

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
4

As Engrossed: H3/22/05

A Bill

HOUSE BILL 2296

5 By: Representative McDaniel
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For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR THE ARKANSAS
10 RX PROGRAM FOR THE DEPARTMENT OF HUMAN SERVICES -
11 DIVISION OF MEDICAL SERVICES FOR THE BIENNIAL
12 PERIOD ENDING JUNE 30, 2007; AND FOR OTHER
13 PURPOSES.
14

Subtitle

15 AN ACT FOR THE DEPARTMENT OF HUMAN
16 SERVICES - DIVISION OF MEDICAL SERVICES
17 - ARKANSAS RX PROGRAM APPROPRIATION FOR
18 THE 2005-2007 BIENNIUM.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 *SECTION 1. APPROPRIATION - ARKANSAS RX PROGRAM. There is hereby*
26 *appropriated, to the Department of Human Services - Division of Medical*
27 *Services, to be payable from the Arkansas Rx Program Fund, for contract costs*
28 *of the Arkansas Rx Program of the Department of Human Services - Division of*
29 *Medical Services for the biennial period ending June 30, 2007, the following:*
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31	ITEM	FISCAL YEARS	
32	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
33	(01) GRANT & AID	\$ 3,834,500	\$ 4,789,500
34	(02) ARKANSAS RX PROGRAM LOAN/ 35 REIMBURSEMENTS/REBATES	<u>11,000,000</u>	<u>26,600,000</u>
36	TOTAL AMOUNT APPROPRIATED	<u>\$ 14,834,500</u>	<u>\$ 31,389,500</u>



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2 SECTION 2. APPROPRIATION - OPERATING EXPENSES. There is hereby
3 appropriated, to the Department of Human Services - Division of County
4 Operations, to be payable from the Arkansas Rx Program Fund, for operating
5 expenses of the Arkansas Rx Program of the Department of Human Services -
6 Division of County Operations for the biennial period ending June 30, 2007,
7 the following:

9 ITEM	FISCAL YEARS	
10 NO.	2005-2006	2006-2007
11 (01) MAINT. & GEN. OPERATION		
12 (A) OPER. EXPENSE	\$ 235,000	\$ 235,000
13 (B) CONF. & TRAVEL	0	0
14 (C) PROF. FEES	350,000	0
15 (D) CAP. OUTLAY	0	0
16 (E) DATA PROC.	0	0
17 TOTAL AMOUNT APPROPRIATED	<u>\$ 585,000</u>	<u>\$ 235,000</u>

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19 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS
21 RX PROGRAM. The Department of Human Services shall deposit all monies
22 collected under the Arkansas Rx Program, including manufacturer rebates,
23 pharmacy discounts and Arkansas Rx Program loan repayments into the Arkansas
24 Rx Program Fund to be used for the continued benefit of the Arkansas Rx
25 Program.

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

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29 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS
31 RX PROGRAM CARRY FORWARD. Any unexpended balance of appropriation
32 authorized in Section 1 of this act which remains at the close of the fiscal
33 year ending June 30, 2006 shall be carried forward into the next fiscal year,
34 there to be used for the same purpose.

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

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2 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
3 by this act shall be limited to the appropriation for such agency and funds
4 made available by law for the support of such appropriations; and the
5 restrictions of the State Procurement Law, the General Accounting and
6 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
7 Procedures and Restrictions Act, or their successors, and other fiscal
8 control laws of this State, where applicable, and regulations promulgated by
9 the Department of Finance and Administration, as authorized by law, shall be
10 strictly complied with in disbursement of said funds.

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

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21 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General
22 Assembly, that the Constitution of the State of Arkansas prohibits the
23 appropriation of funds for more than a two (2) year period; that the
24 effectiveness of this Act on July 1, 2005 is essential to the operation of
25 the agency for which the appropriations in this Act are provided, and that in
26 the event of an extension of the Regular Session, the delay in the effective
27 date of this Act beyond July 1, 2005 could work irreparable harm upon the
28 proper administration and provision of essential governmental programs.
29 Therefore, an emergency is hereby declared to exist and this Act being
30 necessary for the immediate preservation of the public peace, health and
31 safety shall be in full force and effect from and after July 1, 2005.

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33 /s/ McDaniel
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