

1 State of Arkansas  
2 91st General Assembly  
3 Fiscal Session, 2018  
4

# A Bill

SENATE BILL 30

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 MEDICAL SERVICES FOR THE  
11 FISCAL YEAR ENDING JUNE 30, 2019; AND FOR OTHER  
12 PURPOSES.  
13  
14

## Subtitle

15 AN ACT FOR THE DEPARTMENT OF HUMAN  
16 SERVICES - DIVISION OF MEDICAL SERVICES  
17 APPROPRIATION FOR THE 2018-2019 FISCAL  
18 YEAR.  
19  
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21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established  
25 for the Department of Human Services - Division of Medical Services for the  
26 2018-2019 fiscal year, the following maximum number of regular employees.  
27

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2018-2019
32	(1) N181N	DIRECTOR OF MEDICAL SERVICES	1	GRADE SE02
33	(2) L016N	REGISTERED PHARMACIST	4	GRADE MP05
34	(3) L009C	NURSE MANAGER	1	GRADE MP03
35	(4) L020C	NURSING SERVICES UNIT MANAGER	1	GRADE MP02
36	(5) L027C	REGISTERED NURSE SUPERVISOR	3	GRADE MP02



1	(6)	L038C REGISTERED NURSE	9	GRADE MP01
2	(7)	D007C INFORMATION SYSTEMS MANAGER	2	GRADE IT08
3	(8)	D030C INFORMATION SYSTEMS COORDINATOR	2	GRADE IT07
4	(9)	D038C SENIOR SOFTWARE SUPPORT ANALYST	1	GRADE IT06
5	(10)	D061C INFORMATION SYSTEMS COORDINATION SPEC	2	GRADE IT05
6	(11)	D068C INFORMATION SYSTEMS ANALYST	2	GRADE IT04
7	(12)	D058C COMPUTER OPERATIONS COORDINATOR	1	GRADE IT04
8	(13)	G286C DMS DEPUTY DIRECTOR	1	GRADE GS15
9	(14)	N080N DHS/DMS ASSISTANT DIRECTOR - FISCAL	1	GRADE GS14
10	(15)	N142N DHS/DAAS DEPUTY DIRECTOR	1	GRADE GS14
11	(16)	A010C AGENCY CONTROLLER II	1	GRADE GS13
12	(17)	A016C DHS DMS BUSINESS OPERATIONS MANAGER	8	GRADE GS12
13	(18)	N167N DHS POLICY & RESEARCH DIRECTOR	1	GRADE GS12
14	(19)	L010C DHS DMS MEDICAL ASSISTANCE MANAGER	2	GRADE GS10
15	(20)	A044C AUDIT COORDINATOR	1	GRADE GS10
16	(21)	G076C ADMINISTRATIVE SERVICES MANAGER	1	GRADE GS10
17	(22)	G099C DHS PROGRAM ADMINISTRATOR	16	GRADE GS09
18	(23)	G152C DHS PROGRAM MANAGER	8	GRADE GS08
19	(24)	X067C HEALTH FACILITIES SURVEYOR	1	GRADE GS08
20	(25)	P013C PUBLIC INFORMATION COORDINATOR	1	GRADE GS07
21	(26)	M039C MEDICAID SERVICES SUPERVISOR	1	GRADE GS07
22	(27)	G183C DHS PROGRAM COORDINATOR	7	GRADE GS07
23	(28)	A081C AUDITOR	2	GRADE GS07
24	(29)	C013C MEDICAL SERVICES REPRESENTATIVE	1	GRADE GS06
25	(30)	C037C ADMINISTRATIVE ANALYST	2	GRADE GS06
26	(31)	G178C POLICY DEVELOPMENT COORDINATOR	2	GRADE GS06
27	(32)	G180C GRANTS ANALYST	1	GRADE GS06
28	(33)	G198C DHS/DAAS PROGRAM SPECIALIST	1	GRADE GS06
29	(34)	R027C BUDGET SPECIALIST	2	GRADE GS06
30	(35)	L070C HEALTH CARE ANALYST	12	GRADE GS05
31	(36)	C050C ADMINISTRATIVE SUPPORT SUPERVISOR	1	GRADE GS05
32	(37)	C056C ADMINISTRATIVE SPECIALIST III	<u>13</u>	GRADE GS04
33		MAX. NO. OF EMPLOYEES	117	

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35 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for  
 36 the Department of Human Services - Division of Medical Services for the 2018-

2019 fiscal year, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: ten (10) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated, to the Department of Human Services - Division of Medical Services, to be payable from the paying account as determined by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Department of Human Services - Division of Medical Services - Operations for the fiscal year ending June 30, 2019, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2018-2019</u>
(01) REGULAR SALARIES	\$5,819,350
(02) EXTRA HELP	201,892
(03) PERSONAL SERVICES MATCHING	1,984,828
(04) OVERTIME	2,241
(05) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	1,813,290
(B) CONF. & TRAVEL	100,099
(C) PROF. FEES	338,507
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(06) DATA PROCESSING SERVICES	<u>1,499,600</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$11,759,807</u></u>

SECTION 4. APPROPRIATION - GRANTS. There is hereby appropriated, to the Department of Human Services - Division of Medical 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 Medical Services for the fiscal year ending June 30, 2019, the following:

ITEM	FISCAL YEAR
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1	<u>NO.</u>	<u>2018-2019</u>
2	(01) ARKIDS B PROGRAM	\$132,222,020
3	(02) HOSPITAL AND MEDICAL SERVICES	6,573,710,120
4	(03) PRESCRIPTION DRUGS	529,386,547
5	(04) PRIVATE NURSING HOME CARE	724,715,275
6	(05) CHILD AND FAMILY LIFE INSTITUTE	2,100,000
7	(06) INFANT INFIRMARY	29,876,011
8	(07) PUBLIC NURSING HOME	<u>217,603,340</u>
9	TOTAL AMOUNT APPROPRIATED	<u>\$8,209,613,313</u>

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11 SECTION 5. APPROPRIATION - NURSING HOME CLOSURE COSTS. There is hereby  
 12 appropriated, to the Department of Human Services - Division of Medical  
 13 Services, to be payable from the Long-Term Care Trust Fund, for the payment  
 14 of relocation costs of residents in long-term care facilities, maintenance  
 15 and operation of a facility pending correction of deficiencies or closure,  
 16 and reimbursement of residents for personal funds lost for the fiscal year  
 17 ending June 30, 2019, the following:

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19	ITEM	FISCAL YEAR
20	<u>NO.</u>	<u>2018-2019</u>
21	(01) EXPENSES	<u>\$50,000</u>

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23 SECTION 6. APPROPRIATION - LONG-TERM CARE FACILITY RECEIVERSHIP. There  
 24 is hereby appropriated, to the Department of Human Services - Division of  
 25 Medical Services, to be payable from the Long Term Care Facility Receivership  
 26 Fund Account, for the payment of expenses of long-term care facility  
 27 receivers as authorized by law of the Department of Human Services - Division  
 28 of Medical Services - Long-Term Care Facility Receivership for the fiscal  
 29 year ending June 30, 2019, the following:

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31	ITEM	FISCAL YEAR
32	<u>NO.</u>	<u>2018-2019</u>
33	(01) EXPENSES	<u>\$100,000</u>

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35 SECTION 7. APPROPRIATION - NURSING HOME QUALITY GRANTS. There is  
 36 hereby appropriated, to the Department of Human Services - Division of

1 Medical Services, to be payable from the Long-Term Care Trust Fund, for  
 2 Nursing Home Quality Care Grants of the Department of Human Services -  
 3 Division of Medical Services - Nursing Home Quality Grants for the fiscal  
 4 year ending June 30, 2019, the following:

6 ITEM	FISCAL YEAR
7 <u>NO.</u>	<u>2018-2019</u>
8 (01) NURSING HOME QUALITY GRANTS AND AID	<u>\$1,000,000</u>

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 10 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MEDICAL  
 12 SERVICES - PHARMACEUTICAL DISPENSING FEE SURVEY. No more than two years prior  
 13 to making any changes to the current pharmaceutical dispensing fee, the State  
 14 shall conduct an independent survey utilizing generally accepted accounting  
 15 principles, to determine the cost of dispensing a prescription by pharmacists  
 16 in Arkansas. Only factors relative to the cost of dispensing shall be  
 17 surveyed. These factors shall not include actual acquisition costs or average  
 18 profit or any combination of actual acquisition costs or average profit. The  
 19 survey results shall be the basis for establishing the dispensing fee paid to  
 20 participating pharmacies in the Medicaid prescription drug program in  
 21 accordance with Federal requirements. The dispensing fee shall be no lower  
 22 than the cost of dispensing as determined by the survey. Nothing in this  
 23 section shall be construed to prohibit the State from increasing the  
 24 dispensing fee at any time.

25 The provisions of this section shall be in effect only from July 1, ~~2017~~  
 26 2018 through June 30, ~~2018~~ 2019.

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 28 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MEDICAL  
 30 SERVICES - GENERAL MEDICAID RATE METHODOLOGY PROVISIONS.

31 (a) Rates established by the Division of Medical Services for the services  
 32 or programs covered by this Act shall be calculated by the methodologies  
 33 approved by the Centers for Medicare and Medicaid Services (CMS). The  
 34 Division of Medical Services shall have the authority to reduce or increase  
 35 rates based on the approved methodology. Further, the Division of Medical  
 36 Services shall have the authority to increase or decrease rates for good

1 cause including, but not limited to: (1) Identification of provider(s) who  
2 can render needed services of equal quality at rates less than traditionally  
3 charged and who meet the applicable federal and state laws, rules and  
4 regulations pertaining to the provision of a particular service;  
5 (2) Identification that a provider or group of providers has consistently  
6 charged rates to the Arkansas Medicaid Program greater than to other  
7 purchasers of medical services of similar size;  
8 (3) The Division determines that there has been significant changes in the  
9 technology or process by which services are provided by a provider or group  
10 of providers which has affected the costs of providing services, or;  
11 (4) A severe economic downturn in the Arkansas economy which has affected the  
12 overall state budget of the Division of Medical Services.

13 The Division of Medical Services shall make available to requesting  
14 providers, the CMS's inflationary forecasts (CMS Market Basket Index). Rates  
15 established with cost of living increases based on the CMS Market Basket  
16 Index or other indices will be adjusted annually except when the state budget  
17 does not provide sufficient appropriation and funding to affect the change or  
18 portion thereof.

19 (b) Any rate methodology changes proposed by the Division of Medical  
20 Services both of a general and specific nature, shall be subject to prior  
21 approval by the Legislative Council or Joint Budget Committee.

22 Determining the maximum number of employees and the maximum amount of  
23 appropriation and general revenue funding for a state agency each fiscal year  
24 is the prerogative of the General Assembly. This is usually accomplished by  
25 delineating such maximums in the appropriation act(s) for a state agency and  
26 the general revenue allocations authorized for each fund and fund account by  
27 amendment to the Revenue Stabilization law. Further, the General Assembly has  
28 determined that the Department of Human Services – Division of Medical  
29 Services may operate more efficiently if some flexibility is provided to the  
30 Department of Human Services – Division of Medical Services authorizing broad  
31 powers under this section. Therefore, it is both necessary and appropriate  
32 that the General Assembly maintain oversight by requiring prior approval of  
33 the Legislative Council or Joint Budget Committee as provided by this  
34 section. The requirement of approval by the Legislative Council or Joint  
35 Budget Committee is not a severable part of this section. If the requirement  
36 of approval by the Legislative Council or Joint Budget Committee is ruled

1 unconstitutional by a court of competent jurisdiction, this entire section is  
2 void.

3 The provisions of this section shall be in effect only from July 1, ~~2017~~  
4 2018 through June 30, ~~2018~~ 2019.

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6 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND  
8 USAGE AUTHORIZED. The Arkansas Children's Hospital may request the Department  
9 of Human Services - Division of Medical Services to retain in the Department  
10 of Human Services Grant Fund account an amount not to exceed \$2,100,000 from  
11 funds made available by this Act in the Child and Family Life Institute line  
12 item of the Grants appropriation to be used to match federal funds used for  
13 supplemental Medicaid payments to Arkansas Children's Hospital. These  
14 retained funds shall not be recovered to transfer to the General Revenue  
15 Allotment Reserve Fund.

16 The provisions of this section shall be in effect only from July 1, ~~2017~~  
17 2018 through June 30, ~~2018~~ 2019.

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19 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STATE  
21 PLAN. The State Plan must include the provision of EPSDT services as those  
22 services are defined in 42 U.S.C. §1396d(r). See 42 U.S.C. §§  
23 1396a(a)(10)(A), 1396d(a)(4)(B); see also 1396a(a)(43). Section 1396d(r)  
24 lists in detail the screening services, vision services, dental services, and  
25 hearing services that the State Plan must expressly include, but with regard  
26 to treatment services, it states that EPSDT means "[s]uch other necessary  
27 health care, diagnostic services, treatment, and other measures described in  
28 subsection (a) of this section to correct or ameliorate defects and physical  
29 and mental illnesses and conditions discovered by the screening services,  
30 whether or not such services are covered under the State Plan." 42 U.S.C. §  
31 1396d(r)(5) (emphasis added). Reading 42 U.S.C. § 1396a, 42 U.S.C. §  
32 1396d(a), and 42 U.S.C. § 1396d(r) together, we believe that the State Plan  
33 need not specifically list every treatment service conceivably available  
34 under the EPSDT mandate.

35 The State Plan, however, must pay part or all of the cost of treatments to  
36 ameliorate conditions discovered by the screening process when those

1 treatments meet the definitions set forth in 42 U.S.C. § 1396a. See 42 U.S.C.  
2 § 1396d(r)(5); see also 42 U.S.C. §§ 1396a(a)(10), 1396a(a)(43), and  
3 1396d(a)(4)(B). The Arkansas State Plan states that the "State will provide  
4 other health care described in [42 U.S.C. 1396d(a)] that is found to be  
5 medically necessary to correct or ameliorate defects and physical and mental  
6 illnesses and conditions discovered by the screening services, even when such  
7 health care is not otherwise covered under the State Plan." See State Plan  
8 Under Title XIX of the Social Security Act, State Of Arkansas at §4.b. This  
9 provision meets the EPSDT mandate of the Medicaid Act.

10 We affirm the district court's decision to the extent that it holds that a  
11 Medicaid-Eligible individual has a federal right to early intervention day  
12 treatment when a physician recommends such treatment. Section 1396d(r)(5)  
13 states that EPSDT includes any treatments or measures outlined in 42 U.S.C.  
14 §1396d(a). There are twenty-seven sub-parts to 42 U.S.C. §1396d(a), and we  
15 find that sub-part (a)(13), in particular, when read with the other sections  
16 of the Medicaid Act listed above, mandates that early intervention day  
17 treatment be provided when it is prescribed by a physician. See 42 U.S.C.  
18 §1396d(a)(13) (defining medical assistance reimbursable by Medicaid as "other  
19 diagnostic, screening, preventive, and rehabilitative services, including any  
20 medical or remedial services recommended by a physician...for the maximum  
21 reduction of physical and mental disability and restoration of an individual  
22 to the best possible functional level"). Therefore, after CHMS clinic staff  
23 perform a diagnostic evaluation of an eligible child, if the CHMS physician  
24 prescribes early intervention day treatment as a service that would lead to  
25 the maximum reduction of medical and physical disabilities and restoration of  
26 the child to his or her best possible functional level, the Arkansas State  
27 Plan must reimburse the treatment. Because CHMS clinics are the only  
28 providers of early intervention day treatment, Arkansas must reimburse those  
29 clinics.

30 The provisions of this section shall be in effect only from July 1, ~~2017~~  
31 2018 through June 30, ~~2018~~ 2019.

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33 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MEDICAL  
35 SERVICES - STATE MEDICAID PROGRAM/PERSONAL CARE PROGRAM.

36 (a) It is the legislative intent that the Department of Human Services in



1 its administration of the Arkansas Medicaid Program set forth Medicaid  
2 provider participation requirements for "personal care providers" that will  
3 insure sufficient available providers to meet the required needs of all  
4 eligible recipients, to include insuring available in home services twenty-  
5 four (24) hours a day and seven (7) days a week for personal care.

6 (b) For the purposes of this section, "private care agencies" are defined  
7 as those providers licensed by the Department of Labor, certified as  
8 ElderChoices Providers and who furnish in home staffing services for respite,  
9 chore services, and homemaker services, and are covered by liability  
10 insurance of not less than one million dollars (\$1,000,000) covering their  
11 employees and independent contractors while they are engaged in providing  
12 services, such as personal care, respite, chore services, and homemaker  
13 services.

14 (c) The purpose of this section is to allow the private care agencies  
15 defined herein to be eligible to provide Medicaid reimbursed personal care  
16 services seven (7) days a week, and does not supercede Department of Human  
17 Services rules establishing monthly benefit limits and prior authorization  
18 requirements.

19 (d) The availability of providers shall not require the Department of  
20 Human Services to reimburse for twenty-four (24) hours per day of personal  
21 care services.

22 (e) The Arkansas Department of Human Services, Medical Services Division  
23 shall take such action as required by the Centers for Medicare and Medicaid  
24 Services to amend the Arkansas Medicaid manual to include private care  
25 agencies as qualified entities to provide Medicaid reimbursed personal care  
26 services.

27 (f) The private care agencies shall comply with rules and regulations  
28 promulgated by the Arkansas Department of Health which shall establish a  
29 separate licensure category for the private care agencies for the provision  
30 of Medicaid reimbursable personal care services seven (7) days a week.

31 (g) The Arkansas Department of Health shall supervise the conduct of the  
32 personal care agencies defined herein.

33 (h) The purpose of this section is to insure the care provided by the  
34 private care agencies is consistent with the rules and regulations of the  
35 Arkansas Department of Health.

36 The provisions of this section shall be in effect only from July 1, 2017

1 2018 through June 30, ~~2018~~ 2019.

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3 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS  
 5 WORKS AND ARKANSAS HEALTH INSURANCE MARKETPLACE RESTRICTIONS. (a) As used in  
 6 this section, "Arkansas Works" means Arkansas Works established under the  
 7 Arkansas Works Act of 2016, Arkansas Code § 23-61-1001 et seq.

8 (b)(1) Determining the maximum number of employees, the maximum amount  
 9 of appropriation, for what purposes an appropriation is authorized, and  
 10 general revenue funding for a state agency each fiscal year is the  
 11 prerogative of the General Assembly.

12 (2) The purposes of subdivision (b)(1) of this section are  
 13 typically accomplished by:

- 14 (A) Identifying the purpose in the appropriation act;
- 15 (B) Delineating such maximums in the appropriation act for  
 16 a state agency; and
- 17 (C) Delineating the general revenue allocations authorized  
 18 for each fund and fund account by amendment to the Revenue Stabilization Law,  
 19 Arkansas Code § 19-5-101 et seq.

20 (3) It is both necessary and appropriate that the General  
 21 Assembly restrict the use of appropriations authorized in this act.

22 (c)(1) Except as provided in this subsection, the Department of Human  
 23 Services shall not allocate, budget, expend, or utilize any appropriation  
 24 authorized by the General Assembly for the purpose of advertisement,  
 25 promotion, or other activities designed to promote or encourage enrollment in  
 26 the Arkansas Health Insurance Marketplace or Arkansas Works, including  
 27 without limitation:

- 28 (A) Unsolicited communications mailed to potential  
 29 recipients;
- 30 (B) Television, radio, or online commercials;
- 31 (C) Billboard or mobile billboard advertising;
- 32 (D) Advertisements printed in newspapers, magazines, or  
 33 other print media; and
- 34 (E) Internet websites and electronic media.

35 (2) This subsection does not prohibit the department from:

- 36 (A) Direct communications with:

1 (i) Licensed insurance agents; and  
2 (ii) Persons licensed by the department;  
3 (B) Solicited communications with potential recipients;  
4 (C)(i) Responding to an inquiry regarding the coverage for  
5 which a potential recipient might be eligible, including without limitation  
6 providing educational materials or information regarding any coverage for  
7 which the individual might qualify.

8 (ii) Educational materials and information  
9 distributed under subdivision (c)(2)(C)(i) of this section shall contain only  
10 factual information and shall not contain subjective statements regarding the  
11 coverage for which the potential recipient might be eligible; and

12 (D) Using an Internet website for the exclusive purpose of  
13 enrolling individuals in the Arkansas Health Insurance Marketplace or  
14 Arkansas Works.

15 (d) The Department of Human Services shall not apply for or accept any  
16 funds, including without limitation federal funds, for the purpose of  
17 advertisement, promotion, or other activities designed to promote or  
18 encourage enrollment in the Arkansas Health Insurance Marketplace or Arkansas  
19 Works.

20 (e)(1) Except as provided in subdivision (e)(2) of this section, the  
21 Department of Human Services shall not:

22 (A)(i) Except as provided in subdivision (e)(1)(A)(ii) of  
23 this section, allocate, budget, expend, or utilize an appropriation  
24 authorized by the General Assembly for the purpose of funding activities of  
25 navigators, guides, certified application counselors, and certified licensed  
26 producers under the Arkansas Health Insurance Marketplace Navigator, Guide,  
27 and Certified Application Counselors Act, Arkansas Code § 23-64-601 et seq.

28 (ii) Subdivision (e)(1)(A)(i) of this section does  
29 not apply to regulatory and training responsibilities related to navigators,  
30 guides, certified application counselors, and certified licensed producers;  
31 and

32 (B) Apply for or accept any funds, including without  
33 limitation federal funds, for the purpose of funding activities of  
34 navigators, guides, certified application counselors, and certified licensed  
35 producers under the Arkansas Health Insurance Marketplace Navigator, Guide,  
36 and Certified Application Counselors Act, Arkansas Code § 23-64-601 et seq.

1           (2) Subdivision (e)(1) of this section does not apply to  
2 certified application counselors at health related institutions, including  
3 without limitation the University of Arkansas for Medical Sciences.

4           (f) An appropriation authorized by the General Assembly shall not be  
5 subject to the provisions allowed through reallocation of resources or  
6 transfer of appropriation authority for the purpose of transferring an  
7 appropriation to any other appropriation authorized for the Department of  
8 Human Services to be allocated, budgeted, expended, or utilized in a manner  
9 prohibited by this section.

10          (g) The provisions of this section are severable, and the invalidity  
11 of any subsection or subdivision of this section shall not affect other  
12 provisions of the section that can be given effect without the invalid  
13 provision.

14          (h) This section expires on June 30, ~~2018~~ 2019.

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16          SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
18 SEVERABILITY. If any provisions of this act or the application of this act  
19 to any person or circumstance is held invalid, such invalidity shall not  
20 affect other provisions or applications of the act which can be given effect  
21 without the invalid provision or application, and to this end the provisions  
22 of this act are declared to be severable.

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24          SECTION 15. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
25 authorized by this act shall be limited to the appropriation for such agency  
26 and funds made available by law for the support of such appropriations; and  
27 the restrictions of the State Procurement Law, the General Accounting and  
28 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
29 Procedures and Restrictions Act, or their successors, and other fiscal  
30 control laws of this State, where applicable, and regulations promulgated by  
31 the Department of Finance and Administration, as authorized by law, shall be  
32 strictly complied with in disbursement of said funds.

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34          SECTION 16. LEGISLATIVE INTENT. It is the intent of the General  
35 Assembly that any funds disbursed under the authority of the appropriations  
36 contained in this act shall be in compliance with the stated reasons for

1 which this act was adopted, as evidenced by the Agency Requests, Executive  
2 Recommendations and Legislative Recommendations contained in the budget  
3 manuals prepared by the Department of Finance and Administration, letters, or  
4 summarized oral testimony in the official minutes of the Arkansas Legislative  
5 Council or Joint Budget Committee which relate to its passage and adoption.  
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7 SECTION 17. EFFECTIVE DATE. This act is effective on and after July 1,  
8 2018.  
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