

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: S2/19/07 S3/23/07 S3/26/07 S3/27/07 S3/29/07

2 86th General Assembly

# A Bill

3 Regular Session, 2007

SENATE BILL 220

4

5 By: Joint Budget Committee

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## For An Act To Be Entitled

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

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## Subtitle

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

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*SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for the Department of Health and Human Services - Division of Developmental Disabilities 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*



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>Item</i>	<i>Class</i>	<i>Title</i>	<i>Employees</i>	<i>2007-2008</i>	<i>2008-2009</i>
<i>No.</i>	<i>Code</i>	<i>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)	REGISTERED PHARMACIST II	7	\$107,234	\$109,378
11	(4)	9972 DDS COMMISSIONER	1	\$102,714	\$104,768
12	(5)	8966 DHS DDS SUPT HDC/CONWAY	1	\$94,595	\$96,486
13	(6)	8949 DDS DIR EVAL, PLAN & MGMT SYSTEMS	1	\$85,643	\$87,355
14	(7)	8969 DHS DDS SUPT HDC	1	\$84,916	\$86,614
15	(8)	8970 DHS DDS SUPT HDC	1	\$84,911	\$86,609
16	(9)	8972 DHS DDS SUPT HDC	1	\$82,888	\$84,545
17	(10)	8968 DHS DDS SUPT HDC	1	\$82,180	\$83,823
18	(11)	8967 DHS DDS DIR CLIENT SERVICES	1	\$75,957	\$77,476
19	(12)	8948 DDS ASST DIR PROGRAM MANAGEMENT	1	\$72,798	\$74,253
20	(13)	8035 ASSISTANT DIRECTR CMS	1	\$72,772	\$74,227
21	(14)	8971 DHS DDS SUPT HDC	1	\$71,691	\$73,124
22	(15)	L124 PSYCHOLOGIST	3	GRADE 25	
23	(16)	M178 DHS/DDS ASST SUPT - CONWAY	1	GRADE 23	
24	(17)	R058 DDS PERSONNEL MANAGER	1	GRADE 22	
25	(18)	X338 ENGINEER, PE	1	GRADE 22	
26	(19)	L078 NURSE SUPERVISOR	13	GRADE 22	
27	(20)	A032 AGENCY FISCAL MANAGER	1	GRADE 22	
28	(21)	L074 REGISTERED NURSE PRACTITIONER II	1	GRADE 22	
29	(22)	809Z DHS PLANNING & POLICY DEV COORD	1	GRADE 21	
30	(23)	892Z DHS INSTITUTION BUSINESS MANAGER	6	GRADE 21	
31	(24)	697Z DHS PRGM MANAGER	11	GRADE 21	
32	(25)	A008 ACCOUNTING SUPERVISOR II	2	GRADE 21	
33	(26)	A251 SR AUDITOR	1	GRADE 21	
34	(27)	E023 DHS/DDS LANGUAGE DEVELOP SUPV	1	GRADE 21	
35	(28)	E104 DHS/DDS ED & TRNG CONSULTANT	2	GRADE 21	
36	(29)	L082 NURSING SERVICES SPECIALIST	3	GRADE 21	

1	(30)	L090	OCCUPATIONAL THERAPY SUPERVISOR	1	GRADE 21
2	(31)	L122	PSYCHOLOGICAL EXAMINER II	18	GRADE 21
3	(32)	L030	DIETARY SERVICES DIRECTOR	1	GRADE 21
4	(33)	L019	NUTRITIONIST CONSULTANT	1	GRADE 21
5	(34)	M112	COTTAGE LIFE PROGRAM DIRECTOR	5	GRADE 21
6	(35)	L142	SPEECH PATHOLOGIST SUPV	3	GRADE 21
7	(36)	M046	DHS/DDS TEAM LEADER-CONWAY	5	GRADE 21
8	(37)	R326	QUALITY ASSURANCE COORDINATOR	5	GRADE 21
9	(38)	R488	GRANTS ADMIN SUPV	2	GRADE 21
10	(39)	R266	MANAGEMENT PROJECT ANALYST II	5	GRADE 20
11	(40)	R145	DHS PROGRAM COORDINATOR	4	GRADE 20
12	(41)	X311	DHS/DDS PRGM EVALUATOR SUPV	1	GRADE 20
13	(42)	Y116	MAINTENANCE SYSTEMS SUPV	1	GRADE 20
14	(43)	L140	SPEECH PATHOLOGIST II	14	GRADE 20
15	(44)	M013	DEVELOPMENTAL DISABILITIES SPEC II	53	GRADE 20
16	(45)	M016	SR CHAPLAIN	1	GRADE 20
17	(46)	M116	UTILIZATION REVIEW NURSE	2	GRADE 20
18	(47)	M128	DHS/DDS PRGM COORDINATOR	42	GRADE 20
19	(48)	M140	DHS/DDS TEAM LEADER	3	GRADE 20
20	(49)	M088	SOCIAL WORKER II	5	GRADE 20
21	(50)	L008	SR AUDIOLOGIST	1	GRADE 20
22	(51)	L070	NURSE II	34	GRADE 20
23	(52)	L088	OCCUPATIONAL THERAPIST II	1	GRADE 20
24	(53)	E114	STAFF DEVELOPMENT COORDINATOR	6	GRADE 20
25	(54)	E038	NURSE INSTRUCTOR	2	GRADE 20
26	(55)	G120	PLANT MAINTENANCE COORDINATOR	1	GRADE 20
27	(56)	E026	INSTITUTIONAL INSTRUCTOR SUPERVISOR	2	GRADE 20
28	(57)	B060	MEDICAL TECHNOLOGIST SUPERVISOR	1	GRADE 19
29	(58)	L028	DIETICIAN	1	GRADE 19
30	(59)	L120	PSYCHOLOGICAL EXAMINER I	2	GRADE 19
31	(60)	M086	SOCIAL WORKER I	5	GRADE 19
32	(61)	M154	DHS FIELD REPRESENTATIVE	2	GRADE 19
33	(62)	M044	DHS PRGM CONSULTANT	1	GRADE 19
34	(63)	M057	DHS/DDS FOSTER GRANDPARENT ADMR	1	GRADE 19
35	(64)	R168	GRANTS COORDINATOR II	9	GRADE 19
36	(65)	R030	ASST PERSONNEL MANAGER	1	GRADE 19

1	(66)	W012	MEDICAL RECORDS ADMINISTRATOR	1	GRADE 19
2	(67)	X309	DHS/DDS PRGM EVALUATOR	2	GRADE 19
3	(68)	V040	PURCHASE AGENT II/PURCHASE AGENT	5	GRADE 18
4	(69)	R264	MANAGEMENT PROJECT ANALYST I	3	GRADE 18
5	(70)	M050	RECREATIONAL ACTIVITY LEADER SUPV	3	GRADE 18
6	(71)	L138	SPEECH PATHOLOGIST I	1	GRADE 18
7	(72)	M082	SOCIAL SERVICE WORKER III	19	GRADE 18
8	(73)	M076	SOCIAL SERVICE REPRESENTATIVE III	1	GRADE 18
9	(74)	M078	DHS/DEMS SUPERVISOR	2	GRADE 18
10	(75)	M099	COTTAGE LIFE PROGRAM SUPERVISOR	18	GRADE 18
11	(76)	E037	LIBRARIAN II	2	GRADE 18
12	(77)	E024	INSTITUTIONAL INSTRUCTOR II	23	GRADE 18
13	(78)	H032	FOOD PRODUCTION MANAGER	6	GRADE 18
14	(79)	E050	STAFF DEVELOPMENT SPECIALIST II	2	GRADE 18
15	(80)	E072	TRAINING INSTRUCTOR	1	GRADE 18
16	(81)	E082	VOCATIONAL INSTRUCTOR II	1	GRADE 18
17	(82)	G028	BLDG PLANT MAINTENANCE SUPV II	5	GRADE 18
18	(83)	E086	HABILITATION/REHAB INSTRUCTOR II	135	GRADE 17
19	(84)	E022	INSTITUTIONAL INSTRUCTOR I	1	GRADE 17
20	(85)	B052	MEDICAL TECHNOLOGIST	2	GRADE 17
21	(86)	M102	VOCATIONAL PLAC & EVAL PROG COORD	1	GRADE 17
22	(87)	M095	VOLUNTEER PROGRAM DEVELOPER I	2	GRADE 17
23	(88)	M080	SOCIAL SERVICE WORKER II/SOC SVC WK	4	GRADE 17
24	(89)	R010	ADMINISTRATIVE ASSISTANT II	20	GRADE 17
25	(90)	R190	PERSONNEL OFFICER II	4	GRADE 17
26	(91)	Y107	WELDER	1	GRADE 17
27	(92)	X352	HLTH CARE ANALYST II	2	GRADE 17
28	(93)	Y053	JOURNEYMAN CARPENTER	9	GRADE 17
29	(94)	Y055	JOURNEYMAN ELECTRICIAN	6	GRADE 17
30	(95)	Y057	JOURNEYMAN PAINTER	6	GRADE 17
31	(96)	Y061	JOURNEYMAN PLUMBER	4	GRADE 17
32	(97)	Y065	JOURNEYMAN LOCKSMITH	1	GRADE 17
33	(98)	Y003	AUTO/DIESEL MECHANIC	3	GRADE 17
34	(99)	Y021	STATIONARY ENGINEER	9	GRADE 17
35	(100)	Y039	HEATING & A/C MECHANIC	5	GRADE 17
36	(101)	M141	DHS/DDS TEAM SHIFT COORDINATOR	18	GRADE 16

1	(102)	L153	X-RAY TECH SUPV/X-RAY TECH II	1	GRADE 16
2	(103)	L026	DENTAL HYGIENIST	1	GRADE 16
3	(104)	A053	INSURANCE SPECIALIST II	1	GRADE 16
4	(105)	A063	PAYROLL OFFICER	1	GRADE 15
5	(106)	A108	ACCOUNTING TECHNICIAN II	8	GRADE 15
6	(107)	A155	ICF COORDINATOR	6	GRADE 15
7	(108)	K011	ADMINISTRATIVE OFFICE SUPERVISOR	12	GRADE 15
8	(109)	L115	LPN II/LPTN II	132	GRADE 15
9	(110)	L061	LIFE SKILLS TRAINER SUPERVISOR	62	GRADE 15
10	(111)	L183	OCCUPATIONAL THERAPY ASSISTANT	2	GRADE 15
11	(112)	M048	RECREATIONAL ACTIVITY LEADER II	27	GRADE 15
12	(113)	R009	ADMINISTRATIVE ASSISTANT I	3	GRADE 15
13	(114)	V051	STOREROOM SUPV/STORE SUPV	4	GRADE 15
14	(115)	X350	HLTH CARE ANALYST I	1	GRADE 15
15	(116)	V039	PURCHASE AGENT I/ASST PURCHASE AGEN	4	GRADE 15
16	(117)	L184	DIETETIC TECHNICIAN	1	GRADE 14
17	(118)	M036	FOSTER GRANDPARENT SUPERVISOR	1	GRADE 14
18	(119)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	11	GRADE 14
19	(120)	K117	MEDICAL OR LEGAL SECRETARY	29	GRADE 14
20	(121)	G014	CHDC LAUNDRY OPERATIONS MANAGER	1	GRADE 14
21	(122)	H023	COMMISSARY MANAGER	1	GRADE 14
22	(123)	G139	WATER FILTER/WASTE DISPOS PLNT OPER	3	GRADE 13
23	(124)	H049	SUPERVISOR OF COOKING	5	GRADE 13
24	(125)	G115	NURSERY ASST & GROUNDSKEEPER SUPV	1	GRADE 13
25	(126)	E027	INSTITUTIONAL TEACHER ASSISTANT	88	GRADE 13
26	(127)	E017	INSTITUTION ASSISTANT LIBRARIAN	1	GRADE 13
27	(128)	K153	SECRETARY II	70	GRADE 13
28	(129)	L059	LIFE SKILLS TRAINER II	806	GRADE 13
29	(130)	L091	OCCUPATIONAL THERAPY WORKER	6	GRADE 13
30	(131)	L093	ORTHOTIST AIDE	5	GRADE 13
31	(132)	M067	SOCIAL SERVICE AIDE II	3	GRADE 13
32	(133)	M047	RECREATIONAL ACTIVITY LEADER I	1	GRADE 13
33	(134)	R125	PERSONNEL OFFICER	4	GRADE 13
34	(135)	K089	PERSONNEL ASSISTANT	2	GRADE 12
35	(136)	K039	DOCUMENT EXAMINER II	13	GRADE 12
36	(137)	C013	SWITCHBOARD OPERATOR SUPERVISOR	1	GRADE 12

1	(138)	H047	MEAT CUTTER II/BUTCHER II	1	GRADE 11
2	(139)	L025	DENTAL ASSISTANT	1	GRADE 11
3	(140)	L057	LIFE SKILLS TRAINER I	278	GRADE 11
4	(141)	K155	SECRETARY I	23	GRADE 11
5	(142)	Y001	APPRENTICE TRADESMAN	6	GRADE 11
6	(143)	V029	INVENTORY CONTROL CLERK	1	GRADE 10
7	(144)	K023	CLERICAL ASSISTANT	3	GRADE 10
8	(145)	K037	DOCUMENT EXAMINER I	4	GRADE 10
9	(146)	L097	PHARMACY ASST	2	GRADE 10
10	(147)	H027	COOK II	40	GRADE 10
11	(148)	H005	BAKER II	6	GRADE 10
12	(149)	G013	WAREHOUSE WORKER	3	GRADE 10
13	(150)	G006	MOTOR VEHICLE OPERATOR	5	GRADE 10
14	(151)	C011	SWITCHBOARD OPERATOR II	12	GRADE 09
15	(152)	L105	PHYSICAL THERAPY AIDE	5	GRADE 09
16	(153)	L089	OCCUPATIONAL THERAPY AIDE	1	GRADE 09
17	(154)	Y045	INSTITUTIONAL BEAUTICIAN	3	GRADE 09
18	(155)	L063	LIFE SKILLS TRAINER TRAINEE	8	GRADE 08
19	(156)	G010	LAUNDRY SUPERVISOR	5	GRADE 08
20	(157)	G039	CUSTODIAL SUPV II	4	GRADE 08
21	(158)	G045	EQUIPMENT OPERATOR	11	GRADE 08
22	(159)	G109	BLDG/EQUIP MAINT REPAIRMAN II	21	GRADE 08
23	(160)	H019	CANTEEN SUPERVISOR	2	GRADE 08
24	(161)	H025	COOK I	1	GRADE 08
25	(162)	H053	FOOD SERVICE WORKER III	10	GRADE 08
26	(163)	G177	MAINTENANCE WORKER SUPERVISOR	1	GRADE 07
27	(164)	G191	CLOTHING SHOP OPERATOR	1	GRADE 07
28	(165)	C009	SWITCHBOARD OPERATOR I	4	GRADE 07
29	(166)	K015	OFFICE CLERK	3	GRADE 07
30	(167)	H043	FOOD SERVICE WORKER II	41	GRADE 05
31	(168)	G175	MAINTENANCE WORKER II	6	GRADE 05
32	(169)	Y095	SEAMSTRESS II	1	GRADE 05
33	(170)	V049	STOCK CLERK II	6	GRADE 05
34	(171)	G035	CUSTODIAL WRKR II	81	GRADE 04
35	(172)	G008	LAUNDRY WORKER	27	GRADE 04
36	(173)	H039	FOOD SERVICE WORKER I	5	GRADE 03

1	(174) G171 CUSTODIAL WRKR I	<u>3</u>	GRADE 03
2	MAX. NO. OF EMPLOYEES	2,605	

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4 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for the

5 Department of Health and Human Services - Division of Developmental

6 Disabilities 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: two hundred

9 eighty-nine (289) temporary or part-time employees, when needed, at rates of

10 pay not to exceed those provided in the Uniform Classification and

11 Compensation Act, or its successor, or this act for the appropriate

12 classification.

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14 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA

16 HELP - DEVELOPMENTAL DISABILITIES SERVICES. It is hereby authorized for the

17 Department of Health and Human Services - Division of Developmental

18 Disabilities Services for the ~~2005-2007~~ 2007-2009 biennium, that of the extra

19 help positions authorized herein for the Department of Health and Human

20 Services - Division of Developmental Disabilities Services, 89 of those

21 positions, when utilized in a manner which is reimbursable under Title XIX or

22 other federal funds, are specifically exempt from limitation of hours, either

23 by Act or Regulation.

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

25 2007 through June 30, ~~2007~~ 2009.

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27 SECTION 4. APPROPRIATION - OPERATIONS. There is hereby appropriated, to

28 the Department of Health and Human Services - Division of Developmental

29 Disabilities Services, to be payable from the paying account as determined by

30 the Chief Fiscal Officer of the State, for personal services and operating

31 expenses of the Department of Health and Human Services - Division of

32 Developmental Disabilities Services for the biennial period ending June 30,

33 2009, the following:

35 ITEM	FISCAL YEARS	
36 <u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>

1	(01) REGULAR SALARIES	\$ 68,400,289	\$ 69,905,368
2	(02) EXTRA HELP	4,178,972	4,178,972
3	(03) PERSONAL SERVICES MATCHING	25,339,232	25,665,639
4	(04) OVERTIME	511,308	511,308
5	(05) EXTRA SALARIES	9,000	9,000
6	(06) MAINT. & GEN. OPERATION		
7	(A) OPER. EXPENSE	17,072,559	17,157,689
8	(B) CONF. & TRAVEL	80,000	80,000
9	(C) PROF. FEES	298,698	298,698
10	(D) CAP. OUTLAY	1,112,830	655,700
11	(E) DATA PROC.	0	0
12	(07) GRANTS/PATIENT SERVICES	7,695,643	7,695,643
13	(08) FOSTER GRANDPARENTS STIPENDS	169,851	169,851
14	(09) DATA PROCESSING SERVICES	850,159	850,159
15	(10) VOCATIONAL TRAINEES	208,368	209,368
16	(11) CHILDREN AND ADOLESCENT SERVICES	67,529	67,529
17	(12) PURCHASE OF SERVICES	<u>5,979,255</u>	<u>7,137,859</u>
18	TOTAL AMOUNT APPROPRIATED	<u>\$ 131,973,693</u>	<u>\$ 134,592,783</u>

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

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

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30 SECTION 6. APPROPRIATION - COMMUNITY PROGRAMS. There is hereby  
 31 appropriated, to the Department of Health and Human Services - Division of  
 32 Developmental Disabilities Services, to be payable from the Developmental  
 33 Disabilities Services-Dog Track Special Revenue Fund, for expenses of the  
 34 private non-profit community based programs licensed by the Department of  
 35 Health and Human Services - Division of Developmental Disabilities Services  
 36 for the biennial period ending June 30, 2009, the following:

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

SECTION 7. APPROPRIATION - GRANTS-IN-AID. There is hereby appropriated, to the Department of Health and Human Services - Division of Developmental Disabilities Services, to be payable from the Developmental Disabilities Services Fund Account, for grants-in-aid to the community providers of services to the developmentally disabled of the Department of Health and Human Services - Division of Developmental Disabilities Services for the 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

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

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

SECTION 9. APPROPRIATION - GRANTS - STATE. There is hereby appropriated, to the Department of Health and Human Services - Division of Developmental Disabilities Services, to be payable from the Department of Human Services Grants Fund Account, for grant payments of the Department of Health and Human Services - Division of Developmental Disabilities Services for the biennial

1 period ending June 30, 2009, the following:

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3 ITEM	FISCAL YEARS	
4 <u>NO.</u>	2007-2008	2008-2009
5 (01) CHILDREN'S MEDICAL SERVICES	\$ <u>1,729,279</u>	\$ <u>1,729,279</u>

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7 SECTION 10. APPROPRIATION - GRANTS - FEDERAL. There is hereby

8 appropriated, to the Department of Health and Human Services - Division of

9 Developmental Disabilities Services, to be payable from the federal funds as

10 designated by the Chief Fiscal Officer of the State, for federally funded

11 grants of the Department of Health and Human Services - Division of

12 Developmental Disabilities Services for the biennial period ending June 30,

13 2009, the following:

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15 ITEM	FISCAL YEARS	
16 <u>NO.</u>	2007-2008	2008-2009
17 (01) CHILDREN'S MEDICAL SERVICES-FEDERAL	\$ <u>1,377,338</u>	\$ <u>1,377,338</u>

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19 SECTION 11. APPROPRIATION. GRANTS - COMMUNITY PROVIDERS FOR MEDICAID

20 REIMBURSEMENTS. There is hereby appropriated, to the Department of Health

21 and Human Services - Division of Developmental Disabilities, to be payable

22 from the General Improvement Fund or its successor fund of fund accounts, the

23 following:

24 (A) For community based developmental disability services for children

25 and adults, the sum of.....\$100,000.

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27 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

29 DEVELOPMENTAL DISABILITIES - GRANTS TO COMMUNITY BASED PROVIDERS. Funds

30 allocated under the appropriation for community-based services, for Grants to

31 Community Providers, in the Developmental Disabilities Services - Grants-in-

32 Aid appropriation in this act shall be used only to provide services through

33 private community based services licensed or certified by the Arkansas

34 Division of Developmental Disabilities Services (DDS). Non-profit community-

35 based programs licensed by the Division of Developmental Disabilities

36 Services are quasi-governmental instrumentalities of the state which provide

1 supports and services to individuals who have a developmental disability or  
2 delay, who would otherwise require supports and services through state-  
3 operated programs and facilities owned by the State of Arkansas. When DDS  
4 licensed providers are involved in delivering services which are Medicaid  
5 reimbursable, they must enroll as a provider with the Arkansas Medicaid  
6 Program and must bill the Arkansas Medicaid Program for all covered services  
7 for eligible individuals.

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

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

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

27 ~~In the event that components of community based services now funded~~  
28 ~~from state and/or federal funds are extended to unserved or underserved areas~~  
29 ~~of the state, or in the event that new services categories/codes are made~~  
30 ~~available, to be funded from state and/or federal funds all non-profit~~  
31 ~~community programs licensed by the Division of Developmental Disabilities~~  
32 ~~Services shall be granted an opportunity to make application to expand their~~  
33 ~~service base to unserved or underserved areas or shall be granted an~~  
34 ~~opportunity to make application to offer new services that the State intends~~  
35 ~~to offer. When the Division of Developmental Disabilities Services~~  
36 ~~determines that state and/or federal funding for new or expanded services are~~

~~to be available, it shall provide written notice by certified mail of its intent to existing licensed providers who are already providing services. If no existing licensed providers respond in writing to Division of Developmental Disabilities Services within thirty days that they will provide the new or expanded services, Division of Developmental Disabilities Services shall provide notice to the general public that a new entity will be allowed to develop services and obtain licensure to provide the new or expanded services. Nothing in this Act shall restrict the Division's discretion to award new or expanded services to the existing community based service licensed providers making application for the same pursuant to this section. The intent of this section is to avoid unnecessary duplication of administrative costs and services in the extension or expansion of services.~~

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

SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DEVELOPMENTAL DISABILITIES - VOCATIONAL TRAINEES. The Division of Developmental Disabilities Services of the Department of Health and Human Services is hereby authorized for the ~~2005-2007~~ 2007-2009 biennium to provide employment opportunities for people with developmental disabilities residing at the Human Development Centers who work less than a competitive employment level.

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

SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DEVELOPMENTAL DISABILITIES - CARRY FORWARD. The unexpended balances in appropriations made from federal funds, for Developmental Disabilities, as provided for in this Act on June 30, ~~2006~~ 2008 shall be carried forward and made available for expenditures for the same purpose for the fiscal year ending June 30, ~~2007~~ 2009.

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

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

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

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

25  
26 (4) Thereupon, the Department of Finance and Administration shall include  
27 all information obtained in item (3) above in the biennial budget manuals  
28 and/or a statement of non-compliance by the Agency, Board, Commission or  
29 Institution.

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 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GRANTS IN  
35 AID-CONDITIONS FOR RECEIVING FUNDS. Private nonprofit community based  
36 programs licensed by the Department of Health and Human Services,

1 Developmental Disabilities Services, are eligible to receive funds  
 2 appropriated for Grants to Community Providers in the Developmental  
 3 Disabilities Services - Grants-in-Aid appropriation of this Act, and as a  
 4 condition of receiving such funds they shall:

5 1. Meet minimum standards of performance in the delivery of services to  
 6 people with disabilities as defined by the Department of Health and Human  
 7 Services, Developmental Disabilities Services.

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

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

13 4. Establish and maintain community support programs designed to provide  
 14 coordinated care and treatment to ensure ongoing involvement and  
 15 individualized services for persons with disabilities. Every community  
 16 support program shall provide services for persons with disabilities who  
 17 reside within the respective area of the program.

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

20

21 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

23 DEVELOPMENTAL DISABILITIES – ~~TIMBER AND LAND SALES PROCEEDS - CAPITAL~~  
 24 IMPROVEMENTS AND EQUIPMENT. The Division of Developmental Disabilities  
 25 Services is authorized to use the administrative operating ~~have cash fund~~  
 26 accounts for capital improvements to physical plants and for the purchase of  
 27 capital equipment., ~~and for the operation of the six human development~~  
 28 ~~centers operated by the Department of Human Services, Division of~~  
 29 ~~Developmental Disabilities Services.~~ The ~~cash~~ funds shall be held by the  
 30 Department of Health and Human Services, Division of Developmental  
 31 Disabilities Services from the proceeds of ~~the sale of land and~~ the sale of  
 32 timber that may be harvested from land owned by the Division of Developmental  
 33 Disabilities Services. All funds deposited and all expenses shall be tracked  
 34 separately. The ~~sale of land and the~~ harvesting of timber is specifically  
 35 authorized to provide funds to finance capital improvements to the physical  
 36 plants, for the purchase of major capital equipment., ~~and for the operation~~

1 ~~of any of the six human development centers from which the land or timber is~~  
2 ~~sold.~~

3 The Division of Developmental Disabilities Services shall report all income  
4 derived from ~~the sale of land and~~ timber management to the Chief Fiscal  
5 Officer of the State and the Arkansas Legislative Council. Any contracts  
6 initiated for ~~the sale of land or~~ the harvesting of timber shall be submitted  
7 to the Review Subcommittee of the Arkansas Legislative Council for prior  
8 review. All expenditures of funds derived from ~~the sale of land and~~ the sale  
9 of timber will be expended in accordance with relevant state purchasing laws.

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

12

13 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HUMAN  
15 DEVELOPMENT CENTERS AND COMMUNITY PROVIDERS.

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

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

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

32 (D) Nor shall any general revenue funding as of March 1, ~~2005~~ 2007 from the  
33 Grants to Community Providers line item of the Developmental Disabilities  
34 Services - Grants-in-Aid appropriation for persons with developmental  
35 disabilities or from any other general revenues as of March 1, ~~2005~~ 2007,  
36 applied as federal matching funds for community based services licensed by

1 DDS on March 1, ~~2005~~ 2007 be reduced below the approved funding level on  
2 March 1, ~~2005~~ 2007; nor shall the general revenues applied as federal  
3 matching funds for the Human Development Centers be reduced below the  
4 approved funding level on March 1, ~~2005~~ 2007.

5  
6 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL  
8 PROVISIONS FOR SHIFT DIFFERENTIAL AND WEEKEND PAY FOR PERSONNEL AT HUMAN  
9 DEVELOPMENT CENTERS. SHIFT DIFFERENTIAL. Personnel employed in areas  
10 providing critical support and care to Patient Units at the state operated  
11 human development centers during evening and night shifts shall be eligible  
12 to receive up to twenty percent (20%) of the hourly rate paid as a shift  
13 differential. Personnel required to provide critical and support care to  
14 client units during weekend hours shall be eligible to receive up to twenty  
15 percent (20%) of the hourly rate paid as weekend differential. When  
16 facilities use shifts other than traditional eight-hour shifts, shift  
17 differential may be paid for those shifts exceeding the normal day shift of  
18 the facility. When shift and weekend differentials are provided to employees  
19 as herein described, the total compensation may exceed the maximum annual  
20 rate for the assigned pay grade for those positions included in this Act.

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

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

34  
35 SECTION 19. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
36 by this act shall be limited to the appropriation for such agency and funds

1 made available by law for the support of such appropriations; and the  
2 restrictions of the State Procurement Law, the General Accounting and  
3 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
4 Procedures and Restrictions Act, or their successors, and other fiscal  
5 control laws of this State, where applicable, and regulations promulgated by  
6 the Department of Finance and Administration, as authorized by law, shall be  
7 strictly complied with in disbursement of said funds.

8  
9 SECTION 20. LEGISLATIVE INTENT. It is the intent of the General Assembly  
10 that any funds disbursed under the authority of the appropriations contained  
11 in this act shall be in compliance with the stated reasons for which this act  
12 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
13 and Legislative Recommendations contained in the budget manuals prepared by  
14 the Department of Finance and Administration, letters, or summarized oral  
15 testimony in the official minutes of the Arkansas Legislative Council or  
16 Joint Budget Committee which relate to its passage and adoption.

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

29  
30 /s/ Joint Budget Committee  
31  
32  
33  
34  
35  
36