencies and other state programs to collect updated information on emerging trends.

(2) Appropriation payable from:

FISCAL YEARS

		<u>2005-2006</u>		<u>2006-2007</u>
(A) General Revenue:				
Miscellaneous Agencies Fund				
Account	\$	<u>64,950</u>	\$	<u>65,876</u>
TOTAL General Revenue	\$	64,950	\$	65,876
(B) Federal Funds as designated by				
the Chief Fiscal Officer of the				
State	\$	1,296,958	\$	1,302,761

(3) Performance Targets:

(A) Number of persons trained via

1	DDC training activities	500	500
2	(B) Number of persons with		
3	disabilities who participate in		
4	community activities	175	175

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6 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
8 AUTHORITY - DEVELOPMENTAL DISABILITIES ~~PLANNING~~ COUNCIL. The Governor may at
9 any time transfer all personnel, appropriations, fund balances and authorized
10 positions; and the powers, duties, and personnel of the Developmental
11 Disabilities ~~Planning~~ Council to any other designated agency of the state
12 which meets the requirements of the Developmental Disabilities Assistance and
13 Bill of Rights Act as amended Public Law 104-183. The provisions of this
14 section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~
15 2007.

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17 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
19 FORWARD. Any unexpended balance of funds generated by fees and fines pursuant
20 to Arkansas Code 20-8-103 et. seq. deposited into the Miscellaneous Agencies
21 ~~State General Services~~ Fund Account which remain at the close of each state
22 fiscal year shall be carried forward to the next state fiscal year to be used
23 for the same intent and purposes as set forth in law. The provisions of this
24 section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~
25 2007.

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27 SECTION 6. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
28 by this act shall be limited to the appropriation for such agency and funds
29 made available by law for the support of such appropriations; and the
30 restrictions of the State Procurement Law, the General Accounting and
31 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
32 Procedures and Restrictions Act, or their successors, and other fiscal
33 control laws of this State, where applicable, and regulations promulgated by
34 the Department of Finance and Administration, as authorized by law, shall be
35 strictly complied with in disbursement of said funds.

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1 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General Assembly
2 that any funds disbursed under the authority of the appropriations contained
3 in this act shall be in compliance with the stated reasons for which this act
4 was adopted, as evidenced by the Agency Requests, Executive Recommendations
5 and Legislative Recommendations contained in the budget manuals prepared by
6 the Department of Finance and Administration, letters, or summarized oral
7 testimony in the official minutes of the Arkansas Legislative Council or
8 Joint Budget Committee which relate to its passage and adoption.

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10 SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General
11 Assembly, that the Constitution of the State of Arkansas prohibits the
12 appropriation of funds for more than a two (2) year period; that the
13 effectiveness of this Act on July 1, 2005 is essential to the operation of
14 the agency for which the appropriations in this Act are provided, and that in
15 the event of an extension of the Regular Session, the delay in the effective
16 date of this Act beyond July 1, 2005 could work irreparable harm upon the
17 proper administration and provision of essential governmental programs.
18 Therefore, an emergency is hereby declared to exist and this Act being
19 necessary for the immediate preservation of the public peace, health and
20 safety shall be in full force and effect from and after July 1, 2005.

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