

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

A Bill

SENATE BILL 201

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 - DIVISION OF BEHAVIORAL HEALTH SERVICES FOR
11 THE FISCAL YEAR ENDING JUNE 30, 2018; AND FOR OTHER
12 PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE DEPARTMENT OF HUMAN
16 SERVICES - DIVISION OF BEHAVIORAL HEALTH
17 SERVICES APPROPRIATION FOR THE 2017-2018
18 FISCAL YEAR.
19
20
21

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

24 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established
25 for the Department of Human Services - Division of Behavioral Health Services
26 for the 2017-2018 fiscal year, the following maximum number of regular
27 employees.
28

Item	Class		Maximum	Maximum Annual
No.	Code	Title	No. of	Salary Rate
			Employees	Fiscal Year
				2017-2018
33	(1) L005N	PSYCHIATRIC SPECIALIST	1	GRADE N919
34	(2) N182N	ASH CHIEF OPERATING OFFICER	1	GRADE N918
35	(3) L009N	DHS BEHAV HLTH GENERAL PHYSICIAN	6	GRADE N917
36	(4) L011N	DENTIST	1	GRADE N916



1	(5)	L014N	DIRECTOR OF PHARMACY	1	GRADE N914
2	(6)	L016N	REGISTERED PHARMACIST	2	GRADE N911
3	(7)	N019N	DHS DEP DIR BEHAV HLTH SERVICES	1	GRADE N910
4	(8)	N189N	DHS/DMS DEPUTY DIRECTOR	1	GRADE N908
5	(9)	N088N	DHS AHC DIRECTOR OF NURSING	1	GRADE N906
6	(10)	N103N	DHS MENTAL HEALTH CENTER DIRECTOR	1	GRADE N906
7	(11)	N128N	DHS ASST DIR QUALITY ASSURANCE	1	GRADE N904
8	(12)	N123N	DHS/DBHS ASST DIR FOR FINANCE	1	GRADE N904
9	(13)	N127N	DHS/DBHS DIR ALCOHOL/DRUG ABUSE PREV	1	GRADE N904
10	(14)	N185N	DIR OF OUTCOMES MGMT & PRACTICE IMP	1	GRADE N904
11	(15)	N135N	DHS AHC NURSING HOME ADMINISTRATOR	1	GRADE N903
12	(16)	N167N	DHS POLICY & RESEARCH DIRECTOR	1	GRADE N901
13	(17)	G027N	DHS RESEARCH ANALYSIS MANAGER	1	GRADE N901
14	(18)	L022N	OCCUPATIONAL THERAPIST	2	GRADE N901
15	(19)	L021N	PHYSICAL THERAPIST	1	GRADE N901
16	(20)	N162N	STATE DRUG PREVENTION DIRECTOR	1	GRADE N901
17	(21)	L001C	PSYCHOLOGIST SUPERVISOR	2	GRADE C129
18	(22)	M002C	DHS BEHAV HLTH ASSOC DIR, AHC	1	GRADE C127
19	(23)	M003C	DHS BEHAV HLTH CHILDRENS SYS CARE DIR	1	GRADE C127
20	(24)	A016C	DHS DMS BUSINESS OPERATIONS MANAGER	1	GRADE C127
21	(25)	L003C	PSYCHOLOGIST	4	GRADE C127
22	(26)	L006C	ASSOCIATE DIRECTOR OF NURSING	3	GRADE C126
23	(27)	L011C	DHS ALCOHOL/DRUG ABUSE PREV AST DP DIR	2	GRADE C125
24	(28)	L009C	NURSE MANAGER	8	GRADE C125
25	(29)	M004C	RESIDENTIAL OPERATIONS MANAGER	2	GRADE C125
26	(30)	G076C	ADMINISTRATIVE SERVICES MANAGER	1	GRADE C124
27	(31)	L015C	CLINICAL SPEECH PATHOLOGIST	1	GRADE C124
28	(32)	L024C	DHS BEHAV HLTH FACILITY ADMIN	1	GRADE C123
29	(33)	A038C	FISCAL SUPPORT MANAGER	1	GRADE C123
30	(34)	G099C	DHS PROGRAM ADMINISTRATOR	4	GRADE C122
31	(35)	A041C	PROGRAM FISCAL MANAGER	1	GRADE C122
32	(36)	L027C	REGISTERED NURSE SUPERVISOR	19	GRADE C122
33	(37)	M010C	FAMILY SERVICE WORKER CLINICAL SPEC	2	GRADE C121
34	(38)	M009C	LICENSED CERTIFIED SOCIAL WORKER	30	GRADE C121
35	(39)	S004C	MAINTENANCE MANAGER	2	GRADE C121
36	(40)	L036C	NURSE INSTRUCTOR	1	GRADE C121

1	(41)	R014C	PERSONNEL MANAGER	1	GRADE C121
2	(42)	L033C	PSYCHOLOGICAL EXAMINER	3	GRADE C121
3	(43)	L032C	REGISTERED NURSE - HOSPITAL	61	GRADE C121
4	(44)	T031C	DHS BEHAV HLTH PUBLIC SAFETY DIR	2	GRADE C120
5	(45)	L040C	DIETARY SERVICES DIRECTOR	1	GRADE C120
6	(46)	E026C	EDUCATION & INSTRUCTION COORDINATOR	1	GRADE C120
7	(47)	D057C	INFORMATION TECHNOLOGY MANAGER	1	GRADE C120
8	(48)	G124C	OMBUDSMAN	1	GRADE C120
9	(49)	L038C	REGISTERED NURSE	8	GRADE C120
10	(50)	E023C	TRAINING PROJECT MANAGER	1	GRADE C120
11	(51)	E035C	CERTIFIED MASTERS TEACHER	1	GRADE C119
12	(52)	D062C	DATABASE ANALYST	2	GRADE C119
13	(53)	L044C	DHS BEHAV HLTH CASE REVIEW ANALYST	1	GRADE C119
14	(54)	G152C	DHS PROGRAM MANAGER	6	GRADE C119
15	(55)	X062C	QUALITY ASSURANCE COORDINATOR	1	GRADE C119
16	(56)	A063C	RESEARCH & STATISTICS SUPERVISOR	1	GRADE C119
17	(57)	A060C	SENIOR AUDITOR	1	GRADE C119
18	(58)	L050C	CERTIFIED RESPIRATORY THERAPY TECH	4	GRADE C118
19	(59)	A074C	FISCAL SUPPORT SUPERVISOR	3	GRADE C118
20	(60)	M026C	LICENSED SOCIAL WORKER	6	GRADE C118
21	(61)	M023C	SUBSTANCE ABUSE PROGRAM COORD	1	GRADE C118
22	(62)	M045C	ADULT PROTECTIVE SERVICES WORKER	1	GRADE C117
23	(63)	E044C	CERTIFIED BACHELORS TEACHER	4	GRADE C117
24	(64)	G184C	DHS PROGRAM CONSULTANT	3	GRADE C117
25	(65)	G183C	DHS PROGRAM COORDINATOR	16	GRADE C117
26	(66)	T052C	DHS/DBHS PUBLIC SAFETY SUPERVISOR	8	GRADE C117
27	(67)	L055C	DIETICIAN	2	GRADE C117
28	(68)	G180C	GRANTS ANALYST	3	GRADE C117
29	(69)	R025C	HUMAN RESOURCES ANALYST	1	GRADE C117
30	(70)	X101C	INTERNAL AFFAIRS INVESTIGATOR	2	GRADE C117
31	(71)	S017C	MAINTENANCE COORDINATOR	2	GRADE C117
32	(72)	P020C	PRODUCTION ARTIST	1	GRADE C117
33	(73)	L052C	REHAB FACILITY SUPERVISOR	2	GRADE C117
34	(74)	L051C	REHABILITATION COUNSELOR	1	GRADE C117
35	(75)	B076C	RESEARCH PROJECT ANALYST	3	GRADE C117
36	(76)	C022C	BUSINESS OPERATIONS SPECIALIST	1	GRADE C116

1	(77)	P031C	MEDIA SPECIALIST	1	GRADE C116
2	(78)	T055C	PUBLIC SAFETY OFFICER	26	GRADE C116
3	(79)	M049C	SENIOR CHAPLAIN	1	GRADE C116
4	(80)	S022C	SKILLED TRADES SUPERVISOR	8	GRADE C116
5	(81)	S021C	WATER FILTER/WASTE DISPOSAL PLNT SUPV	1	GRADE C116
6	(82)	C037C	ADMINISTRATIVE ANALYST	10	GRADE C115
7	(83)	D079C	COMPUTER SUPPORT TECHNICIAN	2	GRADE C115
8	(84)	A091C	FISCAL SUPPORT ANALYST	2	GRADE C115
9	(85)	D077C	HELP DESK SPECIALIST	1	GRADE C115
10	(86)	R032C	HUMAN RESOURCES PROGRAM REP	1	GRADE C115
11	(87)	L062C	LICENSED PRACTICAL NURSE SUPERVISOR	12	GRADE C115
12	(88)	S033C	MAINTENANCE SUPERVISOR	2	GRADE C115
13	(89)	C028C	MEDICAL RECORDS SUPERVISOR	1	GRADE C115
14	(90)	A090C	PAYROLL SERVICES SPECIALIST	2	GRADE C115
15	(91)	G204C	PLANNING SPECIALIST	1	GRADE C115
16	(92)	X136C	QUALITY ASSURANCE REVIEWER	2	GRADE C115
17	(93)	S031C	SKILLED TRADESMAN	24	GRADE C115
18	(94)	S030C	WATER FILTER/WASTE DISPOSAL PLNT OPER	1	GRADE C115
19	(95)	S041C	BOILER OPERATOR	3	GRADE C114
20	(96)	M066C	PROGRAM ELIGIBILITY SPECIALIST	5	GRADE C114
21	(97)	M065C	RECREATIONAL ACTIVITY SUPERVISOR	3	GRADE C114
22	(98)	E051C	STAFF DEVELOPMENT SPECIALIST	1	GRADE C114
23	(99)	S099C	STATIONARY ENGINEER	1	GRADE C114
24	(100)	V018C	WAREHOUSE MANAGER	1	GRADE C114
25	(101)	C050C	ADMINISTRATIVE SUPPORT SUPERVISOR	1	GRADE C113
26	(102)	X167C	COMPLAINTS INVESTIGATOR	1	GRADE C113
27	(103)	R036C	HUMAN RESOURCES SPECIALIST	6	GRADE C113
28	(104)	V020C	INVENTORY CONTROL MANAGER	3	GRADE C113
29	(105)	L069C	LICENSED PRACTICAL NURSE	122	GRADE C113
30	(106)	S046C	MAINTENANCE TECHNICIAN	1	GRADE C113
31	(107)	L067C	PSYCHOLOGICAL INTERN	3	GRADE C113
32	(108)	C043C	RECORDS MANAGEMENT ANALYST	4	GRADE C113
33	(109)	L066C	REHABILITATION INSTRUCTOR	38	GRADE C113
34	(110)	T072C	SECURITY OFFICER SUPERVISOR	1	GRADE C113
35	(111)	C056C	ADMINISTRATIVE SPECIALIST III	50	GRADE C112
36	(112)	R037C	BENEFITS TECHNICIAN	2	GRADE C112

1	(113)	A098C	FISCAL SUPPORT SPECIALIST	5	GRADE C112
2	(114)	A097C	PAYROLL TECHNICIAN	2	GRADE C112
3	(115)	V022C	PURCHASING TECHNICIAN	1	GRADE C112
4	(116)	S056C	FOOD PREPARATION SUPERVISOR	10	GRADE C111
5	(117)	M076C	RECREATIONAL ACTIVITY LEADER II	29	GRADE C111
6	(118)	M074C	RESIDENTIAL ADVISOR	10	GRADE C111
7	(119)	V023C	STOREROOM SUPERVISOR	1	GRADE C111
8	(120)	B111C	LABORATORY TECHNICIAN	1	GRADE C110
9	(121)	T084C	PUBLIC SAFETY SECURITY OFFICER	45	GRADE C110
10	(122)	L074C	THERAPY ASSISTANT	3	GRADE C110
11	(123)	V025C	WAREHOUSE SPECIALIST	1	GRADE C110
12	(124)	C073C	ADMINISTRATIVE SPECIALIST II	9	GRADE C109
13	(125)	L082C	CERTIFIED NURSING ASSISTANT	157	GRADE C109
14	(126)	L080C	DIETETIC TECHNICIAN	2	GRADE C109
15	(127)	M082C	RECREATIONAL ACTIVITY LEADER I	4	GRADE C109
16	(128)	E056C	TEACHER ASSISTANT	4	GRADE C109
17	(129)	M084C	BEHAV HLTH AIDE	77	GRADE C108
18	(130)	C078C	CASHIER	1	GRADE C108
19	(131)	S067C	HOUSEKEEPER SUPERVISOR	1	GRADE C108
20	(132)	V027C	INVENTORY CONTROL TECHNICIAN	7	GRADE C108
21	(133)	C074C	MEDICAL RECORDS ASSISTANT	1	GRADE C108
22	(134)	M083C	RESIDENTIAL CARE TECHNICIAN	4	GRADE C108
23	(135)	S070C	EQUIPMENT TECHNICIAN	7	GRADE C107
24	(136)	C087C	ADMINISTRATIVE SPECIALIST I	5	GRADE C106
25	(137)	L086C	PHARMACY ASSISTANT	2	GRADE C106
26	(138)	V028C	WAREHOUSE WORKER	2	GRADE C106
27	(139)	V030C	SHIPPING & RECEIVING CLERK	2	GRADE C105
28	(140)	S085C	FOOD PREPARATION SPECIALIST	7	GRADE C104
29	(141)	S084C	INSTITUTIONAL SERVICES SUPERVISOR	4	GRADE C104
30	(142)	S087C	INSTITUTIONAL SERVICES ASSISTANT	53	GRADE C103
31	(143)	S089C	FOOD PREPARATION TECHNICIAN	<u>42</u>	GRADE C102
32			MAX. NO. OF EMPLOYEES	1,114	

33

34 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for
 35 the Department of Human Services - Division of Behavioral Health Services for
 36 the 2017-2018 fiscal year, the following maximum number of part-time or

1 temporary employees, to be known as "Extra Help", payable from funds
 2 appropriated herein for such purposes: three hundred thirty-five (335)
 3 temporary or part-time employees, when needed, at rates of pay not to exceed
 4 those provided in the Uniform Classification and Compensation Act, or its
 5 successor, or this act for the appropriate classification.

6
 7 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby
 8 appropriated, to the Department of Human Services - Division of Behavioral
 9 Health Services, to be payable from the Behavioral Health Services Fund
 10 Account, for personal services and operating expenses of the Department of
 11 Human Services - Division of Behavioral Health Services - State Operations
 12 for the fiscal year ending June 30, 2018, the following:

14 ITEM	FISCAL YEAR
15 <u>NO.</u>	<u>2017-2018</u>
16 (01) REGULAR SALARIES	\$38,654,608
17 (02) EXTRA HELP	5,832,583
18 (03) PERSONAL SERVICES MATCHING	16,277,334
19 (04) OVERTIME	4,212,006
20 (05) MAINT. & GEN. OPERATION	
21 (A) OPER. EXPENSE	23,912,659
22 (B) CONF. & TRAVEL	75,725
23 (C) PROF. FEES	6,331,367
24 (D) CAP. OUTLAY	250,000
25 (E) DATA PROC.	0
26 (06) GRANTS/PATIENT SERVICES	18,050,552
27 (07) MENTAL HEALTH CTR TRANSFER	<u>2,599,382</u>
28 TOTAL AMOUNT APPROPRIATED	<u><u>\$116,196,216</u></u>

29
 30 SECTION 4. APPROPRIATION - COMMUNITY ALCOHOL SAFETY OPERATIONS. There
 31 is hereby appropriated, to the Department of Human Services - Division of
 32 Behavioral Health Services, to be payable from the Highway Safety Special
 33 Fund, for grant payments of the Department of Human Services - Division of
 34 Behavioral Health Services - Community Alcohol Safety Operations for the
 35 fiscal year ending June 30, 2018, the following:

36

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2017-2018</u>
(01) COMMUNITY ALCOHOL SAFETY GRANTS AND AID	<u>\$4,061,509</u>

SECTION 5. APPROPRIATION - PATIENT BENEFITS - CASH. There is hereby appropriated, to the Department of Human Services - Division of Behavioral Health Services, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for benefits of the patients of the Department of Human Services - Division of Behavioral Health Services for the fiscal year ending June 30, 2018, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2017-2018</u>
(01) PATIENT BENEFIT FUND	<u>\$75,000</u>

SECTION 6. APPROPRIATION - COMMUNITY MENTAL HEALTH CENTERS. There is hereby appropriated, to the Department of Human Services - Division of Behavioral Health Services, to be payable from the Behavioral Health Services Fund Account, for state assistance to the Community Mental Health Centers by the Department of Human Services - Division of Behavioral Health Services for the fiscal year ending June 30, 2018, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2017-2018</u>
(01) STATE ASSISTANCE	<u>\$7,005,603</u>

SECTION 7. APPROPRIATION - MENTAL HEALTH GRANTS. There is hereby appropriated, to the Department of Human Services - Division of Behavioral Health Services, to be payable from the paying account as determined by the Chief Fiscal Officer of the State, for grant payments of the Department of Human Services - Division of Behavioral Health Services for the fiscal year ending June 30, 2018, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2017-2018</u>

1 (01) MENTAL HEALTH GRANTS \$9,789,616

2

3 SECTION 8. APPROPRIATION - ACUTE MENTAL HEALTH SERVICES - PER CAPITA.

4 There is hereby appropriated, to the Department of Human Services - Division
5 of Behavioral Health Services, to be payable from the Behavioral Health
6 Services Fund Account, for acute mental health services within community-
7 based settings of the catchment areas served by Community Mental Health
8 Centers licensed and certified by the Department of Human Services - Division
9 of Behavioral Health Services for the fiscal year ending June 30, 2018, the
10 following:

11

12 ITEM FISCAL YEAR
13 NO. 2017-2018

14 (01) ACUTE MENTAL HEALTH SERVICES-PER
15 CAPITA \$503,188

16

17 SECTION 9. APPROPRIATION - ALCOHOL AND DRUG ABUSE PREVENTION. There is
18 hereby appropriated, to the Department of Human Services - Division of
19 Behavioral Health Services, to be payable from the Drug Abuse Prevention and
20 Treatment Fund, for education, drug abuse prevention and treatment services
21 of the Department of Human Services - Division of Behavioral Health Services
22 - Alcohol and Drug Abuse Prevention for the fiscal year ending June 30, 2018,
23 the following:

24

25 ITEM FISCAL YEAR
26 NO. 2017-2018

27 (01) EDUCATION/PREVENTION/TREATMENT \$24,270,069

28

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

31 BEHAVIORAL HEALTH SERVICES - FEDERAL FUNDS. It is the specific intent of the
32 General Assembly that in the event of the availability of federal funding for
33 the Division of Behavioral Health Services during the fiscal year ending June
34 30, ~~2017~~ 2018, that such funding be utilized to conserve or reduce the
35 expenditure of general revenue except where prohibited by law.

36 The provisions of this section shall be in effect only from July 1, ~~2016~~

1 2017 through June 30, ~~2017~~ 2018.

2

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

5 BEHAVIORAL HEALTH SERVICES. Pay rates for physicians and chief psychologists
6 within the Division of Behavioral Health Services may include the special
7 allowances available to UAMS physicians and professional faculty as described
8 in the special language of the UAMS appropriation. Part of the salaries of
9 such staff will come from the receipt of professional income in the care of
10 patients and/or funds received from federal agencies, foundations and other
11 private sponsors in the support of research. Provided that any such allowance
12 shall not exceed, for any employee, an amount equal to two and one half times
13 the salary authorized by the General Assembly. The specific Division of
14 Behavioral Health Services classifications covered by this language are:

- 15 Class
- 16 Code Title
- 17 L005N Psychiatric Specialist
- 18 L009N DHS Behavioral Health General Physician
- 19 L001C Psychologist Supervisor

20 Prior to these allowances being made available for an individual, they
21 will be approved by the Chief Fiscal Officer of the State and reviewed by the
22 Personnel Committee of the Arkansas Legislative Council or the Joint Budget
23 Committee.

24 The provisions of this section shall be in effect only from July 1, ~~2016~~
25 2017 through June 30, ~~2017~~ 2018.

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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 BEHAVIORAL HEALTH SERVICES - VOCATIONAL TRAINEES. The Division of Behavioral
30 Health Services of the Department of Human Services is hereby authorized to
31 provide employment opportunities for some of the working residents who are
32 separate from the currently authorized regular vocational trainee positions.
33 The positions authorized herein shall not be incorporated into the present
34 classification system but shall be provided for by each Community Mental
35 Health Center or the State Hospital, on a cash account basis. It is the
36 intent of the General Assembly that the authorization of these positions

1 shall facilitate the Agency's ability to provide for residents who are not
2 part of a regular vocational training program.

3 The provisions of this section shall be in effect only from July 1, ~~2016~~
4 2017 through June 30, ~~2017~~ 2018.

5
6 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

8 BEHAVIORAL HEALTH SERVICES - JOB SHARE. The Division of Behavioral Health
9 Services can utilize job share for positions within the nursing
10 classification (RN, LPN/LPTN, BHA/CNA) for up to 24 hours per week per
11 individual. This will allow the Division to offer weekend option shifts to
12 nursing personnel without increasing the number of positions.

13 The provisions of this section shall be in effect only from July 1, ~~2016~~
14 2017 through June 30, ~~2017~~ 2018.

15
16 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

18 BEHAVIORAL HEALTH SERVICES - STATE HOSPITAL CONTINGENCY POSITIONS. If the
19 Department of Human Services determines, and after prior review by the
20 Legislative Council or Joint Budget Committee, it shall be determined that it
21 is in the best interest of the State of Arkansas to discontinue a management
22 contract with a private provider and it is deemed necessary to utilize
23 Department staff to provide the required services, the Director of the
24 Department of Human Services may request the Department of Finance and
25 Administration to approve the establishment of one or more additional
26 positions at salary rates not to exceed the maximum salaries established for
27 comparable positions in the Uniform Classification and Compensation Act, the
28 Department of Human Services' Appropriation Act, and the University of
29 Arkansas for Medical Sciences' Appropriation Act. Upon approval by the
30 Department of Finance and Administration and after review by the Legislative
31 Council or Joint Budget Committee, the Department of Human Services -
32 Division of Behavioral Health Services may establish such positions.

33 If the agency requests continuation of a "Growth Pool" position(s) as
34 established herein, the position(s) must be requested as a new position(s) in
35 the agency's budget request.

36 The provisions of this section shall be in effect only from July 1, ~~2016~~

1 2017 through June 30, ~~2017~~ 2018.

2
3 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS
5 HEALTH CENTER. (A) The Department of Human Services shall not close the
6 Arkansas Health Center that provides skilled nursing through specialized
7 services and programs.

8 (B) The Department of Human Services shall continue to accept clients for
9 whom it has determined that skilled nursing and specialized services are
10 needed at the Arkansas Health Center.

11 (C) No funds shall be transferred or reduced from the Arkansas Health
12 Center, except for use as federal matching funds, below the approved funding
13 level on March 1, 2003 without the prior approval of the Arkansas Legislative
14 Council or the Joint Budget Committee.

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

31 The provisions of this section shall be in effect only from July 1, ~~2016~~
32 2017 through June 30, ~~2017~~ 2018.

33
34 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA
36 HELP – BEHAVIORAL HEALTH SERVICES. Employees in extra-help positions at the

1 Department of Human Services – Division of Behavioral Health Services may
 2 receive an amount not to exceed eighty-five percent (85%) of the maximum
 3 annual salary for a comparable position as authorized under § 21-5-201 et
 4 seq. during any fiscal year, nor shall such an employee be employed for a
 5 period of time to exceed one thousand eight hundred (1,800) hours in any
 6 single fiscal year.

7 The provisions of this section shall be in effect only from July 1, ~~2016~~
 8 2017 through June 30, ~~2017~~ 2018.

9

10 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

12 BEHAVIORAL HEALTH SERVICES - PROCEEDS FOR SALES OF TIMBER AND HAY - CAPITAL
 13 IMPROVEMENTS AND EQUIPMENT. The Division of Behavioral Health Services is
 14 authorized to use the administrative operating account for capital
 15 improvements to the physical plant, and for the purchase of capital
 16 equipment, and for the operation of the Arkansas Health Center, operated by
 17 the Department of Human Services - Division of Behavioral Health Services.
 18 The funds shall be held by the Department of Human Services - Division of
 19 Behavioral Health Services, from the proceeds of the sale of timber and hay
 20 that may be harvested from land owned by the Division of Behavioral Health
 21 Services. All funds deposited and all expenses shall be tracked separately.
 22 The harvesting of timber and hay is specifically authorized to provide funds
 23 to finance capital improvements to the physical plant, for the purchase of
 24 major capital equipment, and for the operation of the Arkansas Health Center.
 25 The Division of Behavioral Health Services shall report all income derived
 26 from the sale of timber and hay to the Chief Fiscal Officer of the State and
 27 the Legislative Council or Joint Budget Committee. Any contracts initiated
 28 for the harvesting of timber and hay shall be submitted to the Review
 29 Subcommittee of the Arkansas Legislative Council or Joint Budget Committee
 30 for prior review. All expenditures of funds derived from the sale of timber
 31 and hay will be expended in accordance with relevant state purchasing laws.

32 The provisions of this section shall be in effect only from July 1, ~~2016~~
 33 2017 through June 30, ~~2017~~ 2018.

34

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

1 RATES OF PAY AND EMPLOYMENT WORK DAYS. For employees hired on or after July
2 1, 2013, at the Arkansas State Hospital in the classifications listed below,
3 the Division of Behavioral Health Services Director shall implement salary
4 adjustments utilizing the approved pay grid for teachers employed by the
5 Arkansas Schools for the Blind and Deaf.

6 To achieve the salary adjustments, the Division of Behavioral Health
7 Services is authorized to pay special rates of pay for classifications at the
8 Arkansas State Hospital listed below:

9	Classification	Title	Grade
10	E035C	Certified Masters Teacher	C119
11	E044C	Certified Bachelors Teacher	C117

12 Funding for the minimum compensation provided for in this section that
13 is supported in whole or in part from general revenues, shall, if required,
14 be provided by a transfer from the Merit Adjustment Fund to the proper fund
15 or fund account and in such amounts as determined by the Chief Fiscal Officer
16 of the State. The Division of Behavioral Health Services shall in addition
17 to the funds provided in this Act for Annual Career Service Recognition
18 Payments from the Merit Adjustment Fund, make available any funding generated
19 from agency salary savings for such purposes from the funds or fund accounts
20 as provided by law.

21 For employees hired on or after July 1, 2013, at the Arkansas State
22 Hospital in the classifications listed above, the Division of Behavioral
23 Health Services Director shall set the number of work days for the employment
24 year to equal the number of days worked by those employed in the same
25 classifications at the Arkansas Schools for the Blind and Deaf. The accrual,
26 use, and carryover of sick days, personal days, and holidays of the employees
27 at the Arkansas State Hospital that are hired on or after July 1, 2013, or
28 current employees choosing to adopt this plan, shall be treated in the same
29 manner as those employed in the same classifications at the Arkansas Schools
30 for the Blind and Deaf.

31 Those currently employed at the Arkansas State Hospital in the
32 classifications listed above as of June 30, 2013, have the one-time option of
33 adopting this language or continuing to operate under the same salary, leave
34 and benefit plans they are currently receiving. Employees must make their
35 decision by June 30, 2013.

36 Accrued annual and holiday leave, up to 240 hours, as of June 30,

1 2013, will be paid out to current employees choosing to adopt this plan. Any
 2 additional accrued annual and holiday leave will be forfeited. Accrued sick
 3 leave, as of June 30, 2013, shall be retained on file and shall be exhausted
 4 before any newly accrued sick leave may be taken.

5 All employees affected by this section shall be eligible to receive
 6 hazardous duty pay for time worked in eligible areas.

7 The provisions of this section shall be in effect only from July 1, ~~2016~~
 8 2017 through June 30, ~~2017~~ 2018.

9

10 SECTION 19. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
 11 authorized by this act shall be limited to the appropriation for such agency
 12 and funds made available by law for the support of such appropriations; and
 13 the restrictions of the State Procurement Law, the General Accounting and
 14 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
 15 Procedures and Restrictions Act, or their successors, and other fiscal
 16 control laws of this State, where applicable, and regulations promulgated by
 17 the Department of Finance and Administration, as authorized by law, shall be
 18 strictly complied with in disbursement of said funds.

19

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

28

29 SECTION 21. EMERGENCY CLAUSE. It is found and determined by the
 30 General Assembly, that the Constitution of the State of Arkansas prohibits
 31 the appropriation of funds for more than a one (1) year period; that the
 32 effectiveness of this Act on July 1, 2017 is essential to the operation of
 33 the agency for which the appropriations in this Act are provided, and that in
 34 the event of an extension of the legislative session, the delay in the
 35 effective date of this Act beyond July 1, 2017 could work irreparable harm
 36 upon the proper administration and provision of essential governmental

1 programs. Therefore, an emergency is hereby declared to exist and this Act
2 being necessary for the immediate preservation of the public peace, health
3 and safety shall be in full force and effect from and after July 1, 2017.

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