

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

A Bill

HOUSE BILL 1212

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE DEPARTMENT OF HUMAN
10 SERVICES - ADMINISTRATION FOR THE FISCAL YEAR ENDING
11 JUNE 30, 2014; AND FOR OTHER PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE DEPARTMENT OF HUMAN
15 SERVICES - ADMINISTRATION APPROPRIATION
16 FOR THE 2013-2014 FISCAL YEAR.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. REGULAR SALARIES - DIRECTOR'S OFFICE - OFFICE OF CHIEF
23 COUNSEL. There is hereby established for the Department of Human Services -
24 Director's Office - Office of Chief Counsel for the 2013-2014 fiscal year,
25 the following maximum number of regular employees.
26

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2013-2014
31	(1) U011U	DHS DIRECTOR	1	\$159,443
32	(2) L023N	DHS DEPUTY DIRECTOR	2	GRADE N915
33	(3) G004N	DHS CHIEF ATTORNEY	1	GRADE N908
34	(4) N128N	DHS ASST DIR QUALITY ASSURANCE	1	GRADE N904
35	(5) A007C	AUDIT MANAGER	2	GRADE C129
36	(6) G004C	MANAGING ATTORNEY	3	GRADE C129



1	(7)	G025C	ATTORNEY SUPERVISOR	4	GRADE C127
2	(8)	G024C	DEPARTMENT ADMINISTRATIVE LAW JUDGE	3	GRADE C127
3	(9)	G047C	ATTORNEY SPECIALIST	53	GRADE C126
4	(10)	G042C	DHS ADMINISTRATIVE LAW JUDGE	6	GRADE C126
5	(11)	D030C	INFORMATION SYSTEMS COORDINATOR	2	GRADE C124
6	(12)	A044C	AUDIT COORDINATOR	2	GRADE C122
7	(13)	G124C	OMBUDSMAN	1	GRADE C120
8	(14)	G152C	DHS PROGRAM MANAGER	3	GRADE C119
9	(15)	A066C	INTERNAL AUDITOR	4	GRADE C119
10	(16)	V007C	PROCUREMENT COORDINATOR	1	GRADE C119
11	(17)	A060C	SENIOR AUDITOR	13	GRADE C119
12	(18)	G170C	DHS ADMINISTRATIVE REVIEW OFFICER	6	GRADE C118
13	(19)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE C118
14	(20)	G183C	DHS PROGRAM COORDINATOR	2	GRADE C117
15	(21)	X101C	INTERNAL AFFAIRS INVESTIGATOR	1	GRADE C117
16	(22)	G179C	LEGAL SERVICES SPECIALIST	2	GRADE C117
17	(23)	X125C	FRAUD INVESTIGATOR COORDINATOR	3	GRADE C116
18	(24)	P031C	MEDIA SPECIALIST	1	GRADE C116
19	(25)	G210C	DHS PROGRAM SPECIALIST	3	GRADE C115
20	(26)	X156C	FRAUD INVESTIGATOR	6	GRADE C114
21	(27)	C046C	LEGAL SUPPORT SPECIALIST	36	GRADE C113
22	(28)	C056C	ADMINISTRATIVE SPECIALIST III	8	GRADE C112
23	(29)	C087C	ADMINISTRATIVE SPECIALIST I	<u>2</u>	GRADE C106
24			MAX. NO. OF EMPLOYEES	173	

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26 SECTION 2. REGULAR SALARIES - ADMINISTRATIVE SERVICES. There is hereby
 27 established for the Department of Human Services - Division of Administrative
 28 Services for the 2013-2014 fiscal year, the following maximum number of
 29 regular employees.

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31				Maximum Annual
32			Maximum	Salary Rate
33	Item	Class	No. of	Fiscal Year
34	No.	Code	Title	Employees
				2013-2014
35	(1)	N016N	DHS DEP DIR ADMINISTRATIVE SVCS	1 GRADE N911
36	(2)	N040N	DHS CHIEF INFORMATION OFFICER	1 GRADE N909

1	(3)	N112N	DHS ASST DEP DIR FIN SUPPORT SYSTEM	1	GRADE N905
2	(4)	N111N	DHS ASST DEP DIR FOR MGR ACCOUNTING	1	GRADE N905
3	(5)	N107N	DHS/OFA ASSISTANT DIR - ACCOUNTING	1	GRADE N905
4	(6)	N109N	DHS/OFA ASSISTANT DIRECTOR	1	GRADE N905
5	(7)	R002N	DHS DIRECTOR OF HUMAN RESOURCES	1	GRADE N904
6	(8)	P004N	DHS DIRECTOR OF PUBLIC RELATIONS	1	GRADE N901
7	(9)	N167N	DHS POLICY & RESEARCH DIRECTOR	1	GRADE N901
8	(10)	G027N	DHS RESEARCH ANALYSIS MANAGER	1	GRADE N901
9	(11)	G004C	MANAGING ATTORNEY	1	GRADE C129
10	(12)	A010C	AGENCY CONTROLLER II	6	GRADE C128
11	(13)	D007C	INFORMATION SYSTEMS MANAGER	3	GRADE C128
12	(14)	A027C	ACCOUNTING OPERATIONS MANAGER	1	GRADE C125
13	(15)	R008C	DHS EMPLOYEE RELATIONS MANAGER	1	GRADE C125
14	(16)	G076C	ADMINISTRATIVE SERVICES MANAGER	1	GRADE C124
15	(17)	A031C	ASSISTANT CONTROLLER	6	GRADE C124
16	(18)	R013C	AGENCY HUMAN RESOURCES MANAGER	2	GRADE C123
17	(19)	G099C	DHS PROGRAM ADMINISTRATOR	2	GRADE C122
18	(20)	A052C	ACCOUNTING COORDINATOR	4	GRADE C121
19	(21)	A047C	FINANCIAL ANALYST II	1	GRADE C121
20	(22)	G109C	GRANTS MANAGER	2	GRADE C121
21	(23)	R014C	PERSONNEL MANAGER	1	GRADE C121
22	(24)	V004C	PROCUREMENT MANAGER	1	GRADE C121
23	(25)	D052C	SOFTWARE SUPPORT ANALYST	6	GRADE C121
24	(26)	A056C	DHS FINANCIAL SECTION MANAGER	8	GRADE C120
25	(27)	P013C	PUBLIC INFORMATION COORDINATOR	1	GRADE C120
26	(28)	E023C	TRAINING PROJECT MANAGER	1	GRADE C120
27	(29)	R021C	BUDGET ANALYST	2	GRADE C119
28	(30)	D063C	COMPUTER SUPPORT SPECIALIST	10	GRADE C119
29	(31)	G152C	DHS PROGRAM MANAGER	3	GRADE C119
30	(32)	G147C	GRANTS COORDINATOR	2	GRADE C119
31	(33)	D061C	INFORMATION SYSTEMS COORDINATION SPEC	5	GRADE C119
32	(34)	A065C	PAYROLL SERVICES COORDINATOR	2	GRADE C119
33	(35)	V007C	PROCUREMENT COORDINATOR	3	GRADE C119
34	(36)	A063C	RESEARCH & STATISTICS SUPERVISOR	1	GRADE C119
35	(37)	R024C	ASSISTANT PERSONNEL MANAGER	8	GRADE C118
36	(38)	A075C	FINANCIAL ANALYST I	1	GRADE C118

1	(39)	A074C	FISCAL SUPPORT SUPERVISOR	10	GRADE C118
2	(40)	D064C	WEBSITE DEVELOPER	1	GRADE C118
3	(41)	R027C	BUDGET SPECIALIST	7	GRADE C117
4	(42)	R026C	CIVIL RIGHTS/EMPLOYEE RELATIONS CORD	5	GRADE C117
5	(43)	D071C	COMPUTER SUPPORT ANALYST	1	GRADE C117
6	(44)	G183C	DHS PROGRAM COORDINATOR	2	GRADE C117
7	(45)	P021C	EDITOR	1	GRADE C117
8	(46)	G180C	GRANTS ANALYST	33	GRADE C117
9	(47)	R025C	HUMAN RESOURCES ANALYST	4	GRADE C117
10	(48)	G178C	POLICY DEVELOPMENT COORDINATOR	2	GRADE C117
11	(49)	B076C	RESEARCH PROJECT ANALYST	2	GRADE C117
12	(50)	E040C	STAFF DEVELOPMENT COORDINATOR	4	GRADE C117
13	(51)	A089C	ACCOUNTANT I	15	GRADE C116
14	(52)	R029C	HUMAN RESOURCES RECRUITER	5	GRADE C116
15	(53)	P031C	MEDIA SPECIALIST	1	GRADE C116
16	(54)	C037C	ADMINISTRATIVE ANALYST	6	GRADE C115
17	(55)	D079C	COMPUTER SUPPORT TECHNICIAN	3	GRADE C115
18	(56)	G210C	DHS PROGRAM SPECIALIST	5	GRADE C115
19	(57)	A091C	FISCAL SUPPORT ANALYST	13	GRADE C115
20	(58)	D077C	HELP DESK SPECIALIST	1	GRADE C115
21	(59)	A090C	PAYROLL SERVICES SPECIALIST	1	GRADE C115
22	(60)	S032C	PRINT SHOP SUPERVISOR	1	GRADE C115
23	(61)	V015C	PURCHASING SPECIALIST	4	GRADE C115
24	(62)	C040C	LEASING SPECIALIST	1	GRADE C114
25	(63)	A093C	STATISTICIAN	3	GRADE C114
26	(64)	D081C	TELECOMMUNICATIONS SPECIALIST	1	GRADE C114
27	(65)	V018C	WAREHOUSE MANAGER	1	GRADE C114
28	(66)	C050C	ADMINISTRATIVE SUPPORT SUPERVISOR	2	GRADE C113
29	(67)	R036C	HUMAN RESOURCES SPECIALIST	6	GRADE C113
30	(68)	V020C	INVENTORY CONTROL MANAGER	1	GRADE C113
31	(69)	C043C	RECORDS MANAGEMENT ANALYST	6	GRADE C113
32	(70)	C056C	ADMINISTRATIVE SPECIALIST III	15	GRADE C112
33	(71)	A098C	FISCAL SUPPORT SPECIALIST	31	GRADE C112
34	(72)	S054C	PRINTER	4	GRADE C111
35	(73)	R038C	HUMAN RESOURCES ASSISTANT	9	GRADE C110
36	(74)	V025C	WAREHOUSE SPECIALIST	3	GRADE C110

1	(75)	C073C	ADMINISTRATIVE SPECIALIST II	11	GRADE C109
2	(76)	C070C	DUPLICATION ASSISTANT	1	GRADE C109
3	(77)	V027C	INVENTORY CONTROL TECHNICIAN	1	GRADE C108
4	(78)	C083C	MAIL SERVICES COORDINATOR	1	GRADE C107
5	(79)	C087C	ADMINISTRATIVE SPECIALIST I	7	GRADE C106
6	(80)	V028C	WAREHOUSE WORKER	1	GRADE C106
7	(81)	C088C	MAIL SERVICES ASSISTANT	<u>5</u>	GRADE C105
8			MAX. NO. OF EMPLOYEES	332	

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SECTION 3. REGULAR SALARIES - COMMUNITY SERVICE AND NONPROFIT SUPPORT.

There is hereby established for the Department of Human Services - Division of Community Service and Nonprofit Support for the 2013-2014 fiscal year, the following maximum number of regular employees.

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15					Maximum Annual
16				Maximum	Salary Rate
17	Item	Class		No. of	Fiscal Year
18	No.	Code	Title	Employees	2013-2014
19	(1)	N171N	DHS DEP DIR OFFICE OF VOLUNTEER SVCS	1	GRADE N902
20	(2)	G076C	ADMINISTRATIVE SERVICES MANAGER	1	GRADE C124
21	(3)	G080C	NATIONAL & COMMUNITY SVCS EXEC DIR	1	GRADE C123
22	(4)	G152C	DHS PROGRAM MANAGER	1	GRADE C119
23	(5)	G147C	GRANTS COORDINATOR	1	GRADE C119
24	(6)	M037C	PROGRAM ELIGIBILITY SUPERVISOR	1	GRADE C117
25	(7)	E040C	STAFF DEVELOPMENT COORDINATOR	1	GRADE C117
26	(8)	G176C	VOLUNTEER PROGRAM MANAGER	1	GRADE C117
27	(9)	C022C	BUSINESS OPERATIONS SPECIALIST	1	GRADE C116
28	(10)	G202C	VOLUNTEER PROGRAM COORDINATOR	8	GRADE C115
29	(11)	G236C	DHS/DOV AREA COORDINATOR	1	GRADE C114
30	(12)	G214C	GRANTS SPECIALIST	1	GRADE C114
31	(13)	C056C	ADMINISTRATIVE SPECIALIST III	2	GRADE C112
32	(14)	V022C	PURCHASING TECHNICIAN	1	GRADE C112
33	(15)	C073C	ADMINISTRATIVE SPECIALIST II	<u>2</u>	GRADE C109
34			MAX. NO. OF EMPLOYEES	24	

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

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1 There is hereby authorized, for the Department of Human Services - Director's
 2 Office - Office of Chief Counsel for the 2013-2014 fiscal year, the following
 3 maximum number of part-time or temporary employees, to be known as "Extra
 4 Help", payable from funds appropriated herein for such purposes: ten (10)
 5 temporary or part-time employees, when needed, at rates of pay not to exceed
 6 those provided in the Uniform Classification and Compensation Act, or its
 7 successor, or this act for the appropriate classification.

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 9 SECTION 5. EXTRA HELP - ADMINISTRATIVE SERVICES. There is hereby
 10 authorized, for the Department of Human Services - Division of Administrative
 11 Services for the 2013-2014 fiscal year, the following maximum number of part-
 12 time or temporary employees, to be known as "Extra Help", payable from funds
 13 appropriated herein for such purposes: twenty (20) temporary or part-time
 14 employees, when needed, at rates of pay not to exceed those provided in the
 15 Uniform Classification and Compensation Act, or its successor, or this act
 16 for the appropriate classification.

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 18 SECTION 6. APPROPRIATION - DIRECTOR'S OFFICE - OFFICE OF CHIEF COUNSEL
 19 - OPERATIONS. There is hereby appropriated, to the Department of Human
 20 Services - Director's Office - Office of Chief Counsel, to be payable from
 21 the paying account as determined by the Chief Fiscal Officer of the State,
 22 for personal services and operating expenses of the Department of Human
 23 Services - Director's Office - Office of Chief Counsel for the fiscal year
 24 ending June 30, 2014, the following:

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26 ITEM	FISCAL YEAR
27 NO.	2013-2014
28 (01) REGULAR SALARIES	\$8,402,117
29 (02) EXTRA HELP	177,770
30 (03) PERSONAL SERVICES MATCHING	2,814,784
31 (04) MAINT. & GEN. OPERATION	
32 (A) OPER. EXPENSE	1,215,110
33 (B) CONF. & TRAVEL	8,472
34 (C) PROF. FEES	11,000
35 (D) CAP. OUTLAY	0
36 (E) DATA PROC.	0

1	(05) DATA PROCESSING SERVICES	<u>12,300</u>
2	TOTAL AMOUNT APPROPRIATED	<u><u>\$12,641,553</u></u>

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 4 SECTION 7. APPROPRIATION - ADMINISTRATIVE SERVICES - OPERATIONS. There
 5 is hereby appropriated, to the Department of Human Services - Division of
 6 Administrative Services, to be payable from the paying account as determined
 7 by the Chief Fiscal Officer of the State, for personal services and operating
 8 expenses of the Department of Human Services - Division of Administrative
 9 Services for the fiscal year ending June 30, 2014, the following:

11	ITEM	FISCAL YEAR
12	<u>NO.</u>	<u>2013-2014</u>
13	(01) REGULAR SALARIES	\$13,095,874
14	(02) EXTRA HELP	64,480
15	(03) PERSONAL SERVICES MATCHING	4,682,474
16	(04) OVERTIME	10,000
17	(05) MAINT. & GEN. OPERATION	
18	(A) OPER. EXPENSE	3,500,000
19	(B) CONF. & TRAVEL	30,000
20	(C) PROF. FEES	11,000,000
21	(D) CAP. OUTLAY	0
22	(E) DATA PROC.	0
23	(06) DATA PROCESSING SERVICES	<u>1,967,600</u>
24	TOTAL AMOUNT APPROPRIATED	<u><u>\$34,350,428</u></u>

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 26 SECTION 8. APPROPRIATION - ADMINISTRATIVE SERVICES - CLIENT SPECIFIC
 27 EMERGENCY SERVICES - CASH. There is hereby appropriated, to the Department
 28 of Human Services - Division of Administrative Services, to be payable from
 29 cash funds as defined by Arkansas Code 19-4-801 of the Department of Human
 30 Services - Division of Administrative Services, for purchase of services of
 31 the Department of Human Services - Division of Administrative Services for
 32 the fiscal year ending June 30, 2014, the following:

34	ITEM	FISCAL YEAR
35	<u>NO.</u>	<u>2013-2014</u>
36	(01) PURCHASE OF SERVICES	<u><u>\$120,000</u></u>

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SECTION 9. APPROPRIATION - ADMINISTRATIVE SERVICES - VARIOUS BUILDING CONSTRUCTION. There is hereby appropriated, to the Department of Human Services - Division of Administrative Services, to be payable from the Department of Human Services Renovation Fund, for construction, renovation, maintenance, equipment and repairs for various buildings operated by the Department of Human Services for the fiscal year ending June 30, 2014, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2013-2014</u>
(01) CONSTRUCTION	<u>\$7,648,900</u>

SECTION 10. APPROPRIATION - ADMINISTRATIVE SERVICES - CONSOLIDATED COST. There is hereby appropriated, to the Department of Human Services - Division of Administrative Services, to be payable from the DHS Consolidated Cost Revolving Fund, for operating expenses of the Department of Human Services - Division of Administrative Services - Consolidated Cost for the fiscal year ending June 30, 2014, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2013-2014</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$821,500
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$821,500</u>

SECTION 11. APPROPRIATION - ADMINISTRATIVE SERVICES - SOCIAL SERVICES BLOCK GRANT - FEDERAL. There is hereby appropriated, to the Department of Human Services - Division of Administrative Services, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for purchase of services of the Department of Human Services - Division of Administrative Services for the fiscal year ending June 30, 2014, the

1 following:

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3 ITEM	FISCAL YEAR
4 <u>NO.</u>	<u>2013-2014</u>
5 (01) PURCHASE OF SERVICES	<u>\$139,733</u>

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7 SECTION 12. APPROPRIATION - COMMUNITY SERVICE AND NONPROFIT SUPPORT -
 8 OPERATIONS. There is hereby appropriated, to the Department of Human
 9 Services - Division of Community Service and Nonprofit Support, to be payable
 10 from the paying account as determined by the Chief Fiscal Officer of the
 11 State, for personal services and operating expenses of the Department of
 12 Human Services - Division of Community Service and Nonprofit Support for the
 13 fiscal year ending June 30, 2014, the following:

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15 ITEM	FISCAL YEAR
16 <u>NO.</u>	<u>2013-2014</u>
17 (01) REGULAR SALARIES	\$905,596
18 (02) PERSONAL SERVICES MATCHING	328,596
19 (03) OVERTIME	1,000
20 (04) MAINT. & GEN. OPERATION	
21 (A) OPER. EXPENSE	202,389
22 (B) CONF. & TRAVEL	26,885
23 (C) PROF. FEES	10,000
24 (D) CAP. OUTLAY	0
25 (E) DATA PROC.	0
26 (05) DATA PROCESSING SERVICES	<u>8,200</u>
27 TOTAL AMOUNT APPROPRIATED	<u>\$1,482,666</u>

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29 SECTION 13. APPROPRIATION - COMMUNITY SERVICE AND NONPROFIT SUPPORT -
 30 CASH. There is hereby appropriated, to the Department of Human Services -
 31 Division of Community Service and Nonprofit Support, to be payable from the
 32 cash fund deposited in the State Treasury as determined by the Chief Fiscal
 33 Officer of the State, for operating expenses of the Department of Human
 34 Services - Division of Community Service and Nonprofit Support for the fiscal
 35 year ending June 30, 2014, the following:

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1	ITEM	FISCAL YEAR
2	<u>NO.</u>	<u>2013-2014</u>
3	(01) MAINT. & GEN. OPERATION	
4	(A) OPER. EXPENSE	\$7,703
5	(B) CONF. & TRAVEL	2,865
6	(C) PROF. FEES	1,432
7	(D) CAP. OUTLAY	0
8	(E) DATA PROC.	<u>0</u>
9	TOTAL AMOUNT APPROPRIATED	<u><u>\$12,000</u></u>

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11 SECTION 14. APPROPRIATION - COMMUNITY SERVICE AND NONPROFIT SUPPORT -
 12 AMERICORPS GRANTS. There is hereby appropriated, to the Department of Human
 13 Services - Division of Community Service and Nonprofit Support, to be payable
 14 from the paying account as determined by the Chief Fiscal Officer of the
 15 State, for AmeriCorps Grants of the Department of Human Services - Division
 16 of Community Service and Nonprofit Support for the fiscal year ending June
 17 30, 2014, the following:

18

19	ITEM	FISCAL YEAR
20	<u>NO.</u>	<u>2013-2014</u>
21	(01) AMERICORPS GRANTS	<u><u>\$2,410,704</u></u>

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

25 DIRECTOR'S OFFICE/OFFICE OF CHIEF COUNSEL - PURCHASE OF EVIDENCE. Upon
 26 approval by the Chief Fiscal Officer of the State, the Chief Counsel for the
 27 Department of Human Services may transfer an amount up to but not to exceed
 28 \$12,000 and deposit same in a bank account for the purpose of purchasing
 29 evidence in the course of investigating the illegal use of food
 30 stamps/Electronic Benefit Transfer (EBT) cards. The funds so transferred
 31 shall be subject to accounting in a manner substantially similar to that
 32 employed by the Arkansas State Police for such transactions; provided
 33 however, that information tending to identify participants in such
 34 transactions shall be exempt from the Arkansas Freedom of Information Act.

35 The provisions of this section shall be in effect only from July 1, ~~2012~~
 36 2013 through June 30, ~~2013~~ 2014.

1
2 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HUMAN
4 SERVICES RENOVATION FUND. Department of Human Services Renovation Fund.

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

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

11 (c) The fund shall consist of:

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

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

25 (3) Other non-general revenue funds as may be available within the Department
26 of Human Services that can be used for the purposes of this fund.

27 (d)(1) At the request of the Director of the Department of Human Services,
28 and upon certification of the availability of such funds, the Chief Fiscal
29 Officer of the State shall initiate the necessary transfer documents to
30 reflect the transfer on the books of record of the Treasurer of State, the
31 Auditor of State, the Chief Fiscal Officer of the State, and the Department
32 of Human Services.

33 (2) The Director of the Department of Human Services shall submit any
34 transfer plan to and must receive approval of the plan from the Chief Fiscal
35 Officer of the State, the Governor and the Arkansas Legislative Council prior
36 to the effective date of the transfer.

1 (e) Provided, that any non-general revenue funding that may remain in the
2 fund at the end of any fiscal year shall be carried over into the next fiscal
3 year and all obligated general revenue funding that may remain in the fund at
4 the end of any fiscal year shall be carried over into the next fiscal year to
5 satisfy such legal and contractual obligations that have been entered into
6 prior to the end of the fiscal year.

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

22 The provisions of this section shall be in effect only from July 1, ~~2012~~
23 2013 through June 30, ~~2013~~ 2014.

24
25 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
27 AUTHORITY. The Director of the Department of Human Services shall have
28 transfer authority provided by the following:

29 (a) DEPARTMENT OF HUMAN SERVICES RENOVATION FUND. The Director of the
30 Department of Human Services is authorized to request fund transfers
31 according to the provisions established by Arkansas Code Ann. 19-5-1020,
32 Department of Human Services Renovation Fund, as amended herein; and

33 (b) MATCH TRANSFER. The Director of the Department of Human Services,
34 with the approval of the Chief Fiscal Officer of the State, is authorized to
35 effect inter-agency and inter-divisional fund transfers for the purpose of
36 providing the State's matching share for payments made to that Division or

1 Office or its service providers for services eligible for federal
2 reimbursement under programs administered by the Department of Human
3 Services. The Department of Human Services shall report to the Legislative
4 Council or Joint Budget Committee on a quarterly basis all fund transfers
5 made in accordance with the authority granted by this section; and

6 (c) YOUTH SERVICES - HOUSING AND SEPARATION APPROPRIATION PROVISIONS. The
7 Division of Youth Services (DYS) is authorized to fulfill its responsibility
8 to house offenders between the ages of 18 and 21 and to separate juvenile
9 offenders by age and seriousness of offense by either employing additional
10 state employees and providing the corresponding operating expenses or
11 entering into professional services contracts. If the Division of Youth
12 Services determines that the Division needs to employ state employees to
13 fulfill the housing and separation requirements, they may transfer up to the
14 total amount appropriated for the DYS - Residential Services Program
15 appropriation to the appropriate DYS appropriation and line items, upon
16 approval of the Chief Fiscal Officer of the State, and prior review by the
17 Legislative Council; and

18 (d) REALLOCATION OF RESOURCES: (1) The Department of Human Services (DHS)
19 provides hundreds of different services to over 1 million Arkansans. The
20 specific mix of service needs and the funding and staffing required to
21 provide them can vary significantly based on many factors, including natural
22 disasters, changing federal mandates and funding sources, demographic shifts,
23 fluctuating court-ordered services, social trends, and job market variations
24 such as nursing shortages. The impact of these factors through the course of
25 any fiscal year make it very difficult for the Department to accurately
26 predict the exact needs for funding, appropriation and positions in each of
27 its over 100 different appropriations. To ensure that it can respond quickly
28 to changing client needs and make the most effective use of the resources
29 allocated to it, the Department of Human Services shall be authorized to
30 utilize the reallocation of resource authority to make the proper adjustments
31 to the budgets within the Department. Therefore, upon determination by the
32 Director of the Department of Human Services that a reallocation of resources
33 within the department is necessary for the efficient and effective operation
34 of the department, the director, with approval of the Governor, shall have
35 the authority to request, from the Chief Fiscal Officer of the State, a
36 transfer of positions, appropriations, line item appropriations, and funds

1 within or between existing and newly created divisions, offices, sections, or
2 units of the department. Provided, however, that no transfer of funds or
3 appropriation that provides direct support or matching support for the
4 Arkansas Medicaid Program shall be made to any other fund account or
5 appropriation that does not directly support the Arkansas Medicaid Program.
6 Further, no positions, funds, or appropriation authorized during the budget
7 process for the Division of Children and Family Services compliance with
8 initiatives established under the Angela R. consent decree shall be
9 transferred to any other division. Nothing in this provision is intended to
10 prevent the one-time transfers of savings in any other program to the
11 Arkansas Medicaid Program, with the exception of the provisions previously
12 cited for the Division of Children and Family Services – Angela R. consent
13 decree. The Division of Developmental Disabilities – Grants to Community
14 Providers line item of the Developmental Disabilities Services - Grants-in-
15 Aid appropriation may not be decreased. The appropriation, funding, and
16 positions provided for the ~~six~~ five Human Development Centers shall remain at
17 a level sufficient to ensure quality care for the Centers' residents. The
18 exemptions provided in this subsection whereby certain DHS Programs and
19 Divisions are protected from appropriation, fund, or position transfers are
20 applicable only to the reallocation or transfer authority granted herein, and
21 not by any reductions which are applicable to all state programs.

22 The Director of the Department of Human Services shall submit any requests
23 for transfers to and must receive approval of the requests for transfers from
24 the Chief Fiscal Officer of the State, the Governor, and the Arkansas
25 Legislative Council prior to the effective date of the transfers. Provided,
26 however, that the Department of Human Services shall be limited to submitting
27 no more than two reallocation of resources transfer requests during any
28 fiscal year. In each Departmental request no single division will request
29 reallocation for more than one purpose as listed in this section. Transfer
30 authority for unforeseen purposes shall further be limited to no more than 5%
31 of the total appropriation, funding, and positions authorized for the
32 Department. Reallocation of resources transfers may include multiple items
33 but shall be limited to the following purposes:

- 34 i). Medicaid Program
- 35 ii). Facilities and institutions costs, including operational expenses and
36 construction/renovation/equipping expenses

- 1 iii). Departmental grants and contracts
2 iv). Court ordered settlements and payments
3 v). Payment of administrative expenses, including but not limited to,
4 overtime and other costs of personnel for critical services or functions
5 necessary to carry out the mission of the agency
6 vi). Restructuring efforts as deemed necessary to comply with new and/or
7 unanticipated federal or state mandates
8 vii). Redirecting internal resources, both direct and/or indirect, to meet
9 client needs and services

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

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

36 The provisions of this section shall be in effect only from July 1, ~~2012~~

1 2013 through June 30, ~~2013~~ 2014.

2
3 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

5 NURSING/DIRECT CARE EDUCATION STIPEND PROGRAM. Special provision for a
6 Nursing/Direct Care Education Stipend Program for the Department of Human
7 Services is hereby authorized to pay from State and Federal Funds
8 appropriated in each division Act. This program is for eligible nursing
9 students who are attending accredited nursing institutions to become
10 Registered or Licensed Practical Nurses, as well as Certified Nursing
11 Assistants, Residential Care Assistants, Residential Care Technicians,
12 Residential Care Supervisors and Behavioral Health Aides.

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

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

24 The provisions of this section shall be in effect only from July 1, ~~2012~~
25 2013 through June 30, ~~2013~~ 2014.

26
27 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

29 NURSING/DIRECT CARE RECRUITMENT/RETENTION BONUSES. Special provision to
30 provide Nursing/Direct Care Recruitment and Retention Bonuses for the
31 Department of Human Services is hereby authorized to pay from State and
32 Federal funds appropriated for each respective division. Nursing/direct care
33 service recruitment/retention bonuses are in addition to the maximum annual
34 amounts provided in the Regular Salaries Section of the respective Division
35 Act for Registered Nurse, Licensed Practical Nurse, Certified Nursing
36 Assistant, Residential Care Assistant, Residential Care Technician,

1 Residential Care Supervisor and Behavioral Health Aide. New hire nurses must
 2 be licensed by the Arkansas State Board of Nursing. The total
 3 recruitment/retention bonus payment commitment for eligible nurses shall not
 4 exceed \$4,000 per Registered Nurse and \$2,000 per Licensed Practical Nurse
 5 and \$1,000 per Certified Nursing Assistant, Residential Care Assistant,
 6 Residential Care Technician, Residential Care Supervisor and Behavioral
 7 Health Aide.

8 The lump sum bonus payments and employment commitment to the State will be
 9 made in partial payments as follows:

10
 11 Registered Nurse Classifications

- 12 \$1,000 after completing 6 months probationary employment
- 13 \$1,500 after completing 1st year employment
- 14 \$1,500 after completing 2nd year employment

15
 16 Licensed Practical Nurse Classifications

- 17 \$ 500 after completing 6 months probationary employment
- 18 \$ 500 after completing 1st year employment
- 19 \$1,000 after completing 2nd year employment

20
 21 Certified Nursing Assistant/Residential Care Assistant/Residential Care
 22 Technician/Residential Care Supervisor/Behavioral Health Aide
 23 Classifications

- 24 \$ 500 after completing 6 month probationary employment
- 25 \$ 500 after completing 1st year employment

26
 27 Any qualified person hired and offered bonus payment described herein will
 28 forfeit the balance of the payments if he/she voluntarily resigns or is
 29 terminated for cause from employment from the Department of Human Services
 30 prior to completing the required employment commitment time periods outlined
 31 above.

32 The provisions of this section shall be in effect only from July 1, ~~2012~~
 33 2013 through June 30, ~~2013~~ 2014.

34
 35 SECTION 20. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
 36 authorized by this act shall be limited to the appropriation for such agency

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

17
18 SECTION 22. EMERGENCY CLAUSE. It is found and determined by the
19 General Assembly, that the Constitution of the State of Arkansas prohibits
20 the appropriation of funds for more than a one (1) year period; that the
21 effectiveness of this Act on July 1, 2013 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 legislative session, the delay in the
24 effective date of this Act beyond July 1, 2013 could work irreparable harm
25 upon the proper administration and provision of essential governmental
26 programs. Therefore, an emergency is hereby declared to exist and this Act
27 being necessary for the immediate preservation of the public peace, health
28 and safety shall be in full force and effect from and after July 1, 2013.