## 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 Engrossed: H2/16/07 H3/16/07 H3/21/07 H3/26/07 H3/27/07 H3/28/07
2	86th General Assembly A Bill
3	Regular Session, 2007 HOUSE BILL 1292
4	
5	By: Joint Budget Committee
6	
7	
8	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	
15	
16	Subtitle
17	AN ACT FOR THE DEPARTMENT OF HEALTH AND
18	HUMAN SERVICES - ADMINISTRATION
19	APPROPRIATION FOR THE 2007-2009
20	BIENNIUM.
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 24	provisions of said Uniform Classification and Compensation Act. All persons
34 25	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.

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1						
2					Maximum A	Annual
3				Maximum	Salary	Rate
4	Item	Class		No. of	Fiscal Y	<i>Years</i>
5	No.	Code	Title	<i>Employees</i>	2007-2008	2008-2009
6	(1)	9984	DHS DIRECTOR	1	\$136,813	\$139,549
7	(2)	9920	DHS DEPUTY DIRECTOR	1	\$110 <b>,</b> 832	\$113,048
8	(3)	9233	DHS DEPUTY DIRECTOR	1	\$110 <b>,</b> 832	\$113,048
9	(4)	9726	DHS CHIEF ATTORNEY	1	\$98,994	\$100,973
10	(5)	9235	DHS COMMUNICATIONS DIRECTOR	1	\$91 <b>,</b> 689	\$93 <b>,</b> 522
11	(6)	8936	DHS/DMS ADD PROG & ADMIN SUPPORT	1	\$85 <b>,</b> 642	\$87 <b>,</b> 354
12	(7)	9410	DHS ASST DIRECTOR HUMAN RESOURCE	SS 1	\$83,578	\$85,249
13	(8)	9409	DHS DIRECTOR OF PUBLIC RELATIONS	3 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)	9856	DHS RESEARCH ANALYSIS MANAGER	1	<i>\$75,000</i>	<i>\$76,500</i>
17	(12)	8959	DHS PROGRAM MANAGER	1	<i>\$72,791</i>	\$74,246
18	(13)	R038	ATTORNEY SUPERVISOR	3	GRADE	26
19	(14)	017Z	DHS/DYS ADMIN PROG COMPLIANCE	2	GRADE	26
20	(15)	R170	ATTORNEY SPECIALIST	47	GRADE	25
21	(16)	A026	INTERNAL AUDIT ASST ADMIN.	1	GRADE	25
22	(17)	R036	ATTORNEY	3	GRADE	24
23	(18)	A033	INTERNAL AUDIT SPECIALIST	4	GRADE	24
24	(19)	R165	DHS CLIENT ADVOCATE	1	GRADE	23
25	(20)	897Z	DHS INSTITUTION PROGRAM MANAGER	1	GRADE	23
26	(21)	A095	DHS AUDIT SUPERVISOR	4	GRADE	22
27	(22)	A251	SR AUDITOR	24	GRADE	21
28	(23)	697Z	DHS PRGM MANAGER	1	GRADE	21
29	(24)	R266	MANAGEMENT PROJECT ANALYST II	2	GRADE	20
30	(25)	R145	DHS PROGRAM COORDINATOR	3	GRADE	20
31	(26)	R150	RESEARCH PROJECT ANALYST	1	GRADE	19
32	(27)	R424	FAIR HEARING REFEREE	6	GRADE	19
33	(28)	R264	MANAGEMENT PROJECT ANALYST I	2	GRADE	18
34	(29)	M068	DHS PROGRAM ANALYST	2	GRADE	18
35	(30)	M072	SOCIAL SERVICE INVESTIGATOR II	8	GRADE	18
36	(31)	R010	ADMINISTRATIVE ASSISTANT II	6	GRADE	17

1	(32)	X352	HLTH CARE ANALYST II	1	GRADE 17
2	(33)	K048	LEGAL SECRETARY II	36	GRADE 16
3	(34)	K011	ADMINISTRATIVE OFFICE SUPERVISOR	4	GRADE 15
4	(35)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	2	GRADE 14
5	(36)	K155	SECRETARY I	<u> </u>	GRADE 11
6		MAX.	NO. OF EMPLOYEES	178	

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.

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

1	(13)	055Z	DP MANAGER	2	GRADE 23
2	(14)	923Z	DHS PRGM ADMINISTRATOR	6	GRADE 23
3	(15)	A127	ASST CONTROLLER	6	GRADE 23
4	(16)	M011	FAMILY SERVICE WORKER PRINCIPAL	1	GRADE 23
5	(17)	M009	FAMILY SERVICE WORKER SUPERVISOR	1	GRADE 22
6	(18)	D066	SYSTEMS COORDINATION ANALYST II	15	GRADE 22
7	(19)	E051	TRAINING PROJECT MANAGER	1	GRADE 22
8	(20)	A088	DHS FINANCIAL SECTION MANAGER	11	GRADE 22
9	(21)	A032	AGENCY FISCAL MANAGER	1	GRADE 22
10	(22)	506Z	REHAB SERVICES PERSONNEL MANAGER	1	GRADE 22
11	(23)	909Z	PROGRAM SUPPORT MANAGER	3	GRADE 22
12	(24)	698Z	DHS/DAS MATERIALS MGMT ADMR	1	GRADE 22
13	(25)	V042	GENERAL SERVICES MANAGER	1	GRADE 22
14	(26)	V080	MGR PURCHASING & PROPERTY MGT	1	GRADE 21
15	(27)	892Z	DHS INSTITUTION BUSINESS MANAGER	1	GRADE 21
16	(28)	697Z	DHS PRGM MANAGER	6	GRADE 21
17	(29)	A008	ACCOUNTING SUPERVISOR II	27	GRADE 21
18	(30)	L072	REGISTERED NURSE PRACTITIONER I	1	GRADE 21
19	(31)	R143	DHS RESEARCH & STATISTICS MGR	1	GRADE 21
20	(32)	R488	GRANTS ADMIN SUPV	1	GRADE 21
21	(33)	R266	MANAGEMENT PROJECT ANALYST II	13	GRADE 20
22	(34)	R145	DHS PROGRAM COORDINATOR	6	GRADE 20
23	(35)	M005	FAMILY SERVICE WORKER SPECIALIST	1	GRADE 20
24	(36)	E007	SR REHAB TEACHER F/T BLIND	1	GRADE 20
25	(37)	M128	DHS/DDS PRGM COORDINATOR	1	GRADE 20
26	(38)	A006	ACCOUNTING SUPERVISOR I	2	GRADE 20
27	(39)	A038	FINANCIAL ANALYST	1	GRADE 20
28	(40)	E114	STAFF DEVELOPMENT COORDINATOR	7	GRADE 20
29	(41)	R406	DHS PERSONNEL PROCESSING SUPV	1	GRADE 20
30	(42)	V022	LEASING SPECIALIST II	1	GRADE 19
31	(43)	A110	ACCOUNTANT II	5	GRADE 19
32	(44)	R150	RESEARCH PROJECT ANALYST	2	GRADE 19
33	(45)	R030	ASST PERSONNEL MANAGER	2	GRADE 19
34	(46)	R048	BUDGET SPECIALIST	3	GRADE 19
35	(47)	R068	EEO/GRIEVANCE OFFICER	2	GRADE 19
36	(48)	R084	DHS STAFF SUPERVISOR	1	GRADE 19

1	(49)	R168	GRANTS COORDINATOR II	32	GRADE 19
2	(50)	M086	SOCIAL WORKER I	1	GRADE 19
3	(51)	R195	PERSONNEL ANALYST	3	GRADE 18
4	(52)	R264	MANAGEMENT PROJECT ANALYST I	3	GRADE 18
5	(53)	V020	LEASING SPECIALIST	1	GRADE 18
6	(54)	M068	DHS PROGRAM ANALYST	2	GRADE 18
7	(55)	A111	ACCOUNTANT	17	GRADE 18
8	(56)	D128	P C SUPPORT SPECIALIST	1	GRADE 18
9	(57)	D034	PROGRAMMER ANALYST	2	GRADE 18
10	(58)	V034	PLANT WAREHOUSE FOREMAN	1	GRADE 18
11	(59)	V040	PURCHASE AGENT II/PURCHASE AGENT	8	GRADE 18
12	(60)	W030	RECORDS MANAGEMENT ANALYST II	4	GRADE 18
13	(61)	Y087	PRINTER SUPERVISOR	1	GRADE 18
14	(62)	V030	INVENTORY CONTROL MANAGER	1	GRADE 17
15	(63)	R010	ADMINISTRATIVE ASSISTANT II	13	GRADE 17
16	(64)	N290	COMMERCIAL ARTIST II/GRAPHIC ART II	2	GRADE 17
17	(65)	M023	FAMILY SUPPORT SPECIALIST III	1	GRADE 17
18	(66)	R190	PERSONNEL OFFICER II	5	GRADE 17
19	(67)	R162	STATISTICIAN/STATISTICIAN II	5	GRADE 17
20	(68)	A024	COLLECTION OFFICER	3	GRADE 16
21	(69)	Y085	PRINTER II	6	GRADE 16
22	(70)	A108	ACCOUNTING TECHNICIAN II	38	GRADE 15
23	(71)	A063	PAYROLL OFFICER	1	GRADE 15
24	(72)	R342	INTERVIEWER	3	GRADE 15
25	(73)	R009	ADMINISTRATIVE ASSISTANT I	1	GRADE 15
26	(74)	K105	REPROD EQUIPMENT OPERATOR SUPV	1	GRADE 15
27	(75)	K011	ADMINISTRATIVE OFFICE SUPERVISOR	3	GRADE 15
28	(76)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	7	GRADE 14
29	(77)	K153	SECRETARY II	9	GRADE 13
30	(78)	K181	MAILROOM SUPERVISOR	1	GRADE 12
31	(79)	K089	PERSONNEL ASSISTANT	1	GRADE 12
32	(80)	K039	DOCUMENT EXAMINER II	20	GRADE 12
33	(81)	V043	SHIPPING & RECEIVING CLERK	1	GRADE 11
34	(82)	K103	REPROD EQUIPMENT OPERATOR	2	GRADE 10
35	(83)	G013	WAREHOUSE WORKER	2	GRADE 10
36	(84)	G045	EQUIPMENT OPERATOR	1	GRADE 08

1 MAX. NO. OF EMPLOYEES 357

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SECTION 3. REGULAR SALARIES - VOLUNTEERISM. There is hereby established 3 4 for the Department of Health and Human Services - Division of Volunteerism 5 for the 2007-2009 biennium, the following maximum number of regular employees 6 whose salaries shall be governed by the provisions of the Uniform 7 Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or 8 its successor, and all laws amendatory thereto. Provided, however, that any 9 position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification 10 11 and Compensation Act. All persons occupying positions authorized herein are 12 hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its successor. 13

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

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

There is hereby authorized, for the Department of Health and Human Services - Director's Office - Office of Chief Counsel for the 2007-2009 biennium, the

1 following maximum number of part-time or temporary employees, to be known as

"Extra Help", payable from funds appropriated herein for such purposes: five

(5) temporary or part-time employees, when needed, at rates of pay not to

4 exceed those provided in the Uniform Classification and Compensation Act, or

its successor, or this act for the appropriate classification.

successor, or this act for the appropriate classification.

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

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SECTION 6. APPROPRIATION - DIRECTOR'S OFFICE - OFFICE OF CHIEF COUNSEL OPERATIONS. There is hereby appropriated, to the Department of Health and Human Services - Director's Office - Office of Chief Counsel, 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 - Director's Office - Office of Chief Counsel for the biennial period ending June 30, 2009, the following:

24	ITEM	FISCA	L YEARS
25	NO.	2007-2008	2008-2009
26	(01) REGULAR SALARIES	\$ 7,531,832	\$ 7,676,305
27	(02) EXTRA HELP	22,578	22,578
28	(03) PERSONAL SERVICES MATCHING	2,361,561	2,392,760
29	(04) MAINT. & GEN. OPERATION		
30	(A) OPER. EXPENSE	992,112	992,112
31	(B) CONF. & TRAVEL	24,472	24,472
32	(C) PROF. FEES	11,000	11,000
33	(D) CAP. OUTLAY	0	0
34	(E) DATA PROC.	0	0
35	(05) DATA PROCESSING SERVICES	12,300	12,300
36	TOTAL AMOUNT APPROPRIATED	<i>\$</i> 10,955,855	\$ 11,131,527

1 2 SECTION 7. APPROPRIATION - ADMINISTRATIVE SERVICES - OPERATIONS. There is 3 hereby appropriated, to the Department of Health and Human Services -4 Division of Administrative Services, to be payable from the paying account as 5 determined by the Chief Fiscal Officer of the State, for personal services 6 and operating expenses of the Department of Health and Human Services -Division of Administrative Services for the biennial period ending June 30, 7 8 2009, the following: 9 10 ITEM FISCAL YEARS 11 NO. 2007-2008 2008-2009 12 (01) REGULAR SALARIES \$ 12,302,551 \$ 12,551,919 (02) EXTRA HELP 64,480 64,480 13 14 (03) PERSONAL SERVICES MATCHING 4,082,466 4,133,528 15 (04) OVERTIME 10,000 10,000 16 (05) MAINT. & GEN. OPERATION 17 (A) OPER. EXPENSE 2,725,278 2,725,278 (B) CONF. & TRAVEL 18 20,000 20,000 19 (C) PROF. FEES 9,075,792 9,075,792 (D) CAP. OUTLAY 20 0 0 21 (E) DATA PROC. 0 0 22 (06) DATA PROCESSING SERVICES 1,967,600 1,967,600 TOTAL AMOUNT APPROPRIATED 2.3 *30,248,167 30,548,597* 24 SECTION 8. APPROPRIATIONS - ADMINISTRATIVE SERVICES - CLIENT SPECIFIC 25 26 EMERGENCY SERVICES - CASH. There is hereby appropriated, to the Department 27 of Health and Human Services - Division of Administrative Services, to be 28 payable from cash funds as defined by Arkansas Code 19-4-801 of the 29 Department of Health and Human Services - Division of Administrative 30 Services, for purchase of services of the Department of Health and Human 31 Services - Division of Administrative Services for the biennial period ending 32 June 30, 2009, the following: 33 34 ITEM FISCAL YEARS 35 2007-2008 NO. 2008-2009 36 (01) PURCHASE OF SERVICES \$ 120,000 \$ 120,000

1 2 SECTION 9. APPROPRIATION - ADMINISTRATIVE SERVICES - VARIOUS BUILDING 3 CONSTRUCTION. There is hereby appropriated, to the Department of Health and 4 Human Services - Division of Administrative Services, to be payable from the 5 Department of Human Services Renovation Fund, for construction, renovation, 6 maintenance, equipment and repairs for various buildings operated by the 7 Department of Health and Human Services for the biennial period ending June 8 30, 2009, the following: 9 10 ITEM FISCAL YEARS 11 NO. 2007-2008 2008-2009 12 (01) CONSTRUCTION \$ 9,821,826 \$ 9,821,826 13 SECTION 10. APPROPRIATION - ADMINISTRATIVE SERVICES - CONSOLIDATED COST. 14 15 There is hereby appropriated, to the Department of Health and Human Services 16 - Division of Administrative Services, to be payable from the DHS 17 Consolidated Cost Revolving Fund, for operating expenses of the Department of Health and Human Services - Division of Administrative Services -18 19 Consolidated Cost for the biennial period ending June 30, 2009, the 20 following: 21 22 ITEM FISCAL YEARS 23 NO. 2007-2008 2008-2009 (01) MAINT. & GEN. OPERATION 24 25 (A) OPER. EXPENSE Ś 671,500 \$ 671,500 26 (B) CONF. & TRAVEL 0 0 27 (C) PROF. FEES 0 0 (D) CAP. OUTLAY 2.8 0 0 29 (E) DATA PROC. 0 30 TOTAL AMOUNT APPROPRIATED 671,500 671,500 31 32 SECTION 11. APPROPRIATION - ADMINISTRATIVE SERVICES - SOCIAL SERVICES 33 BLOCK GRANT - FEDERAL. There is hereby appropriated, to the Department of 34 Health and Human Services - Division of Administrative Services, to be 35 payable from the federal funds as designated by the Chief Fiscal Officer of 36 the State, for purchase of services of the Department of Health and Human

1 Services - Division of Administrative Services for the biennial period ending 2 June 30, 2009, the following:

4	ITEM		FISCAL YEARS
5	NO.		2007-2008 2008-2009
6	(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:

15	ITEM		FISC	AL Y	YEARS
16	NO.		2007-2008		2008-2009
17	(01) REGU	JLAR SALARIES	\$ 769,991	\$	786,497
18	(02) PERS	SONAL SERVICES MATCHING	254,347		257,724
19	(03) OVE	RTIME	1,000		1,000
20	(04) MAIN	NT. & GEN. OPERATION			
21	(A)	OPER. EXPENSE	271,701		272,001
22	(B)	CONF. & TRAVEL	25,000		25,000
23	(C)	PROF. FEES	28,341		28,341
24	(D)	CAP. OUTLAY	0		0
25	(E)	DATA PROC.	0		0
26	(05) DELT	TA SERVICE CORPS GRANTS	3,037,311		3,037,311
27	(06) DATA	A PROCESSING SERVICES	 3,000		3,000
28	TOTAI	L AMOUNT APPROPRIATED	\$ 4,390,691	\$	4,410,874

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:

1	ITEM	FISCA	AL YEARS
2	NO.	2007-2008	2008-2009
3	(01) MAINT. & GEN. OPERATION		
4	(A) OPER. EXPENSE	\$ 4,296	\$ 4,296
5	(B) CONF. & TRAVEL	2,865	2,865
6	(C) PROF. FEES	1,432	1,432
7	(D) CAP. OUTLAY	0	0
8	(E) DATA PROC.	 0	0
9	TOTAL AMOUNT APPROPRIATED	\$ 8,593	\$ 8,593

2007 through June 30, <del>2007</del> 2009.

SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA SALARIES. There is hereby authorized for the Department of Health and Human

The provisions of this section shall be in effect only from July 1, 2005

- 1 Services for the <del>2005-2007</del> 2007-2009 biennium the following increases in
- 2 salaries for certain positions provided in the regular salary schedule of the
- 3 Department of Health and Human Services and to be in addition to the annual
- 4 amounts as established by the Uniform Classification and Compensation Act, as
- 5 amended: for full-time physicians certified by the American Specialty Boards,
- 6 a rate of pay not to exceed an additional \$4,500 per year; for each full-time
- 7 physician eligible to be certified by the American Specialty Boards, a rate
- 8 of pay not to exceed \$2,500 per year. If a physician is certified in Child
- 9 Psychiatry, an additional \$2,500 per year will be allowed with the total not
- 10 to exceed \$7,000. If a physician is certified in Forensic Psychiatry, an
- 11 additional \$2,500 per year will be allowed with the total not to exceed
- 12 \$7,000. In the event the physician is not a full-time employee, the amount
- 13 specified herein shall be adjusted proportionately to the amount of time
- 14 worked for the Department of Health and Human Services by that physician.
- The provisions of this section shall be in effect only from July 1, 2005
- 16 2007 through June 30, <del>2007</del> 2009.

- 18 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
- 19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HUMAN
- 20 SERVICES RENOVATION FUND. Department of Human Services Renovation Fund.
- 21 (a) There is established on the books of the Treasurer of State, Auditor of
- 22 State, and the Chief Fiscal Officer of the State a fund to be known as the
- 23 Department of Human Services Renovation Fund.
- 24 (b) This fund shall be used for constructing, acquiring, renovating,
- 25 maintaining, repairing, and equipping facilities of the Department of <u>Health</u>
- 26 <u>and</u> Human Services and for paying disallowances by the federal government.
- 27 (c) The fund shall consist of:
- 28 (1) Federal reimbursement received by the Department of Health and Human
- 29 Services and deposited in the various fund accounts of the department; and
- 30 (2) General revenues transferred from the Division of Youth Services, the
- 31 Division of Behavioral Health, and the Division of Developmental Disabilities
- 32 Services, and the Division of Health for the purposes of repairing,
- 33 renovating, equipping, acquiring and constructing Department of Health and
- 34 Human Services facilities with an annual maximum of five million dollars
- 35 (\$5,000,000). The projects for which these transfers are authorized must be
- 36 projects which were unanticipated during the preceding regular session of the

- 1 Arkansas General Assembly and must be projects which, if not carried out in
- 2 the interim period between regular sessions of the Arkansas General Assembly
- 3 would cause greater harm to the facilities, clients or programs of the
- 4 Department of Health and Human Services than to wait until the next regular
- 5 session.
- 6 (3) Other non-general revenue funds as may be available within the
- 7 Department of Health and Human Services that can be used for the purposes of
- 8 this fund.
- 9 (d)(1) At the request of the Director of the Department of Health and Human
- 10 Services, and upon certification of the availability of such funds, the Chief
- 11 Fiscal Officer of the State shall initiate the necessary transfer documents
- 12 to reflect the transfer on the books of record of the Treasurer of State, the
- 13 Auditor of State, the Chief Fiscal Officer of the State, and the Department
- 14 of Health and Human Services.
- 15 (2) The Director of the Department of Health and Human Services shall submit
- 16 any transfer plan to and must receive approval of the plan from the Chief
- 17 Fiscal Officer of the State, the Governor and the Arkansas Legislative
- 18 Council prior to the effective date of the transfer.
- 19 (e) Provided, that any non-general revenue funding that may remain in the
- 20 fund at the end of any fiscal year shall be carried over into the next fiscal
- 21 year and all obligated general revenue funding that may remain in the fund at
- 22 the end of any fiscal year shall be carried over into the next fiscal year to
- 23 satisfy such legal and contractual obligations that have been entered into
- 24 prior to the end of the fiscal year.
- 25 (f) Determining the amount of funds appropriated to a state agency is the
- 26 prerogative of the General Assembly and is usually accomplished by
- 27 delineating specific line items and by identifying the appropriation and
- 28 funding attached to that line item. The General Assembly has determined that
- 29 the Department of Health and Human Services could be operated more
- 30 efficiently if some flexibility is given to that agency. That flexibility is
- 31 being accomplished by providing transfer authority in subsection (d) of this
- 32 section, and since the General Assembly has granted the agency broad powers
- 33 under the transfer authority concept, it is both necessary and appropriate
- 34 that the General Assembly maintain oversight of the utilization of the
- 35 transfer authority by requiring prior approval of the Legislative Council in
- 36 the utilization of this transfer authority. Therefore, the requirement of

1 approval by the Legislative Council is not a severable part of this section. 2 If the requirement of approval by the Legislative Council is ruled 3 unconstitutional by a court jurisdiction, this entire section is void. 4 The provisions of this section shall be in effect only from July 1, 2005 5 2007 through June 30, <del>2007</del> 2009. 6 7 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE 8 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER 9 AUTHORITY. The Director of the Department of Health and Human Services shall have transfer authority provided by the following: 10 11 (a) DEPARTMENT OF HUMAN SERVICES RENOVATION FUND. The Director of the Department of Health and Human Services is authorized to request fund 12 transfers according to the provisions established by Arkansas Code Ann. 19-5-13 1020, Department of Human Services Renovation Fund, as amended herein; and 14 15 (b) MATCH TRANSFER. The Director of the Department of Health and Human 16 Services, with the approval of the Chief Fiscal Officer of the State, is 17 authorized to effect inter-agency and inter-divisional fund transfers for the purpose of providing the State's matching share for payments made to that 18 19 Division or Office or its service providers for services eligible for federal reimbursement under programs administered by the Department of Health and 20 21 Human Services. The Department of Health and Human Services shall report to 22 the Legislative Council or Joint Budget Committee on a quarterly basis all 23 fund transfers made in accordance with the authority granted by this section; 24 and 25 (c) YOUTH SERVICES - HOUSING AND SEPARATION APPROPRIATION PROVISIONS. 26 Division of Youth Services (DYS) is authorized to fulfill its responsibility 27 to house offenders between the ages of 18 and 21 and to separate juvenile 28 offenders by age and seriousness of offense by either employing additional 29 state employees and providing the corresponding operating expenses or 30 entering into professional services contracts. If the Division of Youth Services determines that the Division needs to employ state employees to 31 32 fulfill the housing and separation requirements, they may transfer up to the 33 total amount appropriated for the DYS - Residential Services Program 34 appropriation to the appropriate DYS appropriation and line items, upon

approval of the Chief Fiscal Officer of the State, and prior review by the

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Legislative Council; and

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        (d) REALLOCATION OF RESOURCES: (1) The Department of Health and Human
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     Services (DHHS) provides hundreds of different services to over 1 million
     Arkansans. The specific mix of service needs and the funding and staffing
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     required to provide them can vary significantly based on many factors,
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     including natural disasters, changing federal mandates and funding sources,
 6
     demographic shifts, fluctuating court-ordered services, social trends, and
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     job market variations such as nursing shortages. The impact of these factors
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     through the course of a biennium make it very difficult for the Department to
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     accurately predict the exact needs for funding, appropriation and positions
     in each of its over 100 different appropriations. To ensure that it can
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11
     respond quickly to changing client needs and make the most effective use of
     the resources allocated to it, the Department of Health and Human Services
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     shall be authorized to utilize the reallocation of resource authority to make
     the proper adjustments to the budgets within the Department. Therefore, upon
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     Upon determination by the Director of the Department of Health and Human
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     Services that a reallocation of resources within the department is necessary
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     for the efficient and effective operation of the department, the director,
     with approval of the Governor, shall have the authority to request, from the
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     Chief Fiscal Officer of the State, a transfer of positions, appropriations,
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     line item appropriations, and funds within or between existing and newly
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     created divisions, offices, sections, or units of the department. Provided,
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     however, that no transfer of funds or appropriation that provides direct
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     support or matching support for the Arkansas Medicaid Program shall be made
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     to any other fund account or appropriation that does not directly support the
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     Arkansas Medicaid Program. Further, no positions, funds, or appropriation
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     authorized during the 2005-2007 2007-2009 biennial budget process for the
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     Division of Children and Family Services compliance with initiatives
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     established under the Angela R. consent decree shall be transferred to any
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     other division. Nothing in this provision is intended to prevent the one-
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     time transfers of savings in any other program to the Arkansas Medicaid
     Program, with the exception of the provisions previously cited for the
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32
     Division of Children and Family Services - Angela R. consent decree. The
33
     Division of Developmental Disabilities - Grants to Community Providers line
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     item of the Developmental Disabilities Services - Grants-in-Aid appropriation
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     may not be decreased. The appropriation, funding, and positions provided for
     the six Human Development Centers shall remain at a level sufficient to
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- 1 ensure quality care for the Centers' residents. If requested by the Division
- 2 of Child Care and Early Childhood Education (DCCECE), the Division of County
- 3 Operations shall transfer sufficient general revenue to allow the State to
- 4 access the full allocation of Federal Funds available through the Matching
- 5 Category of the Child Care Development Fund. General Revenue Dollars
- 6 transferred to DCCECE must be used as matching funds to support the
- 7 Transitional Employment Assistance (TEA) Program and must be eligible to be
- 8 counted toward the State's Maintenance of Effort requirement for the
- 9 Temporary Assistance for Needy Families (TANF) Block Grant. The exemptions
- 10 provided in this subsection whereby certain—DHS  $\underline{\textit{DHHS}}$  Programs and Divisions
- 11 are protected from appropriation, fund, or position transfers are applicable
- 12 only to the reallocation or transfer authority granted herein, and not by any
- 13 reductions which are applicable to all state programs.
- 14 The Director of the Department of <u>Health and</u> Human Services shall submit
- 15 any requests for transfers to and must receive approval of the requests for
- 16 transfers from the Chief Fiscal Officer of the State, the Governor, and the
- 17 Arkansas Legislative Council prior to the effective date of the transfers.
- 18 Provided, however, that the Department of Health and Human Services shall be
- 19 limited to submitting no more than four requests for reallocation of
- 20 resources transfers during any fiscal year. In each Departmental request no
- 21 single division will request reallocation for more than one purpose as listed
- 22 in this section. Transfer authority for unforeseen purposes shall further be
- 23 limited to no more than 5% of the total appropriation, funding, and positions
- 24 authorized for the Department. Reallocation of resources transfers may
- 25 include multiple items but shall be limited to the following purposes:
- 26 i). Medicaid Program
- 27 ii). Facilities and institutions costs, including operational expenses and
- 28 Construction/Renovation/Equipping expenses
- 29 iii). Departmental grants and contracts
- 30 iv). Court ordered settlements and payments
- 31 v). Payment of administrative expenses, including but not limited to,
- 32 overtime and other costs of personnel for critical services or functions
- 33 necessary to carry out the mission of the agency
- 34 vi). Restructuring efforts as deemed necessary to comply Compliance with new
- 35 and/or unanticipated federal or state mandates
- 36 <u>vii). Redirecting internal resources, both direct and/or indirect, to meet</u>

## client needs and services

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2007 through June 30, <del>2007</del> 2009.

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

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

The provisions of this section shall be in effect only from July 1, 2005

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SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

NURSING/DIRECT CARE EDUCATION STIPEND PROGRAM. Special provision for a

Nursing/Direct Care Education Stipend Program for the Department of Health

and Human Services is hereby authorized to pay from State and Federal Funds

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- 1 appropriated in each division Act. This program is for eligible nursing
- 2 <u>students who are attending accredited nursing institutions to become</u>
- 3 Registered or Licensed Practical Nurses, as well as Certified Nursing
- 4 Assistants, Life Skills Trainers and Mental Health Workers.

- 6 The stipend is \$5,000 per person per year. Any student who is awarded and
- 7 accepts a stipend is under employment commitment to the respective DHHS
- 8 Division and is required to work for that division, in a full-time employee
- 9 status effective immediately upon graduation. The student employment
- 10 commitment is equal to the number of years the stipend was awarded and
- 11 <u>accepted.</u> In the event of Employee/Student default of the employment
- 12 commitment, the Employee/Student will be considered in breach of contract and
- 13 repayment of the stipend will be required as specified in the Stipend
- 14 Contract.

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

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

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

- 32 <u>In cases of documented need, the Director of Health and Human Services shall</u>
- 33 identify the facility and/or unit, location and eligible classifications
- 34 within the facility or unit. Such positions shall be certified by the DHHS
- 35 Director as having been assigned to a work environment that poses an
- 36 increased risk of personal injury and shall be submitted to the Office of

- 1 Personnel Management for approval by the Chief Fiscal Officer of the State
- 2 <u>after review and approval of the Arkansas Legislative Council. Subsequent</u>
- 3 <u>changes to the facility and/or unit, location and eligible classifications</u>
- 4 within the facility or unit on file with the OPM must receive prior approval
- 5 by the Chief Fiscal Officer of the State after review and approval by the
- 6 Arkansas Legislative Council.

- 8 The amounts received under this provision shall not be considered as
- 9 exceeding the maximum authorized annual salary rate of the assigned grade.

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- 11 It is the intent of this section that such payments shall be optional, at the
- 12 <u>discretion of the Chief Fiscal Officer of the State and the Director of the</u>
- 13 Department of Health and Human Services and, dependant upon sufficient
- 14 revenues, shall not be implemented using funds specifically set aside for
- other programs within the Department.

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

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- 20 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
- 21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SELL,
- 22 LEASE, RENT, CONVEY OR ENCUMBER RAY WINDER FIELD. In no event shall the
- 23 Department of Health and Human Services, or any of its governing boards,
- 24 <u>sell, lease, rent, convey or encumber the land</u> and facilities of Ray Winder
- 25 <u>Field in Little Rock, Arkansas without the prior review and approval of the</u>
- 26 Arkansas Legislative Council or Joint Budget Committee.

- 28 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
- 29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NURSING/
- 30 DIRECT CARE RECRUITMENT/ RETENTION BONUSES. Special provision to provide
- 31 Nursing/Direct Care Recruitment and Retention Bonuses for the Department of
- 32 Health and Human Services is hereby authorized to pay from State and Federal
- 33 funds appropriated for each respective division. Nursing/direct care service
- 34 recruitment/retention bonuses are in addition to the maximum annual amounts
- 35 provided in the Regular Salaries Section of the respective Division Act for
- 36 Registered Nurse, Licensed Practical Nurse, Certified Nursing Assistant, Life

1	Skills Trainer and Mental Health Worker. New hire nurses must be licensed by
2	the Arkansas State Board of Nursing. The total recruitment/retention bonus
3	payment commitment for eligible nurses shall not exceed \$4,000 per Registered
4	Nurse and \$2,000 per Licensed Practical Nurse and \$1,000 per Certified
5	Nursing Assistant, Life Skills Trainer and Mental Health Worker. The lump
6	sum bonus payments and employment commitment to the State will be made in
7	partial payments as follows:
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9	Registered Nurse Classifications
10	\$1,000 after completing 6 months probationary employment
11	\$1,000 after completing 1 year employment
12	\$1,000 after completing 2nd year employment
13	\$1,000 after completing 3rd year employment
14	
15	Licensed Practical Nurse Classifications
16	\$ 500 after completing 6 months probationary employment
17	\$ 500 after completing 1 year employment
18	\$1,000 after completing 2nd year employment
19	
20	Certified Nursing Assistant/Life Skills Trainer/Mental Health Worker
21	Classifications
22	\$ 500 after completing 6 month probationary employment
23	<pre>\$ 500 after completing 1 year employment</pre>
24	
25	Any qualified person hired and offered bonus payment described herein will
26	forfeit the balance of the payments if he/she voluntarily resigns or is
27	terminated for cause from employment from the Department of Health and Human
28	Services prior to completing the required employment commitment time periods
29	outlined above.
30	
31	The provisions of this section shall be in effect only from July 1, 2007
32	through June 30, 2009.
33	
34	SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
35	NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHHS DECOUPLE
36	APPROPRIATION TRANSFER PROVISION. After receiving approval from the Chief

- 1 Fiscal Officer of the State and prior review and approval by the PEER
- 2 <u>Subcommittee of the Arkansas Legislative Council or Joint Budget Committee</u>,
- 3 <u>the Director of the Department of Health and Human Services is authorized to</u>
- 4 transfer, if needed, up to five million dollars (\$5,000,000) in appropriation
- 5 authorized in this Act for decoupling and related expenses from the DHHS
- 6 Decouple Expenses appropriation to the DOH Operations appropriation for
- 7 unforeseen costs associated with decoupling the Division of Health from the
- 8 Department of Health and Human Services.
- 9 Determining the maximum number of employees and the maximum amount of
- 10 appropriation and general revenue funding for a state agency each fiscal year
- 11 is the prerogative of the General Assembly. This is usually accomplished by
- 12 <u>delineating such maximums in the appropriation act(s) for a state agency and</u>
- 13 the general revenue allocations authorized for each fund and fund account by
- 14 amendment to the Revenue Stabilization law. Further, the General Assembly
- 15 <u>has determined that the Department of Health and Human Services may operate</u>
- 16 more efficiently if some flexibility is provided to the Department of Health
- 17 and Human Services authorizing broad powers under this Section. Therefore, it
- 18 <u>is both necessary and appropriate that the General Assembly maintain</u>
- 19 oversight by requiring prior approval of the Legislative Council or Joint
- 20 Budget Committee as provided by this section. The requirement of approval by
- 21 the Legislative Council or Joint Budget Committee is not a severable part of
- 22 this section. If the requirement of approval by the Legislative Council or
- 23 Joint Budget Committee is ruled unconstitutional by a court of competent
- 24 jurisdiction, this entire section is void.
- 25 The provisions of this section shall be in effect only from July 1, 2007
- 26 through June 30, 2009.

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

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2	SECTION 25. LEGISLATIVE INTENT. It is the intent of the General Assembly
3	that any funds disbursed under the authority of the appropriations contained
4	in this act shall be in compliance with the stated reasons for which this act
5	was adopted, as evidenced by the Agency Requests, Executive Recommendations
6	and Legislative Recommendations contained in the budget manuals prepared by
7	the Department of Finance and Administration, letters, or summarized oral
8	testimony in the official minutes of the Arkansas Legislative Council or
9	Joint Budget Committee which relate to its passage and adoption.
10	
11	SECTION 26. EMERGENCY CLAUSE. It is found and determined by the General
12	Assembly, that the Constitution of the State of Arkansas prohibits the
13	appropriation of funds for more than a two (2) year period; that the
14	effectiveness of this Act on July 1, 2007 is essential to the operation of
15	the agency for which the appropriations in this Act are provided, and that in
16	the event of an extension of the Regular Session, the delay in the effective
17	date of this Act beyond July 1, 2007 could work irreparable harm upon the
18	proper administration and provision of essential governmental programs.
19	Therefore, an emergency is hereby declared to exist and this Act being
20	necessary for the immediate preservation of the public peace, health and
21	safety shall be in full force and effect from and after July 1, 2007.
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23	/s/ Joint Budget Committee
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