

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 86th General Assembly  
3 Regular Session, 2007  
4

*As Engrossed: H2/16/07*

# A Bill

HOUSE BILL 1292

5 By: Joint Budget Committee  
6  
7

## 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 ADMINISTRATION FOR THE BIENNIAL PERIOD ENDING  
13 JUNE 30, 2009; AND FOR OTHER PURPOSES.  
14

## Subtitle

15  
16 AN ACT FOR THE DEPARTMENT OF HEALTH AND  
17 HUMAN SERVICES - ADMINISTRATION  
18 APPROPRIATION FOR THE 2007-2009  
19 BIENNIUM.  
20  
21  
22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
24

25 SECTION 1. REGULAR SALARIES - DIRECTOR'S OFFICE - OFFICE OF CHIEF COUNSEL.  
26 There is hereby established for the Department of Health and Human Services -  
27 Director's Office - Office of Chief Counsel for the 2007-2009 biennium, the  
28 following maximum number of regular employees whose salaries shall be  
29 governed by the provisions of the Uniform Classification and Compensation Act  
30 (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory  
31 thereto. Provided, however, that any position to which a specific maximum  
32 annual salary is set out herein in dollars, shall be exempt from the  
33 provisions of said Uniform Classification and Compensation Act. All persons  
34 occupying positions authorized herein are hereby governed by the provisions  
35 of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-  
36 101), or its successor.



				Maximum	Maximum Annual	
				No. of	Salary Rate	
	Item	Class			Fiscal Years	
	No.	Code	Title	Employees	2007-2008	2008-2009
6	(1)	9984	DHS DIRECTOR	1	\$136,813	\$139,549
7	(2)	9920	DHS DEPUTY DIRECTOR	1	\$110,832	\$113,048
8	(3)	9233	DHS DEPUTY DIRECTOR	1	\$110,832	\$113,048
9	(4)	9726	DHS CHIEF ATTORNEY	1	\$98,994	\$100,973
10	(5)	9235	DHS COMMUNICATIONS DIRECTOR	1	\$91,689	\$93,522
11	(6)	8936	DHS/DMS ADD PROG & ADMIN SUPPORT	1	\$85,642	\$87,354
12	(7)	9410	DHS ASST DIRECTOR HUMAN RESOURCES	1	\$83,578	\$85,249
13	(8)	9409	DHS DIRECTOR OF PUBLIC RELATIONS	1	\$78,970	\$80,549
14	(9)	8958	DHS AUDIT/FISCAL REVIEW MANAGER	1	\$78,839	\$80,415
15	(10)	8957	DHS ATTORNEY SUPERVISOR	2	\$78,836	\$80,412
16	(11)	8959	DHS PROGRAM MANAGER	1	\$72,791	\$74,246
17	(12)	004Z	HLTH POLICY ADMINISTRATOR	1	GRADE 26	
18	(13)	R038	ATTORNEY SUPERVISOR	6	GRADE 26	
19	(14)	R170	ATTORNEY SPECIALIST	51	GRADE 25	
20	(15)	R036	ATTORNEY	3	GRADE 24	
21	(16)	R165	DHS CLIENT ADVOCATE	1	GRADE 23	
22	(17)	897Z	DHS INSTITUTION PROGRAM MANAGER	1	GRADE 23	
23	(18)	A095	DHS AUDIT SUPERVISOR	4	GRADE 22	
24	(19)	A251	SR AUDITOR	24	GRADE 21	
25	(20)	697Z	DHS PRGM MANAGER	1	GRADE 21	
26	(21)	R266	MANAGEMENT PROJECT ANALYST II	2	GRADE 20	
27	(22)	R145	DHS PROGRAM COORDINATOR	3	GRADE 20	
28	(23)	R150	RESEARCH PROJECT ANALYST	1	GRADE 19	
29	(24)	R424	FAIR HEARING REFEREE	6	GRADE 19	
30	(25)	R264	MANAGEMENT PROJECT ANALYST I	2	GRADE 18	
31	(26)	M068	DHS PROGRAM ANALYST	2	GRADE 18	
32	(27)	M072	SOCIAL SERVICE INVESTIGATOR II	8	GRADE 18	
33	(28)	R010	ADMINISTRATIVE ASSISTANT II	6	GRADE 17	
34	(29)	X352	HLTH CARE ANALYST II	1	GRADE 17	
35	(30)	K048	LEGAL SECRETARY II	40	GRADE 16	
36	(31)	K011	ADMINISTRATIVE OFFICE SUPERVISOR	4	GRADE 15	

1	(32)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	2	GRADE 14
2	(33)	K155	SECRETARY I	<u>1</u>	GRADE 11
3			MAX. NO. OF EMPLOYEES	182	

SECTION 2. REGULAR SALARIES - ADMINISTRATIVE SERVICES. There is hereby established for the Department of Health and Human Services - Division of Administrative 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.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate	Fiscal Years
				2007-2008	2008-2009
22	(1) 9724	DHS DEP DIR ADMINISTRATIVE SVCS	1	\$102,712	\$104,766
23	(2) 9234	CHIEF ADMINISTRATIVE OFFICER	1	\$102,712	\$104,766
24	(3) 9757	DHS ASSISTANT DIRECTOR	1	\$85,643	\$87,355
25	(4) 8945	DHS ASST DEP DIR FOR MGR ACCOUNTING	1	\$85,643	\$87,355
26	(5) 8946	DHS ASST DEP DIR FIN SUPPORT SYSTEM	1	\$78,626	\$80,198
27	(6) 9406	DHS ASST TO CHIEF FINANCIAL OFFICER	1	\$69,027	\$70,407
28	(7) 397Z	DHS/DCFS ADMIN COMMUNITY SVCS	1	GRADE	25
29	(8) A046	AGENCY CONTROLLER - LARGE/COMPLEX A	6	GRADE	25
30	(9) A084	AGENCY CONTROLLER - MEDIUM AGENCY	1	GRADE	24
31	(10) 187Z	DHS/DCFS ADMR INDIV & FAMILY SVCS	1	GRADE	24
32	(11) 297Z	GENERAL BUSINESS MANAGER	1	GRADE	24
33	(12) 385Z	DHHS HUMAN RESOURCES MANAGER	1	GRADE	24
34	(13) 055Z	DP MANAGER	2	GRADE	23
35	(14) 923Z	DHS PRGM ADMINISTRATOR	6	GRADE	23
36	(15) A127	ASST CONTROLLER	6	GRADE	23

1	(16)	M011	FAMILY SERVICE WORKER PRINCIPAL	1	GRADE 23
2	(17)	M009	FAMILY SERVICE WORKER SUPERVISOR	1	GRADE 22
3	(18)	D066	SYSTEMS COORDINATION ANALYST II	15	GRADE 22
4	(19)	E051	TRAINING PROJECT MANAGER	1	GRADE 22
5	(20)	A088	DHS FINANCIAL SECTION MANAGER	11	GRADE 22
6	(21)	A032	AGENCY FISCAL MANAGER	1	GRADE 22
7	(22)	506Z	REHAB SERVICES PERSONNEL MANAGER	1	GRADE 22
8	(23)	909Z	PROGRAM SUPPORT MANAGER	3	GRADE 22
9	(24)	698Z	DHS/DAS MATERIALS MGMT ADMR	1	GRADE 22
10	(25)	V042	GENERAL SERVICES MANAGER	1	GRADE 22
11	(26)	V080	MGR PURCHASING & PROPERTY MGT	1	GRADE 21
12	(27)	892Z	DHS INSTITUTION BUSINESS MANAGER	1	GRADE 21
13	(28)	697Z	DHS PRGM MANAGER	6	GRADE 21
14	(29)	A008	ACCOUNTING SUPERVISOR II	27	GRADE 21
15	(30)	L072	REGISTERED NURSE PRACTITIONER I	1	GRADE 21
16	(31)	R143	DHS RESEARCH & STATISTICS MGR	1	GRADE 21
17	(32)	R488	GRANTS ADMIN SUPV	1	GRADE 21
18	(33)	R266	MANAGEMENT PROJECT ANALYST II	13	GRADE 20
19	(34)	R145	DHS PROGRAM COORDINATOR	6	GRADE 20
20	(35)	M005	FAMILY SERVICE WORKER SPECIALIST	1	GRADE 20
21	(36)	E007	SR REHAB TEACHER F/T BLIND	1	GRADE 20
22	(37)	M128	DHS/DDS PRGM COORDINATOR	1	GRADE 20
23	(38)	A006	ACCOUNTING SUPERVISOR I	2	GRADE 20
24	(39)	A038	FINANCIAL ANALYST	1	GRADE 20
25	(40)	E114	STAFF DEVELOPMENT COORDINATOR	7	GRADE 20
26	(41)	R406	DHS PERSONNEL PROCESSING SUPV	1	GRADE 20
27	(42)	V022	LEASING SPECIALIST II	1	GRADE 19
28	(43)	A110	ACCOUNTANT II	5	GRADE 19
29	(44)	R150	RESEARCH PROJECT ANALYST	2	GRADE 19
30	(45)	R030	ASST PERSONNEL MANAGER	2	GRADE 19
31	(46)	R048	BUDGET SPECIALIST	3	GRADE 19
32	(47)	R068	EEO/GRIEVANCE OFFICER	2	GRADE 19
33	(48)	R084	DHS STAFF SUPERVISOR	1	GRADE 19
34	(49)	R168	GRANTS COORDINATOR II	32	GRADE 19
35	(50)	R195	PERSONNEL ANALYST	3	GRADE 18
36	(51)	R264	MANAGEMENT PROJECT ANALYST I	3	GRADE 18

1	(52)	V020	LEASING SPECIALIST	1	GRADE 18
2	(53)	M068	DHS PROGRAM ANALYST	2	GRADE 18
3	(54)	A111	ACCOUNTANT	17	GRADE 18
4	(55)	D128	P C SUPPORT SPECIALIST	1	GRADE 18
5	(56)	D034	PROGRAMMER ANALYST	2	GRADE 18
6	(57)	V034	PLANT WAREHOUSE FOREMAN	1	GRADE 18
7	(58)	V040	PURCHASE AGENT II/PURCHASE AGENT	8	GRADE 18
8	(59)	W030	RECORDS MANAGEMENT ANALYST II	4	GRADE 18
9	(60)	Y087	PRINTER SUPERVISOR	1	GRADE 18
10	(61)	V030	INVENTORY CONTROL MANAGER	1	GRADE 17
11	(62)	R010	ADMINISTRATIVE ASSISTANT II	13	GRADE 17
12	(63)	N290	COMMERCIAL ARTIST II/GRAPHIC ART II	2	GRADE 17
13	(64)	M023	FAMILY SUPPORT SPECIALIST III	1	GRADE 17
14	(65)	R190	PERSONNEL OFFICER II	5	GRADE 17
15	(66)	R162	STATISTICIAN/STATISTICIAN II	5	GRADE 17
16	(67)	A024	COLLECTION OFFICER	3	GRADE 16
17	(68)	Y085	PRINTER II	6	GRADE 16
18	(69)	A108	ACCOUNTING TECHNICIAN II	38	GRADE 15
19	(70)	A063	PAYROLL OFFICER	1	GRADE 15
20	(71)	R342	INTERVIEWER	3	GRADE 15
21	(72)	R009	ADMINISTRATIVE ASSISTANT I	1	GRADE 15
22	(73)	K105	REPROD EQUIPMENT OPERATOR SUPV	1	GRADE 15
23	(74)	K011	ADMINISTRATIVE OFFICE SUPERVISOR	3	GRADE 15
24	(75)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	7	GRADE 14
25	(76)	K153	SECRETARY II	9	GRADE 13
26	(77)	K181	MAILROOM SUPERVISOR	1	GRADE 12
27	(78)	K089	PERSONNEL ASSISTANT	1	GRADE 12
28	(79)	K039	DOCUMENT EXAMINER II	20	GRADE 12
29	(80)	V043	SHIPPING & RECEIVING CLERK	1	GRADE 11
30	(81)	K103	REPROD EQUIPMENT OPERATOR	2	GRADE 10
31	(82)	G013	WAREHOUSE WORKER	2	GRADE 10
32	(83)	G045	EQUIPMENT OPERATOR	<u>1</u>	GRADE 08
33			MAX. NO. OF EMPLOYEES	356	

34

35 SECTION 3. REGULAR SALARIES - VOLUNTEERISM. There is hereby established  
 36 for the Department of Health and Human Services - Division of Volunteerism

1 for the 2007-2009 biennium, the following maximum number of regular employees  
 2 whose salaries shall be governed by the provisions of the Uniform  
 3 Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or  
 4 its successor, and all laws amendatory thereto. Provided, however, that any  
 5 position to which a specific maximum annual salary is set out herein in  
 6 dollars, shall be exempt from the provisions of said Uniform Classification  
 7 and Compensation Act. All persons occupying positions authorized herein are  
 8 hereby governed by the provisions of the Regular Salaries Procedures and  
 9 Restrictions Act (Arkansas Code §21-5-101), or its successor.

10

				Maximum Annual		
				Maximum	Salary Rate	
				No. of	Fiscal Years	
Item	Class			Employees	2007-2008	2008-2009
No.	Code	Title				
15	(1)	7406	COMMUNITY SERVICE SPECIALIST	1	\$79,207	\$80,791
16	(2)	7354	DHS DEP DIR OFFICE OF VOL SVCS	1	\$72,404	\$73,852
17	(3)	7404	NATIONAL & COMM. SVC, EXEC DIR	1	\$69,664	\$71,057
18	(4)	8973	DOV ASST DEP DIR	1	\$48,686	\$49,659
19	(5)	923Z	DHS PRGM ADMINISTRATOR	1	GRADE 23	
20	(6)	M113	VOLUNTEER PROGRAM MANAGER	1	GRADE 21	
21	(7)	R266	MANAGEMENT PROJECT ANALYST II	1	GRADE 20	
22	(8)	E114	STAFF DEVELOPMENT COORDINATOR	1	GRADE 20	
23	(9)	M097	VOLUNTEER PROGRAM DEVELOPER II	8	GRADE 19	
24	(10)	A111	ACCOUNTANT	1	GRADE 18	
25	(11)	R440	BUSINESS CONTROLLER II	1	GRADE 16	
26	(12)	V039	PURCHASE AGENT I/ASST PURCHASE AGEN	1	GRADE 15	
27	(13)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	2	GRADE 14	
28	(14)	K153	SECRETARY II	<u>2</u>	GRADE 13	
29			MAX. NO. OF EMPLOYEES	23		

30

31 SECTION 4. EXTRA HELP - DIRECTOR'S OFFICE - OFFICE OF CHIEF COUNSEL.

32 There is hereby authorized, for the Department of Health and Human Services -  
 33 Director's Office - Office of Chief Counsel for the 2007-2009 biennium, the  
 34 following maximum number of part-time or temporary employees, to be known as  
 35 "Extra Help", payable from funds appropriated herein for such purposes: five  
 36 (5) temporary or part-time employees, when needed, at rates of pay not to

1 exceed those provided in the Uniform Classification and Compensation Act, or  
 2 its successor, or this act for the appropriate classification.

3  
 4 SECTION 5. EXTRA HELP - ADMINISTRATIVE SERVICES. There is hereby  
 5 authorized, for the Department of Health and Human Services - Division of  
 6 Administrative Services for the 2007-2009 biennium, the following maximum  
 7 number of part-time or temporary employees, to be known as "Extra Help",  
 8 payable from funds appropriated herein for such purposes: twenty (20)  
 9 temporary or part-time employees, when needed, at rates of pay not to exceed  
 10 those provided in the Uniform Classification and Compensation Act, or its  
 11 successor, or this act for the appropriate classification.

12  
 13 SECTION 6. APPROPRIATION - DIRECTOR'S OFFICE - OFFICE OF CHIEF COUNSEL  
 14 OPERATIONS. There is hereby appropriated, to the Department of Health and  
 15 Human Services - Director's Office - Office of Chief Counsel, to be payable  
 16 from the paying account as determined by the Chief Fiscal Officer of the  
 17 State, for personal services and operating expenses of the Department of  
 18 Health and Human Services - Director's Office - Office of Chief Counsel for  
 19 the biennial period ending June 30, 2009, the following:

20

21 ITEM	FISCAL YEARS	
22 <u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
23 (01) REGULAR SALARIES	\$ 6,777,482	\$ 6,913,000
24 (02) EXTRA HELP	22,578	22,578
25 (03) PERSONAL SERVICES MATCHING	2,148,774	2,176,961
26 (04) MAINT. & GEN. OPERATION		
27 (A) OPER. EXPENSE	992,112	992,112
28 (B) CONF. & TRAVEL	24,472	24,472
29 (C) PROF. FEES	11,000	11,000
30 (D) CAP. OUTLAY	0	0
31 (E) DATA PROC.	0	0
32 (05) DATA PROCESSING SERVICES	<u>12,300</u>	<u>12,300</u>
33 TOTAL AMOUNT APPROPRIATED	<u>\$ 9,988,718</u>	<u>\$ 10,152,423</u>

34  
 35 SECTION 7. APPROPRIATION - ADMINISTRATIVE SERVICES - OPERATIONS. There is  
 36 hereby appropriated, to the Department of Health and Human Services -

1 Division of Administrative Services, to be payable from the paying account as  
 2 determined by the Chief Fiscal Officer of the State, for personal services  
 3 and operating expenses of the Department of Health and Human Services -  
 4 Division of Administrative Services for the biennial period ending June 30,  
 5 2009, the following:

7 ITEM	FISCAL YEARS	
8 <u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
9 (01) REGULAR SALARIES	\$ 11,751,065	\$ 11,986,086
10 (02) EXTRA HELP	64,480	64,480
11 (03) PERSONAL SERVICES MATCHING	3,906,630	3,954,757
12 (04) OVERTIME	10,000	10,000
13 (05) MAINT. & GEN. OPERATION		
14 (A) OPER. EXPENSE	2,725,278	2,725,278
15 (B) CONF. & TRAVEL	20,000	20,000
16 (C) PROF. FEES	9,075,792	9,075,792
17 (D) CAP. OUTLAY	0	0
18 (E) DATA PROC.	0	0
19 (06) DATA PROCESSING SERVICES	<u>1,967,600</u>	<u>1,967,600</u>
20 TOTAL AMOUNT APPROPRIATED	<u>\$ 29,520,845</u>	<u>\$ 29,803,993</u>

21  
 22 SECTION 8. APPROPRIATIONS - ADMINISTRATIVE SERVICES - CLIENT SPECIFIC  
 23 EMERGENCY SERVICES - CASH. There is hereby appropriated, to the Department  
 24 of Health and Human Services - Division of Administrative Services, to be  
 25 payable from cash funds as defined by Arkansas Code 19-4-801 of the  
 26 Department of Health and Human Services - Division of Administrative  
 27 Services, for purchase of services of the Department of Health and Human  
 28 Services - Division of Administrative Services for the biennial period ending  
 29 June 30, 2009, the following:

31 ITEM	FISCAL YEARS	
32 <u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
33 (01) PURCHASE OF SERVICES	<u>\$ 120,000</u>	<u>\$ 120,000</u>

34  
 35 SECTION 9. APPROPRIATION - ADMINISTRATIVE SERVICES - VARIOUS BUILDING  
 36 CONSTRUCTION. There is hereby appropriated, to the Department of Health and



1 Human Services - Division of Administrative Services, to be payable from the  
 2 Department of Human Services Renovation Fund, for construction, renovation,  
 3 maintenance, equipment and repairs for various buildings operated by the  
 4 Department of Health and Human Services for the biennial period ending June  
 5 30, 2009, the following:

6

7 ITEM	FISCAL YEARS	
8 <u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
9 (01) CONSTRUCTION	<u>\$ 9,821,826</u>	<u>\$ 9,821,826</u>

10

11 SECTION 10. APPROPRIATION - ADMINISTRATIVE SERVICES - CONSOLIDATED COST.  
 12 There is hereby appropriated, to the Department of Health and Human Services  
 13 - Division of Administrative Services, to be payable from the DHS  
 14 Consolidated Cost Revolving Fund, for operating expenses of the Department of  
 15 Health and Human Services - Division of Administrative Services -  
 16 Consolidated Cost for the biennial period ending June 30, 2009, the  
 17 following:

18

19 ITEM	FISCAL YEARS	
20 <u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
21 (01) MAINT. & GEN. OPERATION		
22 (A) OPER. EXPENSE	\$ 671,500	\$ 671,500
23 (B) CONF. & TRAVEL	0	0
24 (C) PROF. FEES	0	0
25 (D) CAP. OUTLAY	0	0
26 (E) DATA PROC.	<u>0</u>	<u>0</u>
27 TOTAL AMOUNT APPROPRIATED	<u>\$ 671,500</u>	<u>\$ 671,500</u>

28

29 SECTION 11. APPROPRIATION - ADMINISTRATIVE SERVICES - SOCIAL SERVICES  
 30 BLOCK GRANT - FEDERAL. There is hereby appropriated, to the Department of  
 31 Health and Human Services - Division of Administrative Services, to be  
 32 payable from the federal funds as designated by the Chief Fiscal Officer of  
 33 the State, for purchase of services of the Department of Health and Human  
 34 Services - Division of Administrative Services for the biennial period ending  
 35 June 30, 2009, the following:

36

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) PURCHASE OF SERVICES	\$ 259,047	\$ 259,047

SECTION 12. APPROPRIATION - VOLUNTEERISM - OPERATIONS. There is hereby appropriated, to the Department of Health and Human Services - Division of Volunteerism, to be payable from the paying account as determined by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Department of Health and Human Services - Division of Volunteerism for the biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) REGULAR SALARIES	\$ 769,991	\$ 786,497
(02) PERSONAL SERVICES MATCHING	254,347	257,724
(03) OVERTIME	1,000	1,000
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	236,494	236,494
(B) CONF. & TRAVEL	25,000	25,000
(C) PROF. FEES	28,341	28,341
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
(05) DELTA SERVICE CORPS GRANTS	3,037,311	3,037,311
(06) DATA PROCESSING SERVICES	<u>3,000</u>	<u>3,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 4,355,484</u>	<u>\$ 4,375,367</u>

SECTION 13. APPROPRIATION - VOLUNTEERISM - CASH. There is hereby appropriated, to the Department of Health and Human Services - Division of Volunteerism, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for operating expenses of the Department of Health and Human Services - Division of Volunteerism for the biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) MAINT. & GEN. OPERATION		

1	(A) OPER. EXPENSE	\$	4,296	\$	4,296
2	(B) CONF. & TRAVEL		2,865		2,865
3	(C) PROF. FEES		1,432		1,432
4	(D) CAP. OUTLAY		0		0
5	(E) DATA PROC.		0		0
6	TOTAL AMOUNT APPROPRIATED	\$	<u>8,593</u>	\$	<u>8,593</u>

7

8 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

10 DIRECTOR'S OFFICE/OFFICE OF CHIEF COUNSEL - PURCHASE OF EVIDENCE. Upon  
11 approval by the Chief Fiscal Officer of the State, the Chief Counsel for the  
12 Department of Health and Human Services may transfer an amount up to but not  
13 to exceed \$12,000 for the ~~2005-2007~~ 2007-2009 biennial period and deposit  
14 same in a bank account for the purpose of purchasing evidence in the course  
15 of investigating the illegal use of food stamps/Electronic Benefit Transfer  
16 (EBT) cards. The funds so transferred shall be subject to accounting in a  
17 manner substantially similar to that employed by the Arkansas State Police  
18 for such transactions; provided however, that information tending to identify  
19 participants in such transactions shall be exempt from the Arkansas Freedom  
20 of Information Act.

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

23

24 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA  
26 SALARIES. There is hereby authorized for the Department of Health and Human  
27 Services for the ~~2005-2007~~ 2007-2009 biennium the following increases in  
28 salaries for certain positions provided in the regular salary schedule of the  
29 Department of Health and Human Services and to be in addition to the annual  
30 amounts as established by the Uniform Classification and Compensation Act, as  
31 amended: for full-time physicians certified by the American Specialty Boards,  
32 a rate of pay not to exceed an additional \$4,500 per year; for each full-time  
33 physician eligible to be certified by the American Specialty Boards, a rate  
34 of pay not to exceed \$2,500 per year. If a physician is certified in Child  
35 Psychiatry, an additional \$2,500 per year will be allowed with the total not  
36 to exceed \$7,000. If a physician is certified in Forensic Psychiatry, an

1 additional \$2,500 per year will be allowed with the total not to exceed  
2 \$7,000. In the event the physician is not a full-time employee, the amount  
3 specified herein shall be adjusted proportionately to the amount of time  
4 worked for the Department of Health and Human Services by that physician.

5 The provisions of this section shall be in effect only from July 1, 2005  
6 2007 through June 30, ~~2007~~ 2009.

7  
8 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HUMAN  
10 SERVICES RENOVATION FUND. Department of Human Services Renovation Fund.

11 (a) There is established on the books of the Treasurer of State, Auditor of  
12 State, and the Chief Fiscal Officer of the State a fund to be known as the  
13 Department of Human Services Renovation Fund.

14 (b) This fund shall be used for constructing, acquiring, renovating,  
15 maintaining, repairing, and equipping facilities of the Department of Health  
16 and Human Services and for paying disallowances by the federal government.

17 (c) The fund shall consist of:

18 (1) Federal reimbursement received by the Department of Health and Human  
19 Services and deposited in the various fund accounts of the department; and

20 (2) General revenues transferred from the Division of Youth Services, the  
21 Division of Behavioral Health, ~~and~~ the Division of Developmental Disabilities  
22 Services, and the Division of Health for the purposes of repairing,  
23 renovating, equipping, acquiring and constructing Department of Health and  
24 Human Services facilities with an annual maximum of five million dollars  
25 (\$5,000,000). The projects for which these transfers are authorized must be  
26 projects which were unanticipated during the preceding regular session of the  
27 Arkansas General Assembly and must be projects which, if not carried out in  
28 the interim period between regular sessions of the Arkansas General Assembly  
29 would cause greater harm to the facilities, clients or programs of the  
30 Department of Health and Human Services than to wait until the next regular  
31 session.

32 (3) Other non-general revenue funds as may be available within the  
33 Department of Health and Human Services that can be used for the purposes of  
34 this fund.

35 (d)(1) At the request of the Director of the Department of Health and Human  
36 Services, and upon certification of the availability of such funds, the Chief

1 Fiscal Officer of the State shall initiate the necessary transfer documents  
2 to reflect the transfer on the books of record of the Treasurer of State, the  
3 Auditor of State, the Chief Fiscal Officer of the State, and the Department  
4 of Health and Human Services.

5 (2) The Director of the Department of Health and Human Services shall submit  
6 any transfer plan to and must receive approval of the plan from the Chief  
7 Fiscal Officer of the State, the Governor and the Arkansas Legislative  
8 Council prior to the effective date of the transfer.

9 (e) Provided, that any non-general revenue funding that may remain in the  
10 fund at the end of any fiscal year shall be carried over into the next fiscal  
11 year and all obligated general revenue funding that may remain in the fund at  
12 the end of any fiscal year shall be carried over into the next fiscal year to  
13 satisfy such legal and contractual obligations that have been entered into  
14 prior to the end of the fiscal year.

15 (f) Determining the amount of funds appropriated to a state agency is the  
16 prerogative of the General Assembly and is usually accomplished by  
17 delineating specific line items and by identifying the appropriation and  
18 funding attached to that line item. The General Assembly has determined that  
19 the Department of Health and Human Services could be operated more  
20 efficiently if some flexibility is given to that agency. That flexibility is  
21 being accomplished by providing transfer authority in subsection (d) of this  
22 section, and since the General Assembly has granted the agency broad powers  
23 under the transfer authority concept, it is both necessary and appropriate  
24 that the General Assembly maintain oversight of the utilization of the  
25 transfer authority by requiring prior approval of the Legislative Council in  
26 the utilization of this transfer authority. Therefore, the requirement of  
27 approval by the Legislative Council is not a severable part of this section.  
28 If the requirement of approval by the Legislative Council is ruled  
29 unconstitutional by a court jurisdiction, this entire section is void.

30 The provisions of this section shall be in effect only from July 1, ~~2005~~  
31 2007 through June 30, ~~2007~~ 2009.

32

33 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
35 AUTHORITY. The Director of the Department of Health and Human Services shall  
36 have transfer authority provided by the following:

1 (a) DEPARTMENT OF HUMAN SERVICES RENOVATION FUND. The Director of the  
2 Department of Health and Human Services is authorized to request fund  
3 transfers according to the provisions established by Arkansas Code Ann. 19-5-  
4 1020, Department of Human Services Renovation Fund, as amended herein; and  
5 (b) MATCH TRANSFER. The Director of the Department of Health and Human  
6 Services, with the approval of the Chief Fiscal Officer of the State, is  
7 authorized to effect inter-agency and inter-divisional fund transfers for the  
8 purpose of providing the State's matching share for payments made to that  
9 Division or Office or its service providers for services eligible for federal  
10 reimbursement under programs administered by the Department of Health and  
11 Human Services. The Department of Health and Human Services shall report to  
12 the Legislative Council or Joint Budget Committee on a quarterly basis all  
13 fund transfers made in accordance with the authority granted by this section;  
14 and  
15 (c) YOUTH SERVICES - HOUSING AND SEPARATION APPROPRIATION PROVISIONS. The  
16 Division of Youth Services (DYS) is authorized to fulfill its responsibility  
17 to house offenders between the ages of 18 and 21 and to separate juvenile  
18 offenders by age and seriousness of offense by either employing additional  
19 state employees and providing the corresponding operating expenses or  
20 entering into professional services contracts. If the Division of Youth  
21 Services determines that the Division needs to employ state employees to  
22 fulfill the housing and separation requirements, they may transfer up to the  
23 total amount appropriated for the DYS - Residential Services Program  
24 appropriation to the appropriate DYS appropriation and line items, upon  
25 approval of the Chief Fiscal Officer of the State, and prior review by the  
26 Legislative Council.  
27 (d) REALLOCATION OF RESOURCES: (1) Upon determination by the Director of the  
28 Department of Health and Human Services that a reallocation of resources  
29 within the department is necessary for the efficient and effective operation  
30 of the department, the director, with approval of the Governor, shall have  
31 the authority to request, from the Chief Fiscal Officer of the State, a  
32 transfer of positions, appropriations, line item appropriations, and funds  
33 within or between existing and newly created divisions, offices, sections, or  
34 units of the department. Provided, however, that no transfer of funds or  
35 appropriation that provides direct support or matching support for the  
36 Arkansas Medicaid Program shall be made to any other fund account or

1 appropriation that does not directly support the Arkansas Medicaid Program.  
2 Further, no positions, funds, or appropriation authorized during the ~~2005-~~  
3 ~~2007~~ 2007-2009 biennial budget process for the Division of Children and  
4 Family Services compliance with initiatives established under the Angela R.  
5 consent decree shall be transferred to any other division. Nothing in this  
6 provision is intended to prevent the one-time transfers of savings in any  
7 other program to the Arkansas Medicaid Program, with the exception of the  
8 provisions previously cited for the Division of Children and Family Services  
9 – Angela R. consent decree. The Division of Developmental Disabilities –  
10 Grants to Community Providers line item of the Developmental Disabilities  
11 Services - Grants-in-Aid appropriation may not be decreased. The  
12 appropriation, funding, and positions provided for the six Human Development  
13 Centers shall remain at a level sufficient to ensure quality care for the  
14 Centers' residents. ~~If requested by the Division of Child Care and Early~~  
15 ~~Childhood Education (DCCECE), the Division of County Operations shall~~  
16 ~~transfer sufficient general revenue to allow the State to access the full~~  
17 ~~allocation of Federal Funds available through the Matching Category of the~~  
18 ~~Child Care Development Fund. General Revenue Dollars transferred to DCCECE~~  
19 ~~must be used as matching funds to support the Transitional Employment~~  
20 ~~Assistance (TEA) Program and must be eligible to be counted toward the~~  
21 ~~State's Maintenance of Effort requirement for the Temporary Assistance for~~  
22 ~~Needy Families (TANF) Block Grant.~~ The exemptions provided in this  
23 subsection whereby certain ~~DHS~~ DHHS Programs and Divisions are protected from  
24 appropriation, fund, or position transfers are applicable only to the  
25 reallocation or transfer authority granted herein, and not by any reductions  
26 which are applicable to all state programs.

27 The Director of the Department of Health and Human Services shall submit any  
28 requests for transfers to and must receive approval of the requests for  
29 transfers from the Chief Fiscal Officer of the State, the Governor, and the  
30 Arkansas Legislative Council prior to the effective date of the transfers.  
31 Provided, however, that the Department of Health and Human Services shall be  
32 limited to submitting no more than four individual transaction transfer  
33 requests for reallocation of resources transfers during any fiscal year.  
34 Transfer authority ~~for unforeseen purposes~~ shall further be limited to no  
35 more than 5% of the total General and Special Revenue appropriation, funding,  
36 and positions authorized for the Department. Reallocation of resources

1 transfers may include multiple items but shall be limited to the following  
2 purposes:

- 3 i). Medicaid Program
- 4 ii). Facilities and institutions costs, including operational expenses and  
5 Construction/Renovation/Equipping expenses
- 6 iii). Departmental grants and contracts
- 7 iv). Court ordered settlements and payments
- 8 v). Payment of administrative expenses, including but not limited to,  
9 overtime and other costs of personnel for critical services or functions  
10 necessary to carry out the mission of the agency
- 11 vi). Restructuring efforts as deemed necessary to comply with federal or  
12 state mandates

13 Determining the maximum number of employees and the maximum amount of  
14 appropriation and general revenue funding for a state agency each fiscal year  
15 is the prerogative of the General Assembly. This is usually accomplished by  
16 delineating such maximums in the appropriation act(s) for a state agency and  
17 the general revenue allocations authorized for each fund and fund account by  
18 amendment to the Revenue Stabilization law. Further, the General Assembly  
19 has determined that the Department of Health and Human Services may operate  
20 more efficiently if some flexibility is provided to the Department of Health  
21 and Human Services authorizing broad powers under the Reallocation of  
22 Resources provisions herein. Therefore, it is both necessary and appropriate  
23 that the General Assembly maintain oversight by requiring prior approval of  
24 the Legislative Council or Joint Budget Committee as provided by this  
25 section. The requirement of approval by the Legislative Council or Joint  
26 Budget Committee is not a severable part of this section. If the requirement  
27 of approval by the Legislative Council or Joint Budget Committee is ruled  
28 unconstitutional by a court of competent jurisdiction, this entire section is  
29 void.

30 (2) If it is determined that the requested reallocation of resources  
31 transfers should be made, the Chief Fiscal Officer of the State shall then  
32 initiate the necessary transfer documents to reflect the transfers upon the  
33 fiscal records of the Treasurer of State, the Auditor of State, the Chief  
34 Fiscal Officer of the State, and the Department of Health and Human Services.  
35 In addition, the Chief Fiscal Officer of the State, together with the Co-  
36 Chairpersons of the Legislative Council or Joint Budget Committee, may



1 approve, on an emergency basis, requests for utilization of this Section  
2 without prior approval of the Arkansas Legislative Council, with any such  
3 actions reported at the next meeting of the Arkansas Legislative Council.

4 The provisions of this section shall be in effect only from July 1, 2005  
5 2007 through June 30, ~~2007~~ 2009.

6  
7 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

9 NURSING/DIRECT CARE EDUCATION STIPEND PROGRAM. Special provision for a  
10 Nursing/Direct Care Education Stipend Program for the Department of Health  
11 and Human Services is hereby authorized to pay from State and Federal Funds  
12 appropriated in each division Act. This program is for eligible nursing  
13 students who are attending accredited nursing institutions to become  
14 Registered or Licensed Practical Nurses, as well as Certified Nursing  
15 Assistants, Life Skills Trainers and Mental Health Workers.

16  
17 The stipend is \$5,000 per person per year. Any student who is awarded and  
18 accepts a stipend is under employment commitment to the respective DHHS  
19 Division and is required to work for that division, in a full-time employee  
20 status effective immediately upon graduation. The student employment  
21 commitment is equal to the number of years the stipend was awarded and  
22 accepted. In the event of Employee/Student default of the employment  
23 commitment, the Employee/Student will be considered in breach of contract and  
24 repayment of the stipend will be required as specified in the Stipend  
25 Contract.

26  
27 Each division participating in the Education Stipend Program shall determine  
28 on an annual basis, the number of student stipends available.

29  
30 The provisions of this section shall be in effect only from July 1, 2007  
31 through June 30, 2009.

32  
33 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HAZARDOUS  
35 DUTY PAY. The Department of Health and Human Services is hereby authorized to  
36 pay hazardous duty pay to eligible personnel to compensate for the increased

1 risk of personal injury. The hazardous duty pay authorized herein shall not  
2 exceed an amount equal to 5 and one-half percent (5.5%) of the annual salary  
3 authorized by law to any eligible employee and shall only be made available  
4 to the personnel occupying high risk positions in special treatment units as  
5 described in this section.

6  
7 In cases of documented need, the Director of Health and Human Services shall  
8 identify the facility and/or unit, location and eligible classifications  
9 within the facility or unit. Such positions shall be certified by the DHHS  
10 Director as having been assigned to a work environment that poses an  
11 increased risk of personal injury and shall be submitted to the Office of  
12 Personnel Management for approval by the Chief Fiscal Officer of the State  
13 after review and approval of the Arkansas Legislative Council. Subsequent  
14 changes to the facility and/or unit, location and eligible classifications  
15 within the facility or unit on file with the OPM must receive prior approval  
16 by the Chief Fiscal Officer of the State after review and approval by the  
17 Arkansas Legislative Council.

18  
19 The amounts received under this provision shall not be considered as  
20 exceeding the maximum authorized annual salary rate of the assigned grade.

21  
22 It is the intent of this section that such payments shall be optional, at the  
23 discretion of the Chief Fiscal Officer of the State and the Director of the  
24 Department of Health and Human Services and, dependant upon sufficient  
25 revenues, shall not be implemented using funds specifically set aside for  
26 other programs within the Department.

27  
28 The provisions of this section shall be in effect only from July 1, 2007  
29 through June 30, 2009.

30  
31 SECTION 20. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
32 by this act shall be limited to the appropriation for such agency and funds  
33 made available by law for the support of such appropriations; and the  
34 restrictions of the State Procurement Law, the General Accounting and  
35 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
36 Procedures and Restrictions Act, or their successors, and other fiscal

1 control laws of this State, where applicable, and regulations promulgated by  
2 the Department of Finance and Administration, as authorized by law, shall be  
3 strictly complied with in disbursement of said funds.  
4

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

14 SECTION 22. EMERGENCY CLAUSE. It is found and determined by the General  
15 Assembly, that the Constitution of the State of Arkansas prohibits the  
16 appropriation of funds for more than a two (2) year period; that the  
17 effectiveness of this Act on July 1, 2007 is essential to the operation of  
18 the agency for which the appropriations in this Act are provided, and that in  
19 the event of an extension of the Regular Session, the delay in the effective  
20 date of this Act beyond July 1, 2007 could work irreparable harm upon the  
21 proper administration and provision of essential governmental programs.  
22 Therefore, an emergency is hereby declared to exist and this Act being  
23 necessary for the immediate preservation of the public peace, health and  
24 safety shall be in full force and effect from and after July 1, 2007.  
25

26 /s/ Joint Budget Committee  
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