

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 1545

4
5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

8
9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE
11 DEPARTMENT OF HEALTH FOR THE BIENNIAL PERIOD
12 ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.
13

Subtitle

14
15 AN ACT FOR THE DEPARTMENT OF HEALTH
16 APPROPRIATION FOR THE 2005-2007
17 BIENNIUM.
18
19
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. REGULAR SALARIES. There is hereby established for the
24 Department of Health for the 2005-2007 biennium, the following maximum number
25 of regular employees whose salaries shall be governed by the provisions of
26 the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et
27 seq.), or its successor, and all laws amendatory thereto. Provided, however,
28 that any position to which a specific maximum annual salary is set out herein
29 in dollars, shall be exempt from the provisions of said Uniform
30 Classification and Compensation Act. All persons occupying positions
31 authorized herein are hereby governed by the provisions of the Regular
32 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
33 successor.
34

35
36
Maximum Annual
Maximum Salary Rate



Item	Class	No. of	Fiscal Years		
No.	Code	Title	Employees	2005-2006	2006-2007
3	(1) 9954	HLTH DIR DEPARTMENT OF HEALTH	1	\$179,628	\$183,232
4	(2) 6605	CHIEF PHYSICIAN SPECIALIST	5	\$172,520	\$176,017
5	(3) 6609	PHYSICIAN SPECIALIST	8	\$128,532	\$131,369
6	(4) 6618	HLTH DIR DIV DENTAL HEALTH	1	\$122,523	\$125,270
7	(5) 6603	GENERAL PHYSICIAN	1	\$119,887	\$122,595
8	(6) 6601	DENTIST	1	\$119,887	\$122,595
9	(7) 9771	HEALTH DEPUTY DIRECTOR ADMIN	1	\$105,385	\$107,875
10	(8) 9929	HLTH DEPUTY DIRECTOR	1	\$100,614	\$103,033
11	(9) 6625	HLTH CHIEF EPIDEMIOLOGY OFFICER	3	\$96,811	\$99,173
12	(10) 9953	HEALTH BUREAU DIRECTOR	6	\$90,081	\$92,342
13	(11) 7517	FAMILY PLANNING DIRECTOR	1	\$89,627	\$91,879
14	(12) 9280	HEALTH DIRECTOR BIOTERRORISM	1	\$89,626	\$91,878
15	(13) 6624	HLTH VETERINARIAN SR	1	\$88,565	\$90,797
16	(14) 9062	HLTH CHIEF SCIENTIST ENV HLTH&SFTY	1	\$88,049	\$90,271
17	(15) 9955	HEALTH CHIEF LEGAL COUNSEL	1	\$85,273	\$87,443
18	(16) 9944	HEALTH DATA CENTER MANAGER	1	\$85,273	\$87,443
19	(17) 8031	HLTH DIRECTOR FINANCE	1	\$85,273	\$87,443
20	(18) 9285	BIOTERRORISM LAB SPECIALIST	2	\$85,000	\$87,295
21	(19) 9195	DIR DIV HLTH STATIS & VITAL RECORDS	1	\$84,953	\$87,117
22	(20) 9063	HLTH DIRECTOR OF COMMUNICATIONS	1	\$81,859	\$83,964
23	(21) 9461	NURSE PRACTITIONER	44	\$71,000	\$72,899
24	(22) 9194	HLTH SR RESEARCH ANALYST	3	\$64,158	\$65,927
25	(23) 142Z	HLTH DIR IN-HOME SERVICES	1		GRADE 26
26	(24) 340Z	HLTH DIR ENGINEERING	1		GRADE 26
27	(25) L001	CERTIFIED NURSE MIDWIFE	2		GRADE 26
28	(26) L014	DIRECTOR OF PHARMACY SERVICES	1		GRADE 26
29	(27) L012	PHARMACIST II	7		GRADE 25
30	(28) 341Z	HLTH ASSOCIATE BUREAU DIRECTOR	7		GRADE 25
31	(29) 351Z	HLTH DIR ENVIR HLTH PROTECTION	1		GRADE 25
32	(30) 079Z	HLTH CHIEF ENGINEER	2		GRADE 25
33	(31) 419Z	HLTH DIR PUBLIC HEALTH LABS	1		GRADE 25
34	(32) 316Z	HLTH DIR RAD CONTROL & EMERG MGMT	1		GRADE 25
35	(33) 364Z	HLTH NURSING DIRECTOR	1		GRADE 25
36	(34) A046	AGENCY CONTROLLER – LARGE/COMPLEX A	1		GRADE 25

1	(35)	R170	ATTORNEY SPECIALIST	2	GRADE 25
2	(36)	X339	ENGINEER SUPERVISOR	10	GRADE 24
3	(37)	D064	SR SYSTEMS PROGRAMMER	3	GRADE 24
4	(38)	424Z	HLTH PUB HLTH AREA MANAGER	8	GRADE 24
5	(39)	361Z	HLTH MEDICAL CARE SVCS ADMR	8	GRADE 24
6	(40)	D130	INFORMATION SYSTEMS ADMINISTRATOR	1	GRADE 24
7	(41)	E018	HLTH PUB HLTH ED MANAGER	1	GRADE 23
8	(42)	L003	HLTH DIR NUTRITION SERVICES	1	GRADE 23
9	(43)	M092	HLTH SOC SVC PROGRAM DIRECTOR	1	GRADE 23
10	(44)	Q037	DIRECTOR PROTECTIVE HEALTH CODES	2	GRADE 23
11	(45)	126Z	STATE REGISTRAR VITAL RECORDS	1	GRADE 23
12	(46)	422Z	HLTH DIR HLTH MAINT/PUB HLTH PRGM	20	GRADE 23
13	(47)	384Z	HLTH HUMAN RESOURCES MANAGER	1	GRADE 23
14	(48)	323Z	HLTH ASST DIR DIV PUBLIC HEALTH NSG	1	GRADE 23
15	(49)	822Z	HLTH RURAL HLTH PRGM ADMINISTRATOR	1	GRADE 23
16	(50)	874Z	HLTH COMPTROLLER	3	GRADE 23
17	(51)	D080	APPLICATIONS & SYSTEMS MANAGER	1	GRADE 23
18	(52)	D100	DP SENIOR PROJECT LEADER	4	GRADE 23
19	(53)	B040	HLTH PUB HLTH LAB SECTION DIRECTOR	3	GRADE 23
20	(54)	X302	HLTH DIR MEDICARE CERTIFICATION	1	GRADE 23
21	(55)	R184	NURSING SERVICES UNIT MANAGER	1	GRADE 23
22	(56)	R051	HLTH DIR EMERGENCY HLTH SVCS	1	GRADE 23
23	(57)	R056	HLTH PUB HLTH NURSING PROGRAM ADMR	5	GRADE 23
24	(58)	R055	HLTH PUB HLTH NURSING PROGRAM COORD	35	GRADE 22
25	(59)	Q032	HLTH PHYSICIST SUPERVISOR	4	GRADE 22
26	(60)	Q034	HLTH PUB HLTH INVESTIGATION MANAGER	1	GRADE 22
27	(61)	Q078	HEALTH ENVIRONMENTAL SUPV	16	GRADE 22
28	(62)	Q120	POL C INSPECTOR SUPV	4	GRADE 22
29	(63)	X338	ENGINEER, PE	24	GRADE 22
30	(64)	Y009	HLTH DIR PLUMBING	1	GRADE 22
31	(65)	W007	HLTH DIR RECORDS MGMT	1	GRADE 22
32	(66)	B006	SR EPIDEMIOLOGIST	19	GRADE 22
33	(67)	A032	AGENCY FISCAL MANAGER	1	GRADE 22
34	(68)	D115	INFORMATION SYSTEMS PLANNER	1	GRADE 22
35	(69)	D066	SYSTEMS COORDINATION ANALYST II	4	GRADE 22
36	(70)	B086	HLTH CHEMIST SUPERVISOR	7	GRADE 22

1	(71)	B089	HLTH MICROBIOLOGIST SUPERVISOR	6	GRADE 22
2	(72)	D012	NETWORK PLANNING PROJECT LDR	4	GRADE 22
3	(73)	909Z	PROGRAM SUPPORT MANAGER	32	GRADE 22
4	(74)	219Z	HLTH COMM DISEASE/IMMUNIZ PROG MGR	1	GRADE 22
5	(75)	220Z	HLTH PERINATAL HLTH PRGM MANAGER	1	GRADE 22
6	(76)	Q038	DIRECTOR HVACR SECTION	1	GRADE 22
7	(77)	L074	REGISTERED NURSE PRACTITIONER II	18	GRADE 22
8	(78)	L009	HLTH PUB HLTH NURSE SUPERVISOR	10	GRADE 22
9	(79)	D124	LEAD PROGRAMMER/ANALYST	15	GRADE 22
10	(80)	E051	TRAINING PROJECT MANAGER	1	GRADE 22
11	(81)	D122	USER SUPPORT SUPERVISOR	1	GRADE 21
12	(82)	D123	APPLICATIONS & SYSTEMS ANALYST	3	GRADE 21
13	(83)	E040	NURSE INSTRUCTOR SUPERVISOR	2	GRADE 21
14	(84)	L010	AUDIOLOGIST SUPERVISOR	3	GRADE 21
15	(85)	L082	NURSING SERVICES SPECIALIST	115	GRADE 21
16	(86)	L072	REGISTERED NURSE PRACTITIONER I	1	GRADE 21
17	(87)	L017	NUTRITIONIST SUPERVISOR	8	GRADE 21
18	(88)	L019	NUTRITIONIST CONSULTANT	14	GRADE 21
19	(89)	D010	DATA BASE ANALYST	1	GRADE 21
20	(90)	D036	SR PROGRAMMER/ANALYST	14	GRADE 21
21	(91)	A008	ACCOUNTING SUPERVISOR II	10	GRADE 21
22	(92)	B032	SR GEOLOGIST	1	GRADE 21
23	(93)	R268	MEDICAL ECONOMIST	5	GRADE 21
24	(94)	R298	AGENCY PROGRAM COORDINATOR	35	GRADE 21
25	(95)	R326	QUALITY ASSURANCE COORDINATOR	1	GRADE 21
26	(96)	R488	GRANTS ADMIN SUPV	15	GRADE 21
27	(97)	X305	HLTH FACILITY CERT SURVEYOR	3	GRADE 21
28	(98)	Q077	HEALTH ENVIRONMENTAL SPEC III	66	GRADE 21
29	(99)	Q070	HLTH PUB HLTH INVESTIGATOR SUPV	8	GRADE 21
30	(100)	R023	NUCLEAR PLNG & RESPONSE MANAGER	1	GRADE 21
31	(101)	R054	HLTH PROGRAM ANALYST	21	GRADE 20
32	(102)	R232	EMERG MEDICAL SERVICES SUPV	2	GRADE 20
33	(103)	R266	MANAGEMENT PROJECT ANALYST II	48	GRADE 20
34	(104)	Q058	PLUMBING INSPECTOR SUPV	1	GRADE 20
35	(105)	Q061	POL C INSPECTOR	26	GRADE 20
36	(106)	Q046	MEDICARE/MEDICAID SURVEY SPECIALIST	17	GRADE 20

1	(107)	M088	SOCIAL WORKER II	28	GRADE 20
2	(108)	Q076	HEALTH ENVIRONMENTAL SPEC II	57	GRADE 20
3	(109)	Y116	MAINTENANCE SYSTEMS SUPV	1	GRADE 20
4	(110)	V009	HLTH DIR CENTRAL SUPPLY & SVCS	1	GRADE 20
5	(111)	B003	EPIDEMIOLOGIST	2	GRADE 20
6	(112)	B010	CHEMIST II	30	GRADE 20
7	(113)	A085	HLTH BUDGET & FUND CONTROL MANAGER	2	GRADE 20
8	(114)	A006	ACCOUNTING SUPERVISOR I	3	GRADE 20
9	(115)	D121	USER SUPPORT ANALYST	8	GRADE 20
10	(116)	B066	MICROBIOLOGIST II	40	GRADE 20
11	(117)	L034	HOME HEALTH NURSE II	353	GRADE 20
12	(118)	L015	NUTRITIONIST	6	GRADE 20
13	(119)	L070	NURSE II	1	GRADE 20
14	(120)	L104	PHYSICAL THERAPIST II/PHYSICAL THER	1	GRADE 20
15	(121)	Q039	HVACR INSPECTOR SUPERVISOR	2	GRADE 20
16	(122)	N333	MEDIA SPECIALIST	1	GRADE 20
17	(123)	Q030	HLTH PHYSICIST	16	GRADE 20
18	(124)	L140	SPEECH PATHOLOGIST II	1	GRADE 20
19	(125)	L156	HLTH PUB HLTH NURSE II	384	GRADE 20
20	(126)	M030	PUBLIC DEF OMBUDSMAN/SW	1	GRADE 20
21	(127)	L008	SR AUDIOLOGIST	2	GRADE 20
22	(128)	E044	PUB HLTH EDUCATOR SUPERVISOR	10	GRADE 20
23	(129)	E114	STAFF DEVELOPMENT COORDINATOR	2	GRADE 20
24	(130)	E074	TRAINING REPRESENTATIVE	1	GRADE 19
25	(131)	E042	PUB HLTH EDUCATOR	24	GRADE 19
26	(132)	D132	SYSTEMS COORDINATION ANALYST I	1	GRADE 19
27	(133)	W026	HLTH RECORDS SPECIALIST	9	GRADE 19
28	(134)	Q068	PUB HLTH INVESTIGATOR II	16	GRADE 19
29	(135)	Q074	HEALTH ENVIRONMENTAL SPEC I	6	GRADE 19
30	(136)	R168	GRANTS COORDINATOR II	22	GRADE 19
31	(137)	R150	RESEARCH PROJECT ANALYST	8	GRADE 19
32	(138)	R048	BUDGET SPECIALIST	1	GRADE 19
33	(139)	R087	RURAL HEALTH PROGRAM SPECIALIST	5	GRADE 19
34	(140)	R134	PLANNING SPECIALIST II	15	GRADE 18
35	(141)	R264	MANAGEMENT PROJECT ANALYST I	13	GRADE 18
36	(142)	Q057	PLUMBING INSPECTOR	11	GRADE 18

1	(143)	Q104	EMERG MEDICAL SERVICES SPEC	6	GRADE 18
2	(144)	Q122	PLUMBING PLANS REVIEW COORDINATOR	1	GRADE 18
3	(145)	W030	RECORDS MANAGEMENT ANALYST II	1	GRADE 18
4	(146)	V040	PURCHASE AGENT II/PURCHASE AGENT	3	GRADE 18
5	(147)	Y022	STATIONARY ENGINEER SUPERVISOR	1	GRADE 18
6	(148)	D128	P C SUPPORT SPECIALIST	2	GRADE 18
7	(149)	D129	DP COORDINATOR	1	GRADE 18
8	(150)	E072	TRAINING INSTRUCTOR	5	GRADE 18
9	(151)	L154	HLTH PUB HLTH NURSE I	40	GRADE 18
10	(152)	M082	SOCIAL SERVICE WORKER III	2	GRADE 18
11	(153)	N328	INFORMATION OFFICER II	3	GRADE 18
12	(154)	Q045	HVACR MECHANICAL INSPECTOR	13	GRADE 18
13	(155)	L033	HOME HEALTH NURSE I	28	GRADE 18
14	(156)	B064	MICROBIOLOGIST I	1	GRADE 18
15	(157)	D034	PROGRAMMER ANALYST	4	GRADE 18
16	(158)	A111	ACCOUNTANT	20	GRADE 18
17	(159)	L044	HOME ECONOMIST	4	GRADE 17
18	(160)	M080	SOCIAL SERVICE WORKER II/SOC SVC WK	5	GRADE 17
19	(161)	Y049	INSTRUMENTATION TECHNICIAN II	1	GRADE 17
20	(162)	Y055	JOURNEYMAN ELECTRICIAN	1	GRADE 17
21	(163)	Y057	JOURNEYMAN PAINTER	1	GRADE 17
22	(164)	Y129	ELECTRONIC TECHNICIAN	3	GRADE 17
23	(165)	Y021	STATIONARY ENGINEER	5	GRADE 17
24	(166)	Y003	AUTO/DIESEL MECHANIC	1	GRADE 17
25	(167)	T056	DRUG HANDLER INVESTIGATOR	1	GRADE 17
26	(168)	W028	RECORDS MANAGEMENT ANALYST I	1	GRADE 17
27	(169)	V030	INVENTORY CONTROL MANAGER	2	GRADE 17
28	(170)	R010	ADMINISTRATIVE ASSISTANT II	58	GRADE 17
29	(171)	R162	STATISTICIAN/STATISTICIAN II	1	GRADE 17
30	(172)	R190	PERSONNEL OFFICER II	1	GRADE 17
31	(173)	R132	PLANNING SPECIALIST I	1	GRADE 16
32	(174)	X333	ENGINEER TECHNICIAN	6	GRADE 16
33	(175)	Y085	PRINTER II	2	GRADE 16
34	(176)	L116	LPN III/LPTN III	21	GRADE 16
35	(177)	L067	MOBILE X-RAY TECH SUPV	1	GRADE 16
36	(178)	G027	BLDG PLANT MAINTENANCE SUPV I	1	GRADE 16

1	(179)	D035	PROGRAMMER TRAINEE	1	GRADE 16
2	(180)	C016	EMERG COMMUNICATION SPECIALIST	7	GRADE 16
3	(181)	A108	ACCOUNTING TECHNICIAN II	32	GRADE 15
4	(182)	K011	ADMINISTRATIVE OFFICE SUPERVISOR	65	GRADE 15
5	(183)	K105	REPROD EQUIPMENT OPERATOR SUPV	1	GRADE 15
6	(184)	L115	LPN II/LPTN II	26	GRADE 15
7	(185)	V051	STOREROOM SUPV/STORE SUPV	2	GRADE 15
8	(186)	W025	RECORDS CONSULTANT	4	GRADE 15
9	(187)	V011	CENTRAL SUPPLY SUPV	1	GRADE 15
10	(188)	R009	ADMINISTRATIVE ASSISTANT I	12	GRADE 15
11	(189)	W017	NOSOLOGIST	1	GRADE 14
12	(190)	K117	MEDICAL OR LEGAL SECRETARY	5	GRADE 14
13	(191)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	59	GRADE 14
14	(192)	K024	COUNTY HEALTH RECORDS CLERK II	350	GRADE 13
15	(193)	K153	SECRETARY II	133	GRADE 13
16	(194)	L065	MOBILE X-RAY TECH	1	GRADE 13
17	(195)	M067	SOCIAL SERVICE AIDE II	6	GRADE 13
18	(196)	B049	LABORATORY TECHNICIAN II	16	GRADE 13
19	(197)	D003	COMPUTER OPERATOR I	1	GRADE 13
20	(198)	C013	SWITCHBOARD OPERATOR SUPERVISOR	1	GRADE 12
21	(199)	A106	ACCOUNTING TECHNICIAN I	2	GRADE 12
22	(200)	L013	CHEST X-RAY SPEC	3	GRADE 12
23	(201)	K145	CASHIER/CASHIER II	1	GRADE 12
24	(202)	K039	DOCUMENT EXAMINER II	31	GRADE 12
25	(203)	K089	PERSONNEL ASSISTANT	1	GRADE 12
26	(204)	K078	ARCHIVAL MICRO-PHOTOGRAPHER	4	GRADE 11
27	(205)	K025	COUNTY HEALTH RECORDS CLERK I	40	GRADE 11
28	(206)	K155	SECRETARY I	1	GRADE 11
29	(207)	M065	SOCIAL SERVICE AIDE I	3	GRADE 11
30	(208)	V043	SHIPPING & RECEIVING CLERK	9	GRADE 11
31	(209)	Y001	APPRENTICE TRADESMAN	1	GRADE 11
32	(210)	L021	HLTH PUB HLTH TECHNICIAN II	94	GRADE 10
33	(211)	K037	DOCUMENT EXAMINER I	5	GRADE 10
34	(212)	K103	REPROD EQUIPMENT OPERATOR	1	GRADE 10
35	(213)	K023	CLERICAL ASSISTANT	1	GRADE 10
36	(214)	K065	MAIL OFFICER	1	GRADE 09

1 (215) L155 HLTH PUB HLTH TECHNICIAN I 4 GRADE 08
 2 MAX. NO. OF EMPLOYEES 3,079
 3

4 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of
 5 Health for the 2005-2007 biennium, the following maximum number of part-time
 6 or temporary employees, to be known as "Extra Help", payable from funds
 7 appropriated herein for such purposes: two hundred thirty five (235)
 8 temporary or part-time employees, when needed, at rates of pay not to exceed
 9 those provided in the Uniform Classification and Compensation Act, or its
 10 successor, or this act for the appropriate classification.
 11

12 SECTION 3. APPROPRIATION - HEALTH INFORMATION AND RESOURCES PROGRAM. There
 13 is hereby appropriated, to be payable from the funds and fund accounts as set
 14 out herein, to the Department of Health for the biennial period ending June
 15 30, 2007, the following:

16 (a) For the Health Information and Resources Program, the sum of \$13,898,180
 17 for the 2005-2006 fiscal year and \$14,126,439 for the 2006-2007 fiscal year.

18 (1) Program Description. Health Information and Resources encompass
 19 activities to collect, analyze, and communicate data regarding Arkansas'
 20 health events, disease incidence, healthcare system, and health status
 21 indicators.

22 (2) Appropriation payable from: FISCAL YEARS

		<u>2005-2006</u>	<u>2006-2007</u>
23			
24	(A) General Revenue:		
25	Public Health Fund	\$ <u>3,822,110</u>	\$ <u>3,912,988</u>
26	TOTAL General Revenue	\$ 3,822,110	\$ 3,912,988
27	(B) Federal Funds as designated by		
28	the Chief Fiscal Officer of the		
29	State	\$ 7,292,907	\$ 7,404,115
30	(C) Special Revenue	\$ 178,840	\$ 183,356
31	(D) Trust Funds	\$ 1,200,000	\$ 1,200,000
32	(E) Other Funds	\$ 4,543,783	\$ 4,626,085

33 (3) Performance Targets:

34 (A) Dollar amount of grants awarded

35 for public health facilities \$600,000 \$600,000

36 (B) Dollar amount of grants awarded

1 for rural communities \$450,000 \$450,000
 2 (C) Number of "not met" scores as
 3 specified by the National Center
 4 for Health Statistics with
 5 regards to vital statistics data < or = 4 < or = 4
 6

7 SECTION 4. APPROPRIATION - HEALTH PROTECTION SERVICES PROGRAM. There is
 8 hereby appropriated, to be payable from the funds and fund accounts as set
 9 out herein, to the Department of Health for the biennial period ending June
 10 30, 2007, the following:

11 (a) For the Health Protection Services Program, the sum of \$35,400,436 for
 12 the 2005-2006 fiscal year and \$35,928,804 for the 2006-2007 fiscal year.

13 (1) Program Description. Health Protection encompasses activities to
 14 protect the public's health such as ensuring safe food and drinking water,
 15 quality health facilities and services, and laboratory testing and
 16 evaluation.

17 (2) Appropriation payable from:

	FISCAL YEARS	
	<u>2005-2006</u>	<u>2006-2007</u>
18		
19 (A) General Revenue:		
20 Public Health Fund	\$ <u>14,838,781</u>	\$ <u>15,210,068</u>
21 TOTAL General Revenue	\$ 14,838,781	\$ 15,210,068
22 (B) Federal Funds as designated by		
23 the Chief Fiscal Officer of the		
24 State	\$ 7,636,653	\$ 9,023,427
25 (C) Special Revenue	\$ 10,517,572	\$ 10,501,763
26 (D) Other Funds	\$ 7,766,348	\$ 5,358,918

27 (3) Performance Targets:

28 (A) Percentage of all Public Water
 29 Systems that are compliant with
 30 the National Primary Drinking
 31 Water Regulations or have
 32 received an enforcement action. 97% 97%

33 (B) Percentage of engineering plans
 34 reviewed timely 90% 90%

35 (C) Percentage of facilities
 36 surveyed as required by State

1	policy and Federal requirements.	100%	100%
2	(D) Percentage of food, beverage and		
3	dairy establishments inspected as		
4	prescribed by Health Department		
5	regulations.	90%	90%
6	(E) Percentage of laboratory results		
7	successfully validated as		
8	required by CLIA	>80	>80

9

10 SECTION 5. APPROPRIATION - COMMUNITY HEALTH PROMOTION AND PREVENTION

11 PROGRAM. There is hereby appropriated, to be payable from the funds and fund

12 accounts as set out herein, to the Department of Health for the biennial

13 period ending June 30, 2007, the following:

14 (a) For the Community Health Promotion and Prevention Program, the sum of

15 \$170,096,452 for the 2005-2006 fiscal year and \$171,721,578 for the 2006-2007

16 fiscal year.

17 (1) Program Description. Health Promotion consists of activities designed

18 to educate the public about healthy behaviors and assure that personal health

19 services are accessible.

20 (2) Appropriation payable from:

FISCAL YEARS

		<u>2005-2006</u>	<u>2006-2007</u>
21			
22	(A) General Revenue:		
23	Public Health Fund	\$ <u>21,869,769</u>	\$ <u>22,247,817</u>
24	TOTAL General Revenue	\$ 21,869,769	\$ 22,247,817
25	(B) Federal Funds as designated by		
26	the Chief Fiscal Officer of the		
27	State	\$ 79,984,151	\$ 80,675,660
28	(C) Special Revenue	\$ 4,549,852	\$ 4,784,619
29	(D) Other Funds	\$ 71,465,212	\$ 75,861,616

30 (3) Performance Targets:

31 (A) Administrative costs of the

32 Community Health Promotion and

33 Prevention Program as a percent

34 of total program costs

	5%	5%
--	----	----

35 (B) Average monthly number of family

36 planning visits to local health

1	units.	11,300 month	11,300 month
2	(C) Average monthly number of		
3	maternity visits to local health		
4	units.	2,400 month	2,400 month
5	(D) Number of women aged 40 – 64 at,		
6	or below, 200 % of the Federal		
7	Poverty Level receiving		
8	screening, diagnosis or treatment		
9	for breast and cervical cancer	12,000	12,000
10	(E) Percentage of 2 year old		
11	children seen in the Arkansas		
12	Department of Health’s Local		
13	Health Units who are age		
14	appropriately immunized.	78%	81%
15	(F) Percentage of average monthly		
16	WIC caseload goal met	98%	98%
17	(G) Percentage of breast cancers		
18	identified in Stages 1 and 2		
19	among program women	68%	69%
20	(H) Percentage of Federally defined		
21	HHS Critical Benchmarks for		
22	Bioterrorism Preparedness		
23	Planning which are met.	92%	94%
24	(I) Percentage of newborns receiving		
25	at least one screening for		
26	genetic risk factors.	98%	98%

27

28 SECTION 6. APPROPRIATION - IN-HOME SERVICES PROGRAM. There is hereby

29 appropriated, to be payable from the funds and fund accounts as set out

30 herein, to the Department of Health for the biennial period ending June 30,

31 2007, the following:

32 (a) For the In-Home Services Program, the sum of \$70,073,882 for the 2005-

33 2006 fiscal year and \$71,034,434 for the 2006-2007 fiscal year.

34 (1) Program Description. In-Home Services consists of activities that are

35 designed to provide health care and personal assistance for qualified

36 individuals in their residence.

1	(2) Appropriation payable from:	FISCAL YEARS	
2		<u>2005-2006</u>	<u>2006-2007</u>
3	(A) General Revenue:		
4	Public Health Fund	\$ <u>741,828</u>	\$ <u>741,828</u>
5	TOTAL General Revenue	\$ 741,828	\$ 741,828
6	(B) Other Funds	\$ 69,332,054	\$ 70,292,606
7	(3) Performance Targets:		
8	(A) Number of annual statewide		
9	average Home Care visits per		
10	nurse per day	4	4
11	(B) Number of annual Statewide		
12	average Home Health visits per		
13	nurse, per day	4	4
14			

15 SECTION 7. APPROPRIATION - TOBACCO PREVENTION AND CESSATION PROGRAM. There
 16 is hereby appropriated, to be payable from the funds and fund accounts as set
 17 out herein, to the Department of Health for the biennial period ending June
 18 30, 2007, the following:

19 (a) For the Tobacco Prevention & Cessation Program, the sum of \$18,582,595
 20 for the 2005-2006 fiscal year and \$16,337,411 for the 2006-2007 fiscal year.

21 (1) Program Description. Tobacco Prevention and Cessation consists of
 22 activities that are designed to change behaviors associated with tobacco use
 23 and prevent initiation of tobacco use.

24	(2) Appropriation payable from:	FISCAL YEARS	
25		<u>2005-2006</u>	<u>2006-2007</u>
26	(A) General Revenue:		
27	Public Health Fund	\$ <u>91,453</u>	\$ <u>94,001</u>
28	TOTAL General Revenue	\$ 91,453	\$ 94,001
29	(B) Federal Funds as designated by		
30	the Chief Fiscal Officer of the		
31	State	\$ 1,692,988	\$ 1,540,619
32	(C) Other Funds	\$ 18,299,802	\$ 15,721,648
33	(3) Performance Targets:		
34	(A) Administrative costs as a		
35	percent of total program costs	4%	4%
36	(B) Percent of adults who smoke	24.8%	23.2%

1 (C) Percent of high school students
 2 who report to be smoke-free for
 3 the past 30 days Not Due 67.6%

4
 5 SECTION 8. APPROPRIATION - HEALTH - ADMINISTRATION PROGRAM. There is
 6 hereby appropriated, to be payable from the funds and fund accounts as set
 7 out herein, to the Department of Health for the biennial period ending June
 8 30, 2007, the following:

9 (a) For the Health – Administration Program, the sum of \$13,866,757 for the
 10 2005-2006 fiscal year and \$14,073,657 for the 2006-2007 fiscal year.

11 (1) Program Description. Administration includes activities necessary to
 12 lead and manage the operations of the Arkansas Department of Health.

13 (2) Appropriation payable from: FISCAL YEARS

		<u>2005-2006</u>	<u>2006-2007</u>
14	(A) General Revenue:		
15	Public Health Fund	\$ <u>9,861,020</u>	\$ <u>10,134,439</u>
16	TOTAL General Revenue	\$ 9,861,020	\$ 10,134,439
17	(B) Federal Funds as designated by		
18	the Chief Fiscal Officer of the		
19	State	\$ 3,041,096	\$ 2,974,577
20	(C) Other Funds	\$ 964,641	\$ 964,641

21 (3) Performance Targets:

22	(A) Percentage of Agency key		
23	performance measures met	85%	90%
24	(B) Administration Program budget as		
25	a percentage of total agency		
26	budget	5%	5%
27	(C) Number of HIPAA compliance		
28	audits of work units	20	20
29	(D) Number of prior year audit		
30	findings repeated in subsequent		
31	audit.	2	2

32
 33
 34 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 36 TECHNOLOGY REVIEW. The Department of Health shall seek approval of the state

1 Chief Information Officer and the review and advice of the Joint Committee on
 2 Advanced Communications and Information Technology and the Chief Information
 3 Officer Council prior to entering into any technology contract or technology
 4 project regarding the appropriation for Information Technology Initiatives.

5 The provisions of this section shall be in effect only from July 1, ~~2003~~
 6 2005 through June 30, ~~2005~~ 2007.

7
 8 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
 10 FORWARD. Subject to such rules and regulations as may be implemented by the
 11 Chief Fiscal Officer of the State, any unexpended funds collected ~~under this~~
 12 ~~appropriation~~ for Radiation Control and Emergency Management as certified by
 13 the Chief Fiscal Officer of the State which remain at the end of the fiscal
 14 year, shall be carried forward and made available for the same purposes for
 15 the following fiscal year.

16 The provisions of this section shall be in effect only from July 1, ~~2003~~
 17 2005 through June 30, ~~2005~~ 2007.

18
 19 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
 21 FORWARD OF GRANT FUNDS. Subject to such rules and regulations as may be
 22 implemented by the Chief Fiscal Officer of the State, the disbursing officer
 23 for the Department of Health is hereby authorized to transfer all unexpended
 24 grant funds, excluding any general revenue grant funds not specifically
 25 authorized elsewhere by law, as certified by the Chief Fiscal Officer of the
 26 State, as provided in this Act on June 30, ~~2003~~ 2005, to be carried forward
 27 and made available for expenditures for the same purpose for the fiscal years
 28 ending June 30, ~~2004~~ 2006 and June 30, ~~2005~~ 2007.

29 The provisions of this section shall be in effect only from July 1, ~~2003~~
 30 2005 through June 30, ~~2005~~ 2007.

31
 32 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PATIENT
 34 CARE PROVIDERS- COMPENSATION, REQUIRED WITHHOLDING, FRINGE BENEFITS. The
 35 Arkansas Department of Health, at its discretion, is authorized to contract
 36 with intermittent Patient Care Providers in order to provide services in the

1 home. For all purposes, these Patient Care Providers shall be considered
 2 independent contractors. The Department is authorized to pay compensation
 3 which may include state withholding, federal withholding, required matching,
 4 and other fringe benefits to contract Patient Care Providers. However,
 5 compensation shall not include state retirement or health benefits. The
 6 compensation shall be expensed as Professional Fees and Services~~made from the~~
 7 ~~appropriation for Professional Fees and Services, notwithstanding the~~
 8 ~~provisions of Ark. Code Ann. 19-4-1702.~~

9 The provisions of this section shall be in effect only from July 1, 2003
 10 2005 through June 30, ~~2005~~ 2007.

11
 12 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA
 14 SALARIES. The Department of Health is hereby authorized to pay from State or
 15 Federal funds appropriated herein, extra salaries in addition to the maximum
 16 annual amount provided in the Regular Salaries Section of this Act for a
 17 maximum of twenty (20) medical doctors who are certified by the American
 18 Specialty Boards, but not to exceed \$4,500 per medical doctor for each fiscal
 19 year. The Director of the Department of Health shall also be eligible for
 20 extra salaries as established herein.

21 The provisions of this section shall be in effect only from July 1, 2003
 22 2005 through June 30, ~~2005~~ 2007.

23
 24 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY
 26 HEALTH UNIT ADMINISTRATORS. Any employee serving in the capacity of County
 27 Health Unit Administrator shall be eligible for up to ten percent (10%) of
 28 additional compensation within the grade during the period of time in which
 29 said employee occupies the position. Employees on the highest level of their
 30 grade shall be eligible for additional compensation in an amount not to
 31 exceed five and one half percent (5.5%) of their current salary upon assuming
 32 responsibility, and this amount shall not be construed as exceeding the line
 33 item maximum for the grade for that position. The Health Department shall
 34 certify to the Chief Fiscal Officer the assignment of duties of each employee
 35 in this position, the length of such assignment, and the location and reason
 36 for the assignment. The Chief Fiscal Officer shall approve the request prior

1 to the awarding of additional compensation.

2 The provisions of this section shall be in effect only from July 1, 2003
3 2005 through June 30, ~~2005~~ 2007.

4

5 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
7 OF FUNDS - IN-HOME SERVICES PROGRAM ~~HOME HEALTH~~. The Disbursing Officer for
8 the Department of Health is hereby authorized to transfer all unexpended
9 funds relative to the In-Home Services Program ~~Home Health Services~~ that
10 pertain to reimbursement, as certified by the Chief Fiscal Officer of the
11 State as provided in this Act on June 30, ~~2003~~ 2005, to be carried forward
12 and made available for expenditures for the same purpose for the fiscal years
13 ending June 30, ~~2004~~ 2006, and June 30, ~~2005~~ 2007. It is the intent of the
14 ~~84th~~ General Assembly that the Department of Health shall not have the
15 authority to transfer funds from the fund balance of the In-Home Services
16 Program ~~Home Health~~ appropriation to supplement ~~line item(s)~~ in any other
17 appropriation authorized for this agency. However, fund transfers may be
18 authorized to repay loans provided for In-Home Services ~~Home Health~~ program
19 operations.

20 The provisions of this section shall be in effect only from July 1, 2003
21 2005 through June 30, ~~2005~~ 2007.

22

23 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ~~HOME~~
25 ~~HEALTH~~ IN-HOME SERVICES POSITION POOL. As need for services increase and
26 additional services are implemented to better provide for the in-home health
27 care needs of the citizens of the State of Arkansas, the Director of the
28 Department of Health may request the Department of Finance and Administration
29 to approve the establishment of additional positions at salary rates not to
30 exceed the maximum salaries established for comparable positions in the
31 Uniform Classification and Compensation Act. Upon approval of the
32 Legislative Council, the Department of Health - Section of In-Home Services
33 may establish such positions.

34 (a) The following maximum number of such additional positions are hereby
35 established for the ~~2003-2005~~ 2005-2007 biennium for the Section of In-Home
36 Services:

1 Maximum number of positions: 250

2 (b) In the event that new classifications are deemed necessary for any of
3 these additional positions, the Department of Finance and Administration -
4 Office of Personnel Management shall assign the appropriate title and grade
5 after review by the Arkansas Legislative Council.

6 (c) If the agency requests continuation of a "Growth Pool" position(s) as
7 established herein during the next biennium, the position(s) must be
8 requested as a new position(s) in the agencies biennial budget request.

9 The provisions of this section shall be in effect only from July 1, 2003
10 2005 through June 30, ~~2005~~ 2007.

11

12 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ~~HOME~~
14 ~~HEALTH~~ IN-HOME SERVICES ON-CALL AND VISIT PAY. The Department of Health is
15 hereby authorized to compensate the following personnel responsible for
16 providing in-home health care as necessary to maintain continuity of care
17 outside routine working hours on weekdays and on weekends or holidays:

- 18 R055 Hlth Public Hlth Nursing Prog Coord
- 19 L082 Nursing Services Specialist
- 20 L033 Home Health Nurse I
- 21 L034 Home Health Nurse II
- 22 L138 Speech Pathologist I
- 23 L140 Speech Pathologist II
- 24 L142 Speech Pathologist Supervisor
- 25 L102 Physical Therapist I
- 26 L104 Physical Therapist II
- 27 L106 Physical Therapy Supervisor
- 28 M086 Social Worker I
- 29 M088 Social Worker II
- 30 L086 Occupational Therapist I
- 31 L088 Occupational Therapist II
- 32 L090 Occupational Therapist Supervisor
- 33 R056 Hlth. Pub. Hlth. Nursing Program Administrator
- 34 L115 LPN II
- 35 L116 LPN III
- 36 L154 Public Hlth. Nurse I

- 1 L156 Public Hlth. Nurse II
- 2 L021 PH Technician II
- 3 L155 PH Technician I

4 Visit pay shall not exceed \$55 per visit. Employees requested to be on-
 5 call and/or on standby for visiting on nights, weekends, and/or holidays will
 6 be eligible to receive on-call pay not to exceed \$40 per day. Provided
 7 however, no compensation shall be paid to any employee required to be on-call
 8 and/or standby who fails to respond after the second notification that their
 9 services are needed. In the event of equipment or paging device malfunction,
 10 such penalty shall not apply. All compensated services shall be provided as
 11 directed by the Department of Health. All visit and on-call pay shall be
 12 paid from funds from In-Home Services ~~Extra Salaries as appropriated~~
 13 appropriation in this Act. Such compensation for visit and on-call pay, when
 14 added to the employee's regular salary and benefits, shall not be construed
 15 as exceeding the maximum annual salary as described in the General Accounting
 16 and Budgetary Procedures Act.

17 The provisions of this section shall be in effect only from July 1, 2003
 18 2005 through June 30, ~~2005~~ 2007.

19

20 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NUCLEAR
 22 DISASTER PLANNING GRANTS. The funds appropriated for Grants for Nuclear
 23 Planning shall be disbursed to those counties in this State which are
 24 required by state or federal regulation to maintain a Radiological Response
 25 Plan because of their close proximity to a nuclear electricity generating
 26 facility, and shall be issued solely for the purpose of defraying the cost of
 27 preparing for and participating in actual nuclear disaster incidents or
 28 practice nuclear disaster exercises. Each county shall be eligible for that
 29 proportion of these funds as is determined fair and necessary under
 30 guidelines to be developed by the Department of Health. However, a minimum
 31 of \$5,000 per county of said funds shall be utilized to support and operate a
 32 County Emergency Management Services Office (~~ESO~~). These county offices shall
 33 be prepared to respond to any Arkansas Nuclear I emergency. These funds shall
 34 be equally distributed to each Emergency Management Services Office in the
 35 following counties: Pope County, Johnson County, Yell County, Conway County
 36 and Logan County.

1 The funds appropriated for Grants for Nuclear Planning shall be
 2 distributed in quarterly installments by the Arkansas Department of Health to
 3 the Arkansas Department of Emergency Management for the sole purpose of
 4 defraying costs associated with preparing for and participating in actual
 5 nuclear disaster incidents or practice nuclear disaster emergency exercises
 6 involving nuclear electricity generating facilities in this State.

7 The provisions of this section shall be in effect only from July 1, 2003
 8 2005 through June 30, ~~2005~~ 2007.

9
 10 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BREAST
 12 CANCER CONTROL. Such Breast Cancer Control appropriation as is authorized in
 13 this Act which remains at the end of the first fiscal year of the biennium,
 14 as determined by the Chief Fiscal Officer of the State, may be carried
 15 forward into the second fiscal year of the biennium there to be used for the
 16 same purposes.

17 The provisions of this section shall be in effect only from July 1, 2003
 18 2005 through June 30, ~~2005~~ 2007.

19
 20 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
 22 FORWARD. Any unexpended funds collected under A.C.A. 17-80-106 (pharmacy
 23 services and drug control) as certified by the Chief Fiscal Officer of the
 24 State which remain at the end of the fiscal year, shall be carried forward
 25 and made available for the same purposes for the following fiscal year.

26 The provisions of this section shall be in effect only from July 1, 2003
 27 2005 through June 30, ~~2005~~ 2007.

28
 29 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HEALTH
 31 FACILITY SERVICES CARRY FORWARD. Such Health Facility Services appropriation
 32 as is authorized in this Act which remains at the end of the first fiscal
 33 year of the biennium, as determined by the Chief Fiscal Officer of the State,
 34 may be carried forward into the second fiscal year of the biennium there to
 35 be used for the same purposes.

36 The provisions of this section shall be in effect only from July 1, 2003

1 2005 through June 30, ~~2005~~ 2007.

2

3 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PARKING
5 FEES. On July 1 of each year the Department of Health shall pay from ~~the~~
6 ~~state operations appropriation~~ the Administration Program appropriation
7 provided herein from non-general revenue, the total ~~amount appropriated for~~
8 War Memorial Stadium Commission Parking Services ~~from~~ Fees to the War
9 Memorial Stadium Commission.

10 The provisions of this section shall be in effect only from July 1, ~~2003~~
11 2005 through June 30, ~~2005~~ 2007.

12

13 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
15 INFORMATION TECHNOLOGY INITIATIVES. The Department shall not transfer any
16 general revenue funds for expenditures payable for Information System
17 Projects.

18 The provisions of this section shall be in effect only from July 1, ~~2003~~
19 2005 through June 30, ~~2005~~ 2007.

20

21 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
23 BALANCES - HEATING, VENTILATION, AIR CONDITIONING AND REFRIGERATION FUND OR
24 DEPARTMENT OF HEALTH PLUMBERS LICENSING FUND. (A) For all appropriations as
25 provided in this Act, the agency disbursing officer shall monitor the level
26 of fund balances in relation to expenditures on a monthly basis. If any
27 proposed expenditures would cause the Heating, Ventilation, Air Conditioning
28 and Refrigeration Fund to decline below nine hundred eighty six thousand
29 three hundred thirty dollars (\$986,330) or the Department of Health Plumbers
30 Licensing Fund to decline below one hundred thirty two thousand two hundred
31 and four dollars (\$132,204), the disbursing officer shall immediately notify
32 the executive head of the agency. Prior to any obligations being made under
33 these circumstances, the agency head shall file written documentation with
34 the Chief Fiscal Officer of the State requesting approval of the
35 expenditures. Such documentation shall provide sufficient financial data to
36 justify the expenditures and shall include the following:

- 1 1) a plan that clearly indicates the specific fiscal impact of such
- 2 expenditures on the fund balance.
- 3 2) information clearly indicating and explaining what programs would be cut
- 4 or any other measures to be taken by the agency to restore the fund balance.
- 5 3) the extent to which any of the planned expenditures are for one-time costs
- 6 or one-time purchase of capitalized items.
- 7 4) a statement certifying that the expenditure of fund balances will not
- 8 jeopardize the financial health of the agency, nor result in a permanent
- 9 depletion of the fund balance.

10 (B) The Chief Fiscal Officer of the State shall review the request and
 11 approve or disapprove all or any part of the request, after having sought
 12 prior review by the Legislative Council.

13 The provisions of this section shall be in effect only from July 1, ~~2003~~
 14 2005 through June 30, ~~2005~~ 2007.

15
 16 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
 18 FORWARD. TOBACCO PREVENTION AND CESSATION. Such appropriation as is
 19 authorized for Tobacco Prevention And Cessation in this Act which remains at
 20 the end of the first fiscal year of the biennium may be carried forward into
 21 the second fiscal year of the biennium there to be used for the same
 22 purposes.

23 The provisions of this section shall be in effect only from July 1, ~~2003~~
 24 2005 through June 30, ~~2005~~ 2007.

25
 26 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
 28 RESTRICTIONS. TOBACCO PREVENTION AND CESSATION. The appropriations provided
 29 in this act for Tobacco Prevention and Cessation shall not be transferred
 30 under the provisions of Arkansas Code 19-4-522 or the provisions of Arkansas
 31 code 6-62-104, but only as provided by this act.

32 The provisions of this section shall be in effect only from July 1, ~~2003~~
 33 2005 through June 30, ~~2005~~ 2007.

34
 35 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFERS

1 OF APPROPRIATIONS. TOBACCO PREVENTION AND CESSATION. In the event the amount
 2 of any of the budget classifications of maintenance and general operation in
 3 this act are found by the administrative head of the agency to be inadequate
 4 for Tobacco Prevention and Cessation, then the agency head may request, upon
 5 forms provided for such purpose by the Chief Fiscal Officer of the State, a
 6 modification of the amounts of the budget classification. In that event, he
 7 shall set out on the forms the particular classifications for which he is
 8 requesting an increase or decrease, the amounts thereof, and his reasons
 9 therefor. In no event shall the total amount of the budget exceed either the
 10 amount of the appropriation or the amount of the funds available, nor shall
 11 any transfer be made from the capital outlay or data processing
 12 subclassifications unless specific authority for such transfers is provided
 13 by law, except for transfers from capital outlay to data processing when
 14 determined by the Department of Information Systems that data processing
 15 services for a state agency can be performed on a more cost-efficient basis
 16 by the Department of Information Systems than through the purchase of data
 17 processing equipment by that state agency. In considering the proposed
 18 modification as prepared and submitted by each state agency, the Chief Fiscal
 19 Officer of the State shall make such studies as he deems necessary. The Chief
 20 Fiscal Officer of the State shall, after obtaining the approval of the
 21 Legislative Council, approve the requested transfer if in his opinion it is
 22 in the best interest of the state.

23 The General Assembly has determined that the agency in this act could be
 24 operated more efficiently if some flexibility is given to that agency and
 25 that flexibility is being accomplished by providing authority to transfer
 26 between certain items of appropriation made by this act. Since the General
 27 Assembly has granted the agency broad powers under the transfer of
 28 appropriations, it is both necessary and appropriate that the General
 29 Assembly maintain oversight of the utilization of the transfers by requiring
 30 prior approval of the Legislative Council in the utilization of the transfer
 31 authority. Therefore, the requirement of approval by the Legislative Council
 32 is not a severable part of this section. If the requirement of approval by
 33 the Legislative Council is ruled unconstitutional by a court jurisdiction,
 34 this entire section is void.

35 The provisions of this section shall be in effect only from July 1, ~~2003~~
 36 2005 through June 30, ~~2005~~ 2007.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

TOBACCO PREVENTION AND CESSATION PROGRAM. (a) Nothing in this act shall be construed as a commitment of the State of Arkansas or any of its agencies or institutions to continue funding any position paid from the proceeds of the Tobacco Settlement in the event that Tobacco Settlement funds are not sufficient to finance the position.

(b) State funds will not be used to replace Tobacco Settlement funds when such funds expire, unless appropriated by the General Assembly and authorized by the Governor.

(c) A disclosure of the language contained in (a) and (b) of this Section shall be made available to all new hire and current positions paid from the proceeds of the Tobacco Settlement by the Tobacco Settlement Commission.

(d) Whenever applicable the information contained in (a) and (b) of this Section shall be included in the employee handbook and or Professional Services Contract paid from the proceeds of the Tobacco Settlement.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

TOBACCO PREVENTION AND CESSATION. No advertising targeting the prevention or reduction of tobacco use shall include the name, voice, or likeness of any elected official or their immediate family.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

TOBACCO PREVENTION AND CESSATION. Disbursement of funds authorized by this act for Tobacco Prevention and Cessation 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 Regular Salary Procedures and Restrictions Act, or their successors, and

1 other fiscal control laws of this State, where applicable, and regulations
2 promulgated by the Department of Finance and Administration, as authorized by
3 law, shall be strictly complied with in disbursement of said funds.

4 The provisions of this section shall be in effect only from July 1, 2003
5 2005 through June 30, ~~2005~~ 2007.

6

7 SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

9 LEGISLATIVE INTENT. TOBACCO PREVENTION AND CESSATION. It is the intent of the
10 General Assembly that any funds disbursed under the authority of the Tobacco
11 Prevention and Cessation Program appropriations contained in this act shall
12 be in compliance with the stated reasons for which this act was adopted, as
13 evidenced by Initiated Act 1 of 2000, the Agency Requests, Executive
14 Recommendations and Legislative Recommendations contained in the budget
15 manuals prepared by the Department of Finance and Administration, letters, or
16 summarized oral testimony in the official minutes of the Arkansas Legislative
17 Council or Joint Budget Committee which relate to its passage and adoption.

18 The provisions of this section shall be in effect only from July 1, 2003
19 2005 through June 30, ~~2005~~ 2007.

20

21 SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INDIRECT
23 COST ALLOCATION FUND TRANSFERS. Subject to such procedures as may be
24 implemented by the Chief Fiscal Officer of the State, the disbursing officer
25 for the Department of Health is hereby authorized to transfer funds to the
26 Public Health Fund from other program funds of the agency in order to
27 reimburse the Administration program for expenditures incurred for those
28 programs.

29 The provisions of this section shall be in effect only from July 1, 2005
30 through June 30, 2007.

31

32 SECTION 33. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

34 APPROPRIATION ALLOCATION – HEALTH PROTECTION SERVICES PROGRAM. The
35 appropriations provided in this Act for the Health Protection Services
36 Program include the following allocations for the purposes as indicated

1 below:

2

3

FY06

FY07

4

5 Monitor and respond to environmental

6 Conditions that affect public health \$ 11,611,367 \$ 11,823,229

7

8 Monitor public water systems to ensure

9 Compliance with Safe Drinking Water Act

10 Regulations

5,779,505

5,736,837

11

12 Inspect, certify and monitor health

13 facilities, services and systems

7,646,562

7,791,916

14

15 Laboratory services and alcohol testing

16 system

10,363,002

10,576,822

17

18 TOTAL

\$ 35,400,436

\$ 35,928,804

19

20

21 The Department of Health may, after seeking prior review and obtaining
 22 approval by the Arkansas Legislative Council or Joint Budget Committee,
 23 transfer between the allocations set forth above in order to best accomplish
 24 the goals established for the Health Protection Services Program. This
 25 section establishes the amounts to be allocated for various objectives within
 26 the Health Protection Services Program as provided in this Act. Further, the
 27 General Assembly has determined that the Department of Health may operate
 28 more effectively if some flexibility is provided to the Department of Health
 29 to request approval for transfer authority between the allocations
 30 established under this section. Therefore it is necessary and appropriate
 31 that the General Assembly maintain oversight by requiring prior approval of
 32 the Legislative Council or Joint Budget Committee as provided by this
 33 section. The requirement of approval is not a severable part of this
 34 section. If the requirement of approval by the Legislative Council or Joint
 35 Budget Committee is ruled unconstitutional by a court of competent
 36 jurisdiction, then the Department may not transfer between the allocations

1 enumerated in this section.

2

3 The provisions of this section shall be in effect only from July 1, 2005
4 through June 30, 2007.

5

6 SECTION 34. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

8 APPROPRIATION ALLOCATION - COMMUNITY HEALTH PROMOTION AND PREVENTION PROGRAM.

9 The appropriations provided in this Act for the Community Health Promotion
10 and Prevention Program include the following allocations:

11

	<u>FY06</u>	<u>FY07</u>
12		
13		
14 <u>Breast and cervical cancer prevention,</u>		
15 <u>outreach, education and / or direct patient</u>		
16 <u>care services</u>	\$ <u>7,157,065</u>	\$ <u>7,203,591</u>
17		
18 <u>Abstinence education and unwed birth</u>		
19 <u>prevention services</u>	<u>2,058,326</u>	<u>2,061,224</u>
20		
21 <u>Develop a statewide bioterrorism response</u>		
22 <u>system</u>	<u>15,304,200</u>	<u>15,425,684</u>
23		
24 <u>TOTAL</u>	<u>\$ 24,519,591</u>	<u>\$ 24,690,499</u>

25

26 The provisions of this section shall be in effect only from July 1, 2005
27 through June 30, 2007.

28

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

1 strictly complied with in disbursement of said funds.

2
3 SECTION 36. LEGISLATIVE INTENT. It is the intent of the General Assembly
4 that any funds disbursed under the authority of the appropriations contained
5 in this act shall be in compliance with the stated reasons for which this act
6 was adopted, as evidenced by the Agency Requests, Executive Recommendations
7 and Legislative Recommendations contained in the budget manuals prepared by
8 the Department of Finance and Administration, letters, or summarized oral
9 testimony in the official minutes of the Arkansas Legislative Council or
10 Joint Budget Committee which relate to its passage and adoption.

11
12 SECTION 37. EMERGENCY CLAUSE. It is found and determined by the General
13 Assembly, that the Constitution of the State of Arkansas prohibits the
14 appropriation of funds for more than a two (2) year period; that the
15 effectiveness of this Act on July 1, 2005 is essential to the operation of
16 the agency for which the appropriations in this Act are provided, and that in
17 the event of an extension of the Regular Session, the delay in the effective
18 date of this Act beyond July 1, 2005 could work irreparable harm upon the
19 proper administration and provision of essential governmental programs.
20 Therefore, an emergency is hereby declared to exist and this Act being
21 necessary for the immediate preservation of the public peace, health and
22 safety shall be in full force and effect from and after July 1, 2005.