

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 *As Enrolled: H3/26/07 H3/27/07 H3/29/07*

2 86th General Assembly

A Bill

3 Regular Session, 2007

HOUSE BILL 1291

4

5 By: Joint Budget Committee

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For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE
11 DEPARTMENT OF HEALTH AND HUMAN SERVICES -
12 DIVISION OF AGING AND ADULT SERVICES FOR THE
13 BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR
14 OTHER PURPOSES.

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Subtitle

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

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SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for the Department of Health and Human Services - Division of Aging and Adult Services for the 2007-2009 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its successor.



					<i>Maximum Annual</i>	
				<i>Maximum</i>	<i>Salary Rate</i>	
	<i>Item</i>	<i>Class</i>		<i>No. of</i>	<i>Fiscal Years</i>	
	<i>No.</i>	<i>Code</i>	<i>Title</i>	<i>Employees</i>	<i>2007-2008</i>	<i>2008-2009</i>
6	(1)	8868	DHS DEPUTY DIRECTOR ADULT SERVICES	1	\$101,049	\$103,069
7	(2)	8960	AGING & ADULT SVCS ASST DEP DIR	1	\$68,491	\$69,860
8	(3)	8930	AGING & ADULT SVCS ASST DEP DIR	1	\$66,336	\$67,662
9	(4)	L124	PSYCHOLOGIST	1	GRADE 25	
10	(5)	023Z	DHS/DCO ASST CHIEF PRGM ADMR	2	GRADE 25	
11	(6)	040Z	DHS/DCFS AREA MANAGER	2	GRADE 24	
12	(7)	923Z	DHS PRGM ADMINISTRATOR	10	GRADE 23	
13	(8)	R184	NURSING SERVICES UNIT MANAGER	1	GRADE 23	
14	(9)	M087	DHS/DCFS FIELD MANAGER	5	GRADE 22	
15	(10)	L019	NUTRITIONIST CONSULTANT	1	GRADE 21	
16	(11)	697Z	DHS PRGM MANAGER	4	GRADE 21	
17	(12)	L082	NURSING SERVICES SPECIALIST	6	GRADE 21	
18	(13)	L122	PSYCHOLOGICAL EXAMINER II	1	GRADE 21	
19	(14)	R115	OFFICE ON AGING PROGRAM SUPERVISOR	8	GRADE 21	
20	(15)	R298	AGENCY PROGRAM COORDINATOR	1	GRADE 21	
21	(16)	R266	MANAGEMENT PROJECT ANALYST II	9	GRADE 20	
22	(17)	M088	SOCIAL WORKER II	1	GRADE 20	
23	(18)	M127	SR REHABILITATION COUNSELOR	4	GRADE 20	
24	(19)	Q039	HVACR INSPECTOR SUPERVISOR	1	GRADE 20	
25	(20)	L088	OCCUPATIONAL THERAPIST II	1	GRADE 20	
26	(21)	L070	NURSE II	66	GRADE 20	
27	(22)	L140	SPEECH PATHOLOGIST II	1	GRADE 20	
28	(23)	M005	FAMILY SERVICE WORKER SPECIALIST	34	GRADE 20	
29	(24)	B066	MICROBIOLOGIST II	1	GRADE 20	
30	(25)	R145	DHS PROGRAM COORDINATOR	1	GRADE 20	
31	(26)	L028	DIETICIAN	1	GRADE 19	
32	(27)	M086	SOCIAL WORKER I	3	GRADE 19	
33	(28)	R084	DHS STAFF SUPERVISOR	1	GRADE 19	
34	(29)	M004	FAMILY SERVICE WORKER	7	GRADE 19	
35	(30)	R264	MANAGEMENT PROJECT ANALYST I	2	GRADE 18	
36	(31)	R134	PLANNING SPECIALIST II	1	GRADE 18	

1	(32) D034 PROGRAMMER ANALYST	1	GRADE 18
2	(33) M082 SOCIAL SERVICE WORKER III	3	GRADE 18
3	(34) R190 PERSONNEL OFFICER II	1	GRADE 17
4	(35) R010 ADMINISTRATIVE ASSISTANT II	9	GRADE 17
5	(36) M079 SOCIAL SERVICE WORKER I	1	GRADE 15
6	(37) R009 ADMINISTRATIVE ASSISTANT I	4	GRADE 15
7	(38) K153 SECRETARY II	<u>5</u>	GRADE 13
8	MAX. NO. OF EMPLOYEES	203	

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10 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for the
 11 Department of Health and Human Services - Division of Aging and Adult
 12 Services for the 2007-2009 biennium, the following maximum number of part-
 13 time or temporary employees, to be known as "Extra Help", payable from funds
 14 appropriated herein for such purposes: eighteen (18) temporary or part-time
 15 employees, when needed, at rates of pay not to exceed those provided in the
 16 Uniform Classification and Compensation Act, or its successor, or this act
 17 for the appropriate classification.

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19 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated, to
 20 the Department of Health and Human Services - Division of Aging and Adult
 21 Services, to be payable from the paying account as determined by the Chief
 22 Fiscal Officer of the State, for personal services and operating expenses of
 23 the Department of Health and Human Services - Division of Aging and Adult
 24 Services for the biennial period ending June 30, 2009, the following:

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26	ITEM	FISCAL YEARS	
27	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
28	(01) REGULAR SALARIES	\$ 7,696,507	\$ 7,842,431
29	(02) EXTRA HELP	140,868	140,868
30	(03) PERSONAL SERVICES MATCHING	2,468,550	2,503,333
31	(04) MAINT. & GEN. OPERATION		
32	(A) OPER. EXPENSE	3,389,028	3,391,148
33	(B) CONF. & TRAVEL	110,100	110,100
34	(C) PROF. FEES	665,833	665,833
35	(D) CAP. OUTLAY	0	0
36	(E) DATA PROC.	0	0

1	(05) COMMUNITY BASED CARE	116,552	116,552
2	(06) NURSING HOME CARE ALTERNATIVES	5,965,039	5,965,039
3	(07) NUTRITION PROGRAMS	10,422,230	10,422,230
4	(08) OLDER WORKER PROGRAM	1,132,006	1,132,006
5	(09) PROJECT GRANTS	14,251,245	14,251,245
6	(10) RETIRED & SENIOR VOLUNTEER PROGRAM	75,000	75,000
7	(11) SENIOR CITIZEN CENTERS	<u>5,000,000</u>	<u>5,000,000</u>
8	TOTAL AMOUNT APPROPRIATED	<u>\$ 51,432,958</u>	<u>\$ 51,615,785</u>

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10 SECTION 4. APPROPRIATION - MEALS ON WHEELS. There is hereby appropriated,
 11 to the Department of Health and Human Services - Division of Aging and Adult
 12 Services, to be payable from the Aging and Adult Services Fund Account, for
 13 the Meals on Wheels Program and transportation services for the elderly of
 14 the Department of Health and Human Services - Division of Aging and Adult
 15 Services for the biennial period ending June 30, 2009, the following:

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17	ITEM	FISCAL YEARS	
18	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
19	(01) TRANSPORTATION SERVICES	<u>\$ 3,500,000</u>	<u>\$ 3,500,000</u>

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21 SECTION 5. APPROPRIATION - ARKANSAS SENIOR OLYMPICS. There is hereby
 22 appropriated, to the Department of Health and Human Services - Division of
 23 Aging and Adult Services, to be payable from the Aging and Adult Services
 24 Fund Account, for matching funds for the Arkansas Senior Olympics of the
 25 Department of Health and Human Services - Division of Aging and Adult
 26 Services for the biennial period ending June 30, 2009, the following:

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28	ITEM	FISCAL YEARS	
29	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
30	(01) STATE MATCH	<u>\$ 70,000</u>	<u>\$ 70,000</u>

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32 SECTION 6. APPROPRIATION - MS. SENIOR PAGEANT. There is hereby
 33 appropriated, to the Department of Health and Human Services - Division of
 34 Aging and Adult Services, to be payable from the Aging and Adult Services
 35 Fund Account, for expenses of the Ms. Senior Pageant by the Department of
 36 Health and Human Services - Division of Aging and Adult Services for the

1 biennial period ending June 30, 2009, the following:

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3 ITEM	FISCAL YEARS	
4 <u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
5 (01) MS. SENIOR PAGEANT EXPENSES	\$ <u>20,000</u>	\$ <u>20,000</u>

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7 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND
 9 ADULT SERVICES - CARRY FORWARD. Any unexpended balance of funds and
 10 appropriation authorized for elderly transportation including the Meals on
 11 Wheels Program which remains at the close of the fiscal year ending June 30,
 12 ~~2005~~ 2007 or June 30, ~~2006~~ 2008 or both, shall be carried forward into the
 13 next fiscal year, there to be used for the same purpose.

14
 15 Any carry forward of unexpended balance of appropriation and/or funding as
 16 authorized herein, may be carried forward under the following conditions:

17
 18 (1) Prior to June 30, 2008 the Agency shall by written statement set forth
 19 its reason(s) for the need to carry forward said appropriation and/or funding
 20 to the Department of Finance and Administration Office of Budget;

21
 22 (2) The Department of Finance and Administration Office of Budget shall
 23 report to the Arkansas Legislative Council all amounts carried forward from
 24 the first fiscal year of the biennium to the second fiscal year of the
 25 biennium by the September Arkansas Legislative Council or Joint Budget
 26 Committee meeting in the second fiscal year of the biennial period which
 27 report shall include the name of the Agency, Board, Commission or Institution
 28 and the amount of the appropriation and/or funding carried forward from the
 29 first fiscal year to the second fiscal year, the program name or line item,
 30 the funding source of that appropriation and a copy of the written request
 31 set forth in (1) above;

32
 33 (3) Each Agency, Board, Commission or Institution shall provide a written
 34 report to the Arkansas Legislative Council or Joint Budget Committee
 35 containing all information set forth in item (2) above, along with a written
 36 statement as to the current status of the project, contract, purpose etc. for

1 which the carry forward was originally requested no later than thirty (30)
2 days prior to the time the Agency, Board, Commission or Institution presents
3 its budget request to the Arkansas Legislative Council/Joint Budget
4 Committee; and

5
6 (4) Thereupon, the Department of Finance and Administration shall include
7 all information obtained in item (3) above in the biennial budget manuals
8 and/or a statement of non-compliance by the Agency, Board, Commission or
9 Institution.

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11 The provisions of this section shall be in effect only from July 1, ~~2005~~
12 2007 through June 30, ~~2007~~ 2009.

13
14 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND
16 ADULT SERVICES - MATCHING FUNDS. The funds appropriated for state match for
17 the Arkansas Senior Olympics Program in this Act shall be paid on a two-to-
18 one state/local matching basis. The Senior Arkansas Sports Organization must
19 certify its portion of the match to the Division of Aging and Adult Services
20 before any funds appropriated for state match for the Arkansas Senior
21 Olympics Program in this Act are disbursed.

22 The provisions of this section shall be in effect only from July 1, ~~2005~~
23 2007 through June 30, ~~2007~~ 2009.

24
25 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND
27 ADULT SERVICES - STATE MATCH AUTHORIZED. The Director of the Department of
28 Health and Human Services is authorized to use State funds appropriated in
29 this Act to match Federal funds available under Title III and Title V of the
30 Older Americans Act, Social Services Block Grant, or such other federal funds
31 as may become available.

32 The provisions of this section shall be in effect only from July 1, ~~2005~~
33 2007 through June 30, ~~2007~~ 2009.

34
35 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND

1 ADULT SERVICES - GRANT/CONTRACT DISBURSEMENT GUIDELINES. All appropriations
2 for state and federal funding contained herein for the Division of Aging and
3 Adult Services and that are distributed under grant or contract methodologies
4 may be disbursed by the Department of Health and Human Services in the same
5 manner as authorized under federal regulations for the disbursement of Title
6 III Older Americans Act funds. Otherwise, all disbursements shall comply
7 with the provisions of this Act.

8 The provisions of this section shall be in effect only from July 1, 2005
9 2007 through June 30, ~~2007~~ 2009.

10
11 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND
13 ADULT SERVICES - NURSING HOME CARE ALTERNATIVES. Funding for "Nursing Home
14 Care Alternatives", as it appears in the Aging and Adult Services -
15 Operations appropriation may be used for home delivered meals, adult day
16 care, homemaker/chore, respite care, personal care, health promotion, and
17 other community based activities. These funds may also be used to match
18 Medicaid community based programs.

19 The provisions of this section shall be in effect only from July 1, 2005
20 2007 through June 30, ~~2007~~ 2009.

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22 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SENIOR
24 CITIZEN CENTERS. The ~~five million dollars (\$5,000,000) appropriated~~
25 appropriation each fiscal year in this act for Senior Citizen Centers shall
26 be distributed in the same manner as the funding formula requirements set out
27 in the federal Older Americans Act funding law. The additional funding
28 provided by this provision shall supplement and not supplant any monies
29 currently funding services for Senior Citizen Centers.

30 The requirements in this section shall only be implemented in accordance
31 with any necessary approval by the Centers for Medicare and Medicaid
32 Services, and in the event that additional general revenue funding is
33 provided by the General Assembly for these purposes. Should additional
34 funding provided for these purposes be insufficient to provide for the
35 increases in full, the increases shall be provided to the extent that funding
36 is made available.

1 The provisions of this section shall be in effect only from July 1, 2005
2 2007 through June 30, ~~2007~~ 2009.

3
4 SECTION 13. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
5 by this act shall be limited to the appropriation for such agency and funds
6 made available by law for the support of such appropriations; and the
7 restrictions of the State Procurement Law, the General Accounting and
8 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
9 Procedures and Restrictions Act, or their successors, and other fiscal
10 control laws of this State, where applicable, and regulations promulgated by
11 the Department of Finance and Administration, as authorized by law, shall be
12 strictly complied with in disbursement of said funds.

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

22
23 SECTION 15. EMERGENCY CLAUSE. It is found and determined by the General
24 Assembly, that the Constitution of the State of Arkansas prohibits the
25 appropriation of funds for more than a two (2) year period; that the
26 effectiveness of this Act on July 1, 2007 is essential to the operation of
27 the agency for which the appropriations in this Act are provided, and that in
28 the event of an extension of the Regular Session, the delay in the effective
29 date of this Act beyond July 1, 2007 could work irreparable harm upon the
30 proper administration and provision of essential governmental programs.
31 Therefore, an emergency is hereby declared to exist and this Act being
32 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, 2007.

34
35 */s/ Joint Budget Committee*

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