

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 H3/16/07

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

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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.

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

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.

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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.

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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:

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21 ITEM FISCAL YEARS
22 NO. 2007-2008 2008-2009
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 12,300 12,300
33 TOTAL AMOUNT APPROPRIATED \$ 9,988,718 \$ 10,152,423

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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:

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

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 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:

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

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 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:

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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>

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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:

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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>

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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:

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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>

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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.

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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.

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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 CODE*
34 *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; and

27 (d) REALLOCATION OF RESOURCES: (1) The Department of Health and Human
28 Services (DHHS) provides hundreds of different services to over 1 million
29 Arkansans. The specific mix of service needs and the funding and staffing
30 required to provide them can vary significantly based on many factors,
31 including natural disasters, changing federal mandates and funding sources,
32 demographic shifts, fluctuating court-ordered services, social trends, and
33 job market variations such as nursing shortages. The impact of these factors
34 through the course of a biennium make it very difficult for the Department to
35 accurately predict the exact needs for funding, appropriation and positions
36 in each of its over 100 different appropriations. To ensure that it can

1 respond quickly to changing client needs and make the most effective use of
2 the resources allocated to it, the Department of Health and Human Services
3 shall be authorized to utilize the reallocation of resource authority to make
4 the proper adjustments to the budgets within the Department. Therefore, upon
5 ~~Upon~~ determination by the Director of the Department of Health and Human
6 Services that a reallocation of resources within the department is necessary
7 for the efficient and effective operation of the department, the director,
8 with approval of the Governor, shall have the authority to request, from the
9 Chief Fiscal Officer of the State, a transfer of positions, appropriations,
10 line item appropriations, and funds within or between existing and newly
11 created divisions, offices, sections, or units of the department. Provided,
12 however, that no transfer of funds or appropriation that provides direct
13 support or matching support for the Arkansas Medicaid Program shall be made
14 to any other fund account or appropriation that does not directly support the
15 Arkansas Medicaid Program. Further, no positions, funds, or appropriation
16 authorized during the ~~2005-2007~~ 2007-2009 biennial budget process for the
17 Division of Children and Family Services compliance with initiatives
18 established under the Angela R. consent decree shall be transferred to any
19 other division. Nothing in this provision is intended to prevent the one-
20 time transfers of savings in any other program to the Arkansas Medicaid
21 Program, with the exception of the provisions previously cited for the
22 Division of Children and Family Services – Angela R. consent decree. The
23 Division of Developmental Disabilities – Grants to Community Providers line
24 item of the Developmental Disabilities Services - Grants-in-Aid appropriation
25 may not be decreased. The appropriation, funding, and positions provided for
26 the six Human Development Centers shall remain at a level sufficient to
27 ensure quality care for the Centers' residents.—~~If requested by the Division~~
28 ~~of Child Care and Early Childhood Education (DCCECE), the Division of County~~
29 ~~Operations shall transfer sufficient general revenue to allow the State to~~
30 ~~access the full allocation of Federal Funds available through the Matching~~
31 ~~Category of the Child Care Development Fund.—General Revenue Dollars~~
32 ~~transferred to DCCECE must be used as matching funds to support the~~
33 ~~Transitional Employment Assistance (TEA) Program and must be eligible to be~~
34 ~~counted toward the State's Maintenance of Effort requirement for the~~
35 ~~Temporary Assistance for Needy Families (TANF) Block Grant.~~ The exemptions
36 provided in this subsection whereby certain ~~DHS~~ DHHS Programs and Divisions

1 are protected from appropriation, fund, or position transfers are applicable
2 only to the reallocation or transfer authority granted herein, and not by any
3 reductions which are applicable to all state programs.

4 The Director of the Department of Health and Human Services shall submit
5 any requests for transfers to and must receive approval of the requests for
6 transfers from the Chief Fiscal Officer of the State, the Governor, and the
7 Arkansas Legislative Council prior to the effective date of the transfers.
8 Provided, however, that the Department of Health and Human Services shall be
9 limited to submitting no more than four requests for reallocation of
10 resources transfers during any fiscal year. In each Departmental request no
11 single division will request reallocation for more than one purpose as listed
12 in this section. Transfer authority for unforeseen purposes shall further be
13 limited to no more than 5% of the total appropriation, funding, and positions
14 authorized for the Department. Reallocation of resources transfers may
15 include multiple items but shall be limited to the following purposes:
16 i). Medicaid Program
17 ii). Facilities and institutions costs, including operational expenses and
18 Construction/Renovation/Equipping expenses
19 iii). Departmental grants and contracts
20 iv). Court ordered settlements and payments
21 v). Payment of administrative expenses, including but not limited to,
22 overtime and other costs of personnel for critical services or functions
23 necessary to carry out the mission of the agency
24 vi). Restructuring efforts as deemed necessary to comply Compliance with new
25 and/or unanticipated federal or state mandates
26 vii). Redirecting internal resources, both direct and/or indirect, to meet
27 client needs and services

28 Determining the maximum number of employees and the maximum amount of
29 appropriation and general revenue funding for a state agency each fiscal year
30 is the prerogative of the General Assembly. This is usually accomplished by
31 delineating such maximums in the appropriation act(s) for a state agency and
32 the general revenue allocations authorized for each fund and fund account by
33 amendment to the Revenue Stabilization law. Further, the General Assembly
34 has determined that the Department of Health and Human Services may operate
35 more efficiently if some flexibility is provided to the Department of Health
36 and Human Services authorizing broad powers under the Reallocation of

1 Resources provisions herein. Therefore, it is both necessary and appropriate
2 that the General Assembly maintain oversight by requiring prior approval of
3 the Legislative Council or Joint Budget Committee as provided by this
4 section. The requirement of approval by the Legislative Council or Joint
5 Budget Committee is not a severable part of this section. If the requirement
6 of approval by the Legislative Council or Joint Budget Committee is ruled
7 unconstitutional by a court of competent jurisdiction, this entire section is
8 void.

9 (2) If it is determined that the requested reallocation of resources
10 transfers should be made, the Chief Fiscal Officer of the State shall then
11 initiate the necessary transfer documents to reflect the transfers upon the
12 fiscal records of the Treasurer of State, the Auditor of State, the Chief
13 Fiscal Officer of the State, and the Department of Health and Human Services.
14 In addition, the Chief Fiscal Officer of the State, together with the Co-
15 Chairpersons of the Legislative Council or Joint Budget Committee, may
16 approve, on an emergency basis, requests for utilization of this Section
17 without prior approval of the Arkansas Legislative Council, with any such
18 actions reported at the next meeting of the Arkansas Legislative Council.

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

21

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

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

31

32 The stipend is \$5,000 per person per year. Any student who is awarded and
33 accepts a stipend is under employment commitment to the respective DHHS
34 Division and is required to work for that division, in a full-time employee
35 status effective immediately upon graduation. The student employment
36 commitment is equal to the number of years the stipend was awarded and

1 accepted. In the event of Employee/Student default of the employment
2 commitment, the Employee/Student will be considered in breach of contract and
3 repayment of the stipend will be required as specified in the Stipend
4 Contract.

5
6 Each division participating in the Education Stipend Program shall determine
7 on an annual basis, the number of student stipends available.

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

11
12 *SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*
13 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HAZARDOUS*
14 *DUTY PAY. The Department of Health and Human Services is hereby authorized to*
15 *pay hazardous duty pay to eligible personnel to compensate for the increased*
16 *risk of personal injury. The hazardous duty pay authorized herein shall not*
17 *exceed an amount equal to 5 and one-half percent (5.5%) of the annual salary*
18 *authorized by law to any eligible employee and shall only be made available*
19 *to the personnel occupying high risk positions in special treatment units as*
20 *described in this section.*

21
22 *In cases of documented need, the Director of Health and Human Services shall*
23 *identify the facility and/or unit, location and eligible classifications*
24 *within the facility or unit. Such positions shall be certified by the DHHS*
25 *Director as having been assigned to a work environment that poses an*
26 *increased risk of personal injury and shall be submitted to the Office of*
27 *Personnel Management for approval by the Chief Fiscal Officer of the State*
28 *after review and approval of the Arkansas Legislative Council. Subsequent*
29 *changes to the facility and/or unit, location and eligible classifications*
30 *within the facility or unit on file with the OPM must receive prior approval*
31 *by the Chief Fiscal Officer of the State after review and approval by the*
32 *Arkansas Legislative Council.*

33
34 *The amounts received under this provision shall not be considered as*
35 *exceeding the maximum authorized annual salary rate of the assigned grade.*

36

1 It is the intent of this section that such payments shall be optional, at the
2 discretion of the Chief Fiscal Officer of the State and the Director of the
3 Department of Health and Human Services and, dependant upon sufficient
4 revenues, shall not be implemented using funds specifically set aside for
5 other programs within the Department.

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

9
10 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SELL,
12 LEASE, RENT, CONVEY OR ENCUMBER RAY WINDER FIELD. In no event shall the
13 Department of Health and Human Services, or any of its governing boards,
14 sell, lease, rent, convey or encumber the land and facilities of Ray Winder
15 Field in Little Rock, Arkansas without the prior review and approval of the
16 Arkansas Legislative Council or Joint Budget Committee.

17
18 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NURSING/
20 DIRECT CARE RECRUITMENT/ RETENTION BONUSES. Special provision to provide
21 Nursing/Direct Care Recruitment and Retention Bonuses for the Department of
22 Health and Human Services is hereby authorized to pay from State and Federal
23 funds appropriated for each respective division. Nursing/direct care service
24 recruitment/retention bonuses are in addition to the maximum annual amounts
25 provided in the Regular Salaries Section of the respective Division Act for
26 Registered Nurse, Licensed Practical Nurse, Certified Nursing Assistant, Life
27 Skills Trainer and Mental Health Worker. New hire nurses must be licensed by
28 the Arkansas State Board of Nursing. The total recruitment/retention bonus
29 payment commitment for eligible nurses shall not exceed \$4,000 per Registered
30 Nurse and \$2,000 per Licensed Practical Nurse and \$1,000 per Certified
31 Nursing Assistant, Life Skills Trainer and Mental Health Worker. The lump
32 sum bonus payments and employment commitment to the State will be made in
33 partial payments as follows:

34
35 Registered Nurse Classifications

36 \$1,000 after completing 6 months probationary employment

1 \$1,000 after completing 1 year employment

2 \$1,000 after completing 2nd year employment

3 \$1,000 after completing 3rd year employment

4
5 Licensed Practical Nurse Classifications

6 \$ 500 after completing 6 months probationary employment

7 \$ 500 after completing 1 year employment

8 \$1,000 after completing 2nd year employment

9
10 Certified Nursing Assistant/Life Skills Trainer/Mental Health Worker
11 Classifications

12 \$ 500 after completing 6 month probationary employment

13 \$ 500 after completing 1 year employment

14
15 Any qualified person hired and offered bonus payment described herein will
16 forfeit the balance of the payments if he/she voluntarily resigns or is
17 terminated for cause from employment from the Department of Health and Human
18 Services prior to completing the required employment commitment time periods
19 outlined above.

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

23
24 SECTION 22. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
25 by this act shall be limited to the appropriation for such agency and funds
26 made available by law for the support of such appropriations; and the
27 restrictions of the State Procurement Law, the General Accounting and
28 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
29 Procedures and Restrictions Act, or their successors, and other fiscal
30 control laws of this State, where applicable, and regulations promulgated by
31 the Department of Finance and Administration, as authorized by law, shall be
32 strictly complied with in disbursement of said funds.

33
34 SECTION 23. LEGISLATIVE INTENT. It is the intent of the General Assembly
35 that any funds disbursed under the authority of the appropriations contained
36 in this act shall be in compliance with the stated reasons for which this act

1 was adopted, as evidenced by the Agency Requests, Executive Recommendations
2 and Legislative Recommendations contained in the budget manuals prepared by
3 the Department of Finance and Administration, letters, or summarized oral
4 testimony in the official minutes of the Arkansas Legislative Council or
5 Joint Budget Committee which relate to its passage and adoption.

6
7 SECTION 24. EMERGENCY CLAUSE. It is found and determined by the General
8 Assembly, that the Constitution of the State of Arkansas prohibits the
9 appropriation of funds for more than a two (2) year period; that the
10 effectiveness of this Act on July 1, 2007 is essential to the operation of
11 the agency for which the appropriations in this Act are provided, and that in
12 the event of an extension of the Regular Session, the delay in the effective
13 date of this Act beyond July 1, 2007 could work irreparable harm upon the
14 proper administration and provision of essential governmental programs.
15 Therefore, an emergency is hereby declared to exist and this Act being
16 necessary for the immediate preservation of the public peace, health and
17 safety shall be in full force and effect from and after July 1, 2007.

18
19 */s/ Joint Budget Committee*
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