

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: S2/19/07 S3/23/07

A Bill

SENATE BILL 220

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 DIVISION OF DEVELOPMENTAL DISABILITIES SERVICES
13 FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND
14 FOR OTHER PURPOSES.

Subtitle

15
16
17
18 AN ACT FOR THE DEPARTMENT OF HEALTH AND
19 HUMAN SERVICES - DIVISION OF
20 DEVELOPMENTAL DISABILITIES SERVICES
21 APPROPRIATION FOR THE 2007-2009
22 BIENNIUM.
23
24

25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
26

27 *SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for*
28 *the Department of Health and Human Services - Division of Developmental*
29 *Disabilities Services for the 2007-2009 biennium, the following maximum*
30 *number of regular employees whose salaries shall be governed by the*
31 *provisions of the Uniform Classification and Compensation Act (Arkansas Code*
32 *§§21-5-201 et seq.), or its successor, and all laws amendatory thereto.*
33 *Provided, however, that any position to which a specific maximum annual*
34 *salary is set out herein in dollars, shall be exempt from the provisions of*
35 *said Uniform Classification and Compensation Act. All persons occupying*
36 *positions authorized herein are hereby governed by the provisions of the*



1 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
 2 or its successor.

		<i>Maximum Annual</i>		
		<i>Maximum</i>		<i>Salary Rate</i>
		<i>No. of</i>		<i>Fiscal Years</i>
		<i>Employees</i>		<i>2007-2008</i>
		<i>2008-2009</i>		
<i>Item</i>	<i>Class</i>			
<i>No.</i>	<i>Code Title</i>	<i>Employees</i>	<i>2007-2008</i>	<i>2008-2009</i>
8	(1) DDS PHYSICIAN SPECIALIST	7	\$137,550	\$140,301
9	(2) DDS DENTIST SPECIALIST	3	\$137,550	\$140,301
10	(3) 9972 DDS COMMISSIONER	1	\$102,714	\$104,768
11	(4) 8966 DHS DDS SUPT HDC/CONWAY	1	\$94,595	\$96,486
12	(5) 8949 DDS DIR EVAL, PLAN & MGMT SYSTEMS	1	\$85,643	\$87,355
13	(6) 8969 DHS DDS SUPT HDC	1	\$84,916	\$86,614
14	(7) 8970 DHS DDS SUPT HDC	1	\$84,911	\$86,609
15	(8) 8972 DHS DDS SUPT HDC	1	\$82,888	\$84,545
16	(9) 8968 DHS DDS SUPT HDC	1	\$82,180	\$83,823
17	(10) 8967 DHS DDS DIR CLIENT SERVICES	1	\$75,957	\$77,476
18	(11) 8948 DDS ASST DIR PROGRAM MANAGEMENT	1	\$72,798	\$74,253
19	(12) 8035 ASSISTANT DIRECTR CMS	1	\$72,772	\$74,227
20	(13) 8971 DHS DDS SUPT HDC	1	\$71,691	\$73,124
21	(14) L014 DIRECTOR OF PHARMACY SERVICES	2	GRADE 26	
22	(15) L012 PHARMACIST II	2	GRADE 25	
23	(16) L124 PSYCHOLOGIST	3	GRADE 25	
24	(17) L096 SR PHARMACIST	3	GRADE 24	
25	(18) M178 DHS/DDS ASST SUPT - CONWAY	1	GRADE 23	
26	(19) R184 NURSING SERVICES UNIT MANAGER	6	GRADE 23	
27	(20) R058 DDS PERSONNEL MANAGER	1	GRADE 22	
28	(21) X338 ENGINEER, PE	1	GRADE 22	
29	(22) L078 NURSE SUPERVISOR	13	GRADE 22	
30	(23) A032 AGENCY FISCAL MANAGER	1	GRADE 22	
31	(24) L074 REGISTERED NURSE PRACTITIONER II	1	GRADE 22	
32	(25) 809Z DHS PLANNING & POLICY DEV COORD	1	GRADE 21	
33	(26) 892Z DHS INSTITUTION BUSINESS MANAGER	6	GRADE 21	
34	(27) 697Z DHS PRGM MANAGER	11	GRADE 21	
35	(28) A008 ACCOUNTING SUPERVISOR II	2	GRADE 21	
36	(29) A251 SR AUDITOR	1	GRADE 21	

1	(30)	E023	DHS/DDS LANGUAGE DEVELOP SUPV	1	GRADE 21
2	(31)	E104	DHS/DDS ED & TRNG CONSULTANT	2	GRADE 21
3	(32)	L082	NURSING SERVICES SPECIALIST	3	GRADE 21
4	(33)	L090	OCCUPATIONAL THERAPY SUPERVISOR	1	GRADE 21
5	(34)	L122	PSYCHOLOGICAL EXAMINER II	18	GRADE 21
6	(35)	L030	DIETARY SERVICES DIRECTOR	1	GRADE 21
7	(36)	L019	NUTRITIONIST CONSULTANT	1	GRADE 21
8	(37)	M112	COTTAGE LIFE PROGRAM DIRECTOR	5	GRADE 21
9	(38)	L142	SPEECH PATHOLOGIST SUPV	3	GRADE 21
10	(39)	M046	DHS/DDS TEAM LEADER-CONWAY	5	GRADE 21
11	(40)	R326	QUALITY ASSURANCE COORDINATOR	5	GRADE 21
12	(41)	R488	GRANTS ADMIN SUPV	2	GRADE 21
13	(42)	R266	MANAGEMENT PROJECT ANALYST II	5	GRADE 20
14	(43)	R145	DHS PROGRAM COORDINATOR	4	GRADE 20
15	(44)	X311	DHS/DDS PRGM EVALUATOR SUPV	1	GRADE 20
16	(45)	Y116	MAINTENANCE SYSTEMS SUPV	1	GRADE 20
17	(46)	L140	SPEECH PATHOLOGIST II	14	GRADE 20
18	(47)	M013	DEVELOPMENTAL DISABILITIES SPEC II	53	GRADE 20
19	(48)	M016	SR CHAPLAIN	1	GRADE 20
20	(49)	M116	UTILIZATION REVIEW NURSE	2	GRADE 20
21	(50)	M128	DHS/DDS PRGM COORDINATOR	42	GRADE 20
22	(51)	M140	DHS/DDS TEAM LEADER	3	GRADE 20
23	(52)	M088	SOCIAL WORKER II	5	GRADE 20
24	(53)	L008	SR AUDIOLOGIST	1	GRADE 20
25	(54)	L070	NURSE II	34	GRADE 20
26	(55)	L088	OCCUPATIONAL THERAPIST II	1	GRADE 20
27	(56)	E114	STAFF DEVELOPMENT COORDINATOR	6	GRADE 20
28	(57)	E038	NURSE INSTRUCTOR	2	GRADE 20
29	(58)	G120	PLANT MAINTENANCE COORDINATOR	1	GRADE 20
30	(59)	E026	INSTITUTIONAL INSTRUCTOR SUPERVISOR	2	GRADE 20
31	(60)	B060	MEDICAL TECHNOLOGIST SUPERVISOR	1	GRADE 19
32	(61)	L028	DIETICIAN	1	GRADE 19
33	(62)	L120	PSYCHOLOGICAL EXAMINER I	2	GRADE 19
34	(63)	M086	SOCIAL WORKER I	5	GRADE 19
35	(64)	M154	DHS FIELD REPRESENTATIVE	2	GRADE 19
36	(65)	M044	DHS PRGM CONSULTANT	1	GRADE 19

1	(66)	M057	DHS/DDS FOSTER GRANDPARENT ADMR	1	GRADE 19
2	(67)	R168	GRANTS COORDINATOR II	9	GRADE 19
3	(68)	R030	ASST PERSONNEL MANAGER	1	GRADE 19
4	(69)	W012	MEDICAL RECORDS ADMINISTRATOR	1	GRADE 19
5	(70)	X309	DHS/DDS PRGM EVALUATOR	2	GRADE 19
6	(71)	V040	PURCHASE AGENT II/PURCHASE AGENT	5	GRADE 18
7	(72)	R264	MANAGEMENT PROJECT ANALYST I	3	GRADE 18
8	(73)	M050	RECREATIONAL ACTIVITY LEADER SUPV	3	GRADE 18
9	(74)	L138	SPEECH PATHOLOGIST I	1	GRADE 18
10	(75)	M082	SOCIAL SERVICE WORKER III	19	GRADE 18
11	(76)	M076	SOCIAL SERVICE REPRESENTATIVE III	1	GRADE 18
12	(77)	M078	DHS/DEMS SUPERVISOR	2	GRADE 18
13	(78)	M099	COTTAGE LIFE PROGRAM SUPERVISOR	18	GRADE 18
14	(79)	E037	LIBRARIAN II	2	GRADE 18
15	(80)	E024	INSTITUTIONAL INSTRUCTOR II	23	GRADE 18
16	(81)	H032	FOOD PRODUCTION MANAGER	6	GRADE 18
17	(82)	E050	STAFF DEVELOPMENT SPECIALIST II	2	GRADE 18
18	(83)	E072	TRAINING INSTRUCTOR	1	GRADE 18
19	(84)	E082	VOCATIONAL INSTRUCTOR II	1	GRADE 18
20	(85)	G028	BLDG PLANT MAINTENANCE SUPV II	5	GRADE 18
21	(86)	E086	HABILITATION/REHAB INSTRUCTOR II	135	GRADE 17
22	(87)	E022	INSTITUTIONAL INSTRUCTOR I	1	GRADE 17
23	(88)	B052	MEDICAL TECHNOLOGIST	2	GRADE 17
24	(89)	M102	VOCATIONAL PLAC & EVAL PROG COORD	1	GRADE 17
25	(90)	M095	VOLUNTEER PROGRAM DEVELOPER I	2	GRADE 17
26	(91)	M080	SOCIAL SERVICE WORKER II/SOC SVC WK	4	GRADE 17
27	(92)	R010	ADMINISTRATIVE ASSISTANT II	20	GRADE 17
28	(93)	R190	PERSONNEL OFFICER II	4	GRADE 17
29	(94)	Y107	WELDER	1	GRADE 17
30	(95)	X352	HLTH CARE ANALYST II	2	GRADE 17
31	(96)	Y053	JOURNEYMAN CARPENTER	9	GRADE 17
32	(97)	Y055	JOURNEYMAN ELECTRICIAN	6	GRADE 17
33	(98)	Y057	JOURNEYMAN PAINTER	6	GRADE 17
34	(99)	Y061	JOURNEYMAN PLUMBER	4	GRADE 17
35	(100)	Y065	JOURNEYMAN LOCKSMITH	1	GRADE 17
36	(101)	Y003	AUTO/DIESEL MECHANIC	3	GRADE 17

1	(102)	Y021	STATIONARY ENGINEER	9	GRADE 17
2	(103)	Y039	HEATING & A/C MECHANIC	5	GRADE 17
3	(104)	M141	DHS/DDS TEAM SHIFT COORDINATOR	18	GRADE 16
4	(105)	L153	X-RAY TECH SUPV/X-RAY TECH II	1	GRADE 16
5	(106)	L026	DENTAL HYGIENIST	1	GRADE 16
6	(107)	A053	INSURANCE SPECIALIST II	1	GRADE 16
7	(108)	A063	PAYROLL OFFICER	1	GRADE 15
8	(109)	A108	ACCOUNTING TECHNICIAN II	8	GRADE 15
9	(110)	A155	ICF COORDINATOR	6	GRADE 15
10	(111)	K011	ADMINISTRATIVE OFFICE SUPERVISOR	12	GRADE 15
11	(112)	L115	LPN II/LPTN II	132	GRADE 15
12	(113)	L061	LIFE SKILLS TRAINER SUPERVISOR	62	GRADE 15
13	(114)	L183	OCCUPATIONAL THERAPY ASSISTANT	2	GRADE 15
14	(115)	M048	RECREATIONAL ACTIVITY LEADER II	27	GRADE 15
15	(116)	R009	ADMINISTRATIVE ASSISTANT I	3	GRADE 15
16	(117)	V051	STOREROOM SUPV/STORE SUPV	4	GRADE 15
17	(118)	X350	HLTH CARE ANALYST I	1	GRADE 15
18	(119)	V039	PURCHASE AGENT I/ASST PURCHASE AGEN	4	GRADE 15
19	(120)	L184	DIETETIC TECHNICIAN	1	GRADE 14
20	(121)	M036	FOSTER GRANDPARENT SUPERVISOR	1	GRADE 14
21	(122)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	11	GRADE 14
22	(123)	K117	MEDICAL OR LEGAL SECRETARY	29	GRADE 14
23	(124)	G014	CHDC LAUNDRY OPERATIONS MANAGER	1	GRADE 14
24	(125)	H023	COMMISSARY MANAGER	1	GRADE 14
25	(126)	G139	WATER FILTER/WASTE DISPOS PLNT OPER	3	GRADE 13
26	(127)	H049	SUPERVISOR OF COOKING	5	GRADE 13
27	(128)	G115	NURSERY ASST & GROUNDSKEEPER SUPV	1	GRADE 13
28	(129)	E027	INSTITUTIONAL TEACHER ASSISTANT	88	GRADE 13
29	(130)	E017	INSTITUTION ASSISTANT LIBRARIAN	1	GRADE 13
30	(131)	K153	SECRETARY II	70	GRADE 13
31	(132)	L059	LIFE SKILLS TRAINER II	806	GRADE 13
32	(133)	L091	OCCUPATIONAL THERAPY WORKER	6	GRADE 13
33	(134)	L093	ORTHOTIST AIDE	5	GRADE 13
34	(135)	M067	SOCIAL SERVICE AIDE II	3	GRADE 13
35	(136)	M047	RECREATIONAL ACTIVITY LEADER I	1	GRADE 13
36	(137)	R125	PERSONNEL OFFICER	4	GRADE 13

1	(138)	K089	PERSONNEL ASSISTANT	2	GRADE 12
2	(139)	K039	DOCUMENT EXAMINER II	13	GRADE 12
3	(140)	C013	SWITCHBOARD OPERATOR SUPERVISOR	1	GRADE 12
4	(141)	H047	MEAT CUTTER II/BUTCHER II	1	GRADE 11
5	(142)	L025	DENTAL ASSISTANT	1	GRADE 11
6	(143)	L057	LIFE SKILLS TRAINER I	278	GRADE 11
7	(144)	K155	SECRETARY I	23	GRADE 11
8	(145)	Y001	APPRENTICE TRADESMAN	6	GRADE 11
9	(146)	V029	INVENTORY CONTROL CLERK	1	GRADE 10
10	(147)	K023	CLERICAL ASSISTANT	3	GRADE 10
11	(148)	K037	DOCUMENT EXAMINER I	4	GRADE 10
12	(149)	L097	PHARMACY ASST	2	GRADE 10
13	(150)	H027	COOK II	40	GRADE 10
14	(151)	H005	BAKER II	6	GRADE 10
15	(152)	G013	WAREHOUSE WORKER	3	GRADE 10
16	(153)	G006	MOTOR VEHICLE OPERATOR	5	GRADE 10
17	(154)	C011	SWITCHBOARD OPERATOR II	12	GRADE 09
18	(155)	L105	PHYSICAL THERAPY AIDE	5	GRADE 09
19	(156)	L089	OCCUPATIONAL THERAPY AIDE	1	GRADE 09
20	(157)	Y045	INSTITUTIONAL BEAUTICIAN	3	GRADE 09
21	(158)	L063	LIFE SKILLS TRAINER TRAINEE	8	GRADE 08
22	(159)	G010	LAUNDRY SUPERVISOR	5	GRADE 08
23	(160)	G039	CUSTODIAL SUPV II	4	GRADE 08
24	(161)	G045	EQUIPMENT OPERATOR	11	GRADE 08
25	(162)	G109	BLDG/EQUIP MAINT REPAIRMAN II	21	GRADE 08
26	(163)	H019	CANTEEN SUPERVISOR	2	GRADE 08
27	(164)	H025	COOK I	1	GRADE 08
28	(165)	H053	FOOD SERVICE WORKER III	10	GRADE 08
29	(166)	G177	MAINTENANCE WORKER SUPERVISOR	1	GRADE 07
30	(167)	G191	CLOTHING SHOP OPERATOR	1	GRADE 07
31	(168)	C009	SWITCHBOARD OPERATOR I	4	GRADE 07
32	(169)	K015	OFFICE CLERK	3	GRADE 07
33	(170)	H043	FOOD SERVICE WORKER II	41	GRADE 05
34	(171)	G175	MAINTENANCE WORKER II	6	GRADE 05
35	(172)	Y095	SEAMSTRESS II	1	GRADE 05
36	(173)	V049	STOCK CLERK II	6	GRADE 05

1	(174)	G035	CUSTODIAL WRKR II	81	GRADE 04
2	(175)	G008	LAUNDRY WORKER	27	GRADE 04
3	(176)	H039	FOOD SERVICE WORKER I	5	GRADE 03
4	(177)	G171	CUSTODIAL WRKR I	<u>3</u>	GRADE 03
5			MAX. NO. OF EMPLOYEES	2,605	

6

7 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for the
8 Department of Health and Human Services - Division of Developmental
9 Disabilities Services for the 2007-2009 biennium, the following maximum
10 number of part-time or temporary employees, to be known as "Extra Help",
11 payable from funds appropriated herein for such purposes: two hundred
12 eighty-nine (289) temporary or part-time employees, when needed, at rates of
13 pay not to exceed those provided in the Uniform Classification and
14 Compensation Act, or its successor, or this act for the appropriate
15 classification.

16

17 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA
19 HELP - DEVELOPMENTAL DISABILITIES SERVICES. It is hereby authorized for the
20 Department of Health and Human Services - Division of Developmental
21 Disabilities Services for the ~~2005-2007~~ 2007-2009 biennium, that of the extra
22 help positions authorized herein for the Department of Health and Human
23 Services - Division of Developmental Disabilities Services, 89 of those
24 positions, when utilized in a manner which is reimbursable under Title XIX or
25 other federal funds, are specifically exempt from limitation of hours, either
26 by Act or Regulation.

27 The provisions of this section shall be in effect only from July 1, ~~2005~~
28 2007 through June 30, ~~2007~~ 2009.

29

30 SECTION 4. APPROPRIATION - OPERATIONS. There is hereby appropriated, to
31 the Department of Health and Human Services - Division of Developmental
32 Disabilities Services, to be payable from the paying account as determined by
33 the Chief Fiscal Officer of the State, for personal services and operating
34 expenses of the Department of Health and Human Services - Division of
35 Developmental Disabilities Services for the biennial period ending June 30,
36 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) REGULAR SALARIES	\$ 68,400,289	\$ 69,905,368
(02) EXTRA HELP	4,178,972	4,178,972
(03) PERSONAL SERVICES MATCHING	25,339,232	25,665,639
(04) OVERTIME	511,308	511,308
(05) EXTRA SALARIES	9,000	9,000
(06) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	17,072,559	17,157,689
(B) CONF. & TRAVEL	80,000	80,000
(C) PROF. FEES	298,698	298,698
(D) CAP. OUTLAY	1,112,830	655,700
(E) DATA PROC.	0	0
(07) GRANTS/PATIENT SERVICES	7,695,643	7,695,643
(08) FOSTER GRANDPARENTS STIPENDS	169,851	169,851
(09) DATA PROCESSING SERVICES	850,159	850,159
(10) VOCATIONAL TRAINEES	208,368	209,368
(11) CHILDREN AND ADOLESCENT SERVICES	67,529	67,529
(12) PURCHASE OF SERVICES	<u>5,979,255</u>	<u>7,137,859</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 131,973,693</u>	<u>\$ 134,592,783</u>

22

23 SECTION 5. APPROPRIATION - SPECIAL OLYMPICS. There is hereby appropriated,
 24 to the Department of Health and Human Services - Division of Developmental
 25 Disabilities Services, to be payable from the Developmental Disabilities
 26 Services Fund Account, for grants to the Arkansas Special Olympics for the
 27 biennial period ending June 30, 2009, the following:

28

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) GRANTS-SPECIAL OLYMPICS	<u>\$ 179,666</u>	<u>\$ 179,666</u>

32

33 SECTION 6. APPROPRIATION - COMMUNITY PROGRAMS. There is hereby
 34 appropriated, to the Department of Health and Human Services - Division of
 35 Developmental Disabilities Services, to be payable from the Developmental
 36 Disabilities Services-Dog Track Special Revenue Fund, for expenses of the

1 private non-profit community based programs licensed by the Department of
 2 Health and Human Services - Division of Developmental Disabilities Services
 3 for the biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) COMMUNITY PROGRAMS	\$ 50,000	\$ 50,000

9 SECTION 7. APPROPRIATION - GRANTS-IN-AID. There is hereby appropriated, to
 10 the Department of Health and Human Services - Division of Developmental
 11 Disabilities Services, to be payable from the Developmental Disabilities
 12 Services Fund Account, for grants-in-aid to the community providers of
 13 services to the developmentally disabled of the Department of Health and
 14 Human Services - Division of Developmental Disabilities Services for the
 15 biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) GRANTS TO COMMUNITY PROVIDERS	\$ 15,909,753	\$ 15,909,753

21 SECTION 8. APPROPRIATION - INTER-DIVISIONAL PROGRAMS. There is hereby
 22 appropriated, to the Department of Health and Human Services - Division of
 23 Developmental Disabilities Services, to be payable from the Developmental
 24 Disabilities Services Fund Account, for integrated services and programs
 25 developed by the various divisions, for services and programs developed in
 26 conjunction with other state agencies and for the development and
 27 implementation of an integrated case management system for the Department of
 28 Health and Human Services for the biennial period ending June 30, 2009, the
 29 following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) INTER-DIVISIONAL PROGRAMS	\$ 441,469	\$ 441,469

35 SECTION 9. APPROPRIATION - GRANTS - STATE. There is hereby appropriated,
 36 to the Department of Health and Human Services - Division of Developmental

1 Disabilities Services, to be payable from the Department of Human Services
 2 Grants Fund Account, for grant payments of the Department of Health and Human
 3 Services - Division of Developmental Disabilities Services for the biennial
 4 period ending June 30, 2009, the following:

5

6 ITEM	7 FISCAL YEARS	
	2007-2008	2008-2009
8 (01) CHILDREN'S MEDICAL SERVICES	\$ <u>1,729,279</u>	\$ <u>1,729,279</u>

9

10 SECTION 10. APPROPRIATION - GRANTS - FEDERAL. There is hereby
 11 appropriated, to the Department of Health and Human Services - Division of
 12 Developmental Disabilities Services, to be payable from the federal funds as
 13 designated by the Chief Fiscal Officer of the State, for federally funded
 14 grants of the Department of Health and Human Services - Division of
 15 Developmental Disabilities Services for the biennial period ending June 30,
 16 2009, the following:

17

18 ITEM	19 FISCAL YEARS	
	2007-2008	2008-2009
20 (01) CHILDREN'S MEDICAL SERVICES-FEDERAL	\$ <u>1,377,338</u>	\$ <u>1,377,338</u>

21

22 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 24 DEVELOPMENTAL DISABILITIES - GRANTS TO COMMUNITY BASED PROVIDERS. Funds
 25 allocated under the appropriation for community-based services, for Grants to
 26 Community Providers, in the Developmental Disabilities Services - Grants-in-
 27 Aid appropriation in this act shall be used only to provide services through
 28 private community based services licensed or certified by the Arkansas
 29 Division of Developmental Disabilities Services (DDS). Non-profit community-
 30 based programs licensed by the Division of Developmental Disabilities
 31 Services are quasi-governmental instrumentalities of the state which provide
 32 supports and services to individuals who have a developmental disability or
 33 delay, who would otherwise require supports and services through state-
 34 operated programs and facilities owned by the State of Arkansas. When DDS
 35 licensed providers are involved in delivering services which are Medicaid
 36 reimbursable, they must enroll as a provider with the Arkansas Medicaid

1 Program and must bill the Arkansas Medicaid Program for all covered services
2 for eligible individuals.

3 Services which are covered by the Arkansas State Medicaid Program or under
4 the Alternative Community Services Waiver Program (ACS) will be utilized to
5 the maximum extent possible for any individual who is eligible for Medicaid
6 coverage. It is the intent of this section that DDS, as a general policy,
7 maximize the use of Medicaid funding available for appropriate services.

8 The State shall require each provider funded from this Appropriation for
9 community based services, including funding from the Grants/Patient Services
10 Line, in the Developmental Disabilities Services - Operations appropriation,
11 or from the Grants to Community Providers Line, in the Developmental
12 Disabilities Services - Grants-in-Aid appropriation, to screen each
13 individual to whom services are provided for a determination of eligibility
14 or ineligibility for Medicaid coverage within thirty days of the first date
15 that services are provided. It is the intent of this section to insure that
16 wherever possible and appropriate, Medicaid funds are utilized for covered or
17 waived services to individuals who are eligible for coverage under the
18 Arkansas Medicaid Program or the ACS Waiver.

19 Nothing in this Act shall prevent the Division or any provider from
20 extending emergency services when appropriate measures have been taken in a
21 timely manner to secure Medicaid eligibility.

22 ~~In the event that components of community based services now funded~~
23 ~~from state and/or federal funds are extended to unserved or underserved areas~~
24 ~~of the state, or in the event that new services categories/codes are made~~
25 ~~available, to be funded from state and/or federal funds all non-profit~~
26 ~~community programs licensed by the Division of Developmental Disabilities~~
27 ~~Services shall be granted an opportunity to make application to expand their~~
28 ~~service base to unserved or underserved areas or shall be granted an~~
29 ~~opportunity to make application to offer new services that the State intends~~
30 ~~to offer. When the Division of Developmental Disabilities Services~~
31 ~~determines that state and/or federal funding for new or expanded services are~~
32 ~~to be available, it shall provide written notice by certified mail of its~~
33 ~~intent to existing licensed providers who are already providing services. If~~
34 ~~no existing licensed providers respond in writing to Division of~~
35 ~~Developmental Disabilities Services within thirty days that they will provide~~
36 ~~the new or expanded services, Division of Developmental Disabilities Services~~

1 ~~shall provide notice to the general public that a new entity will be allowed~~
2 ~~to develop services and obtain licensure to provide the new or expanded~~
3 ~~services. Nothing in this Act shall restrict the Division's discretion to~~
4 ~~award new or expanded services to the existing community based service~~
5 ~~licensed providers making application for the same pursuant to this section.~~
6 ~~The intent of this section is to avoid unnecessary duplication of~~
7 ~~administrative costs and services in the extension or expansion of services.~~

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

10
11 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

13 DEVELOPMENTAL DISABILITIES - VOCATIONAL TRAINEES. The Division of
14 Developmental Disabilities Services of the Department of Health and Human
15 Services is hereby authorized for the ~~2005-2007~~ 2007-2009 biennium to provide
16 employment opportunities for people with developmental disabilities residing
17 at the Human Development Centers who work less than a competitive employment
18 level.

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

24 DEVELOPMENTAL DISABILITIES - CARRY FORWARD. The unexpended balances in
25 appropriations made from federal funds, for Developmental Disabilities, as
26 provided for in this Act on June 30, ~~2006~~ 2008 shall be carried forward and
27 made available for expenditures for the same purpose for the fiscal year
28 ending June 30, ~~2007~~ 2009.

29
30 Any carry forward of unexpended balance of appropriation and/or funding as
31 authorized herein, may be carried forward under the following conditions:

32
33 (1) Prior to June 30, 2008 the Agency shall by written statement set forth
34 its reason(s) for the need to carry forward said appropriation and/or funding
35 to the Department of Finance and Administration Office of Budget;

1 (2) The Department of Finance and Administration Office of Budget shall
2 report to the Arkansas Legislative Council all amounts carried forward from
3 the first fiscal year of the biennium to the second fiscal year of the
4 biennium by the September Arkansas Legislative Council or Joint Budget
5 Committee meeting in the second fiscal year of the biennial period which
6 report shall include the name of the Agency, Board, Commission or Institution
7 and the amount of the appropriation and/or funding carried forward from the
8 first fiscal year to the second fiscal year, the program name or line item,
9 the funding source of that appropriation and a copy of the written request
10 set forth in (1) above;

11
12 (3) Each Agency, Board, Commission or Institution shall provide a written
13 report to the Arkansas Legislative Council or Joint Budget Committee
14 containing all information set forth in item (2) above, along with a written
15 statement as to the current status of the project, contract, purpose etc. for
16 which the carry forward was originally requested no later than thirty (30)
17 days prior to the time the Agency, Board, Commission or Institution presents
18 its budget request to the Arkansas Legislative Council/Joint Budget
19 Committee; and

20
21 (4) Thereupon, the Department of Finance and Administration shall include
22 all information obtained in item (3) above in the biennial budget manuals
23 and/or a statement of non-compliance by the Agency, Board, Commission or
24 Institution.

25 The provisions of this section shall be in effect only from July 1, 2005
26 2007 through June 30, 2007 2009.

27
28 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GRANTS IN
30 AID-CONDITIONS FOR RECEIVING FUNDS. Private nonprofit community based
31 programs licensed by the Department of Health and Human Services,
32 Developmental Disabilities Services, are eligible to receive funds
33 appropriated for Grants to Community Providers in the Developmental
34 Disabilities Services - Grants-in-Aid appropriation of this Act, and as a
35 condition of receiving such funds they shall:

36 1. Meet minimum standards of performance in the delivery of services to

1 people with disabilities as defined by the Department of Health and Human
2 Services, Developmental Disabilities Services.

3 2. Supply statistical and financial data to the Department of Health and
4 Human Services, Developmental Disabilities Services.

5 3. Establish and maintain a sound financial management system in
6 accordance with guidelines as set forth by the Department of Health and Human
7 Services.

8 4. Establish and maintain community support programs designed to provide
9 coordinated care and treatment to ensure ongoing involvement and
10 individualized services for persons with disabilities. Every community
11 support program shall provide services for persons with disabilities who
12 reside within the respective area of the program.

13 The provisions of this section shall be in effect only from July 1, 2005
14 2007 through June 30, ~~2007~~ 2009.

15
16 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
18 DEVELOPMENTAL DISABILITIES – ~~TIMBER AND LAND SALES PROCEEDS - CAPITAL~~
19 IMPROVEMENTS AND EQUIPMENT. The Division of Developmental Disabilities
20 Services is authorized to use the administrative operating ~~have cash fund~~
21 accounts for capital improvements to physical plants and for the purchase of
22 capital equipment., ~~and for the operation of the six human development~~
23 ~~centers operated by the Department of Human Services, Division of~~
24 ~~Developmental Disabilities Services.~~ The ~~cash~~ funds shall be held by the
25 Department of Health and Human Services, Division of Developmental
26 Disabilities Services from the proceeds of ~~the sale of land and~~ the sale of
27 timber that may be harvested from land owned by the Division of Developmental
28 Disabilities Services. All funds deposited and all expenses shall be tracked
29 separately. ~~The sale of land and the harvesting of timber is specifically~~
30 authorized to provide funds to finance capital improvements to the physical
31 plants, for the purchase of major capital equipment., ~~and for the operation~~
32 ~~of any of the six human development centers from which the land or timber is~~
33 ~~sold.~~

34 The Division of Developmental Disabilities Services shall report all income
35 derived from ~~the sale of land and~~ timber management to the Chief Fiscal
36 Officer of the State and the Arkansas Legislative Council. Any contracts

1 initiated for ~~the sale of land or~~ the harvesting of timber shall be submitted
2 to the Review Subcommittee of the Arkansas Legislative Council for prior
3 review. All expenditures of funds derived from ~~the sale of land and~~ the sale
4 of timber will be expended in accordance with relevant state purchasing laws.

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

7
8 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HUMAN
10 DEVELOPMENT CENTERS AND COMMUNITY PROVIDERS.

11 (A) The Developmental Disabilities Services Board or the Department of
12 Health and Human Services shall not close any of the state administered Human
13 Development Centers that provide therapy and residential services.

14 (B) The Department of Health and Human Services shall continue to accept
15 clients for whom it has determined that therapy and residential services are
16 needed at state administered Human Development Centers and Community Programs
17 licensed by DDS shall continue to accept clients for whom it has been
18 determined in accordance with federal law that are in need of services in the
19 community.

20 (C) Except for use as federal matching funds, no funds for community based
21 services licensed by DDS shall be transferred from Grants to Community
22 Providers line item of the Developmental Disabilities Services - Grants-in-
23 Aid appropriation unless the transfer(s) directly benefits community based
24 services for persons with developmental disabilities or from the
25 appropriation for the Human Development Centers unless the transfer(s)
26 directly benefits the Human Development Centers.

27 (D) Nor shall any general revenue funding as of March 1, ~~2005~~ 2007 from the
28 Grants to Community Providers line item of the Developmental Disabilities
29 Services - Grants-in-Aid appropriation for persons with developmental
30 disabilities or from any other general revenues as of March 1, ~~2005~~ 2007,
31 applied as federal matching funds for community based services licensed by
32 DDS on March 1, ~~2005~~ 2007 be reduced below the approved funding level on
33 March 1, ~~2005~~ 2007; nor shall the general revenues applied as federal
34 matching funds for the Human Development Centers be reduced below the
35 approved funding level on March 1, ~~2005~~ 2007.

36

1 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL
3 PROVISIONS FOR SHIFT DIFFERENTIAL AND WEEKEND PAY FOR PERSONNEL AT HUMAN
4 DEVELOPMENT CENTERS. SHIFT DIFFERENTIAL. Personnel employed in areas
5 providing critical support and care to Patient Units at the state operated
6 human development centers during evening and night shifts shall be eligible
7 to receive up to twenty percent (20%) of the hourly rate paid as a shift
8 differential. Personnel required to provide critical and support care to
9 client units during weekend hours shall be eligible to receive up to twenty
10 percent (20%) of the hourly rate paid as weekend differential. When
11 facilities use shifts other than traditional eight-hour shifts, shift
12 differential may be paid for those shifts exceeding the normal day shift of
13 the facility. When shift and weekend differentials are provided to employees
14 as herein described, the total compensation may exceed the maximum annual
15 rate for the assigned pay grade for those positions included in this Act.

16
17 The Agency shall identify the shift(s) and job classifications applicable for
18 the differential and the shift differential percentage for which each
19 classification is eligible within each shift. The shift schedule, job
20 classification listing and the percentage of shift differential for which the
21 job titles will be eligible shall be submitted to the Office of Personnel
22 Management for approval by the Chief Fiscal Officer of the State. Subsequent
23 changes to the shift schedule, job classifications and shift differential
24 percentages on file with OPM must receive prior approval by the Chief Fiscal
25 Officer of the State.

26
27 The provisions of this section shall be in effect only from July 1, 2007
28 through June 30, 2009.

29
30 SECTION 18. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
31 by this act shall be limited to the appropriation for such agency and funds
32 made available by law for the support of such appropriations; and the
33 restrictions of the State Procurement Law, the General Accounting and
34 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
35 Procedures and Restrictions Act, or their successors, and other fiscal
36 control laws of this State, where applicable, and regulations promulgated by

1 the Department of Finance and Administration, as authorized by law, shall be
2 strictly complied with in disbursement of said funds.

3
4 SECTION 19. LEGISLATIVE INTENT. It is the intent of the General Assembly
5 that any funds disbursed under the authority of the appropriations contained
6 in this act shall be in compliance with the stated reasons for which this act
7 was adopted, as evidenced by the Agency Requests, Executive Recommendations
8 and Legislative Recommendations contained in the budget manuals prepared by
9 the Department of Finance and Administration, letters, or summarized oral
10 testimony in the official minutes of the Arkansas Legislative Council or
11 Joint Budget Committee which relate to its passage and adoption.

12
13 SECTION 20. EMERGENCY CLAUSE. It is found and determined by the General
14 Assembly, that the Constitution of the State of Arkansas prohibits the
15 appropriation of funds for more than a two (2) year period; that the
16 effectiveness of this Act on July 1, 2007 is essential to the operation of
17 the agency for which the appropriations in this Act are provided, and that in
18 the event of an extension of the Regular Session, the delay in the effective
19 date of this Act beyond July 1, 2007 could work irreparable harm upon the
20 proper administration and provision of essential governmental programs.
21 Therefore, an emergency is hereby declared to exist and this Act being
22 necessary for the immediate preservation of the public peace, health and
23 safety shall be in full force and effect from and after July 1, 2007.

24
25 */s/ Joint Budget Committee*
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