

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

As Engrossed: H3/19/19

A Bill

HOUSE BILL 1155

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR THE MEDICAID
9 EXPANSION PROGRAM FOR THE DEPARTMENT OF HUMAN
10 SERVICES FOR THE FISCAL YEAR ENDING JUNE 30, 2020;
11 AND FOR OTHER PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE DEPARTMENT OF HUMAN
15 SERVICES - MEDICAID EXPANSION PROGRAM
16 APPROPRIATION FOR THE 2019-2020 FISCAL
17 YEAR.
18
19
20

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

23 SECTION 1. REGULAR SALARIES - COUNTY OPERATIONS - MEDICAID EXPANSION
24 PROGRAM. There is hereby established for the Department of Human Services -
25 Division of County Operations - Medicaid Expansion Program for the 2019-2020
26 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 2019-2020
32	(1) M037C	PROGRAM ELIGIBILITY SUPERVISOR	5	GRADE GS07
33	(2) M066C	PROGRAM ELIGIBILITY SPECIALIST	30	GRADE GS06
34	(3) C062C	LOCAL OFFICE ADMINISTRATIVE ASST	<u>5</u>	GRADE GS03
35		MAX. NO. OF EMPLOYEES	40	



1 SECTION 2. REGULAR SALARIES - MEDICAL SERVICES - MEDICAID EXPANSION
 2 PROGRAM. There is hereby established for the Department of Human Services -
 3 Division of Medical Services - Medicaid Expansion Program for the 2019-2020
 4 fiscal year, the following maximum number of regular employees.

5	6	7	8	9	10	11
					Maximum Annual	
					Salary Rate	
Item	Class		No. of		Fiscal Year	
No.	Code	Title	Employees		2019-2020	
(1)	G152C	DHS PROGRAM MANAGER	<u>1</u>		GRADE GS08	
		MAX. NO. OF EMPLOYEES	1			

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 13 SECTION 3. REGULAR SALARIES - PROVIDER SERVICES AND QUALITY ASSURANCE -
 14 MEDICAID EXPANSION PROGRAM. There is hereby established for the Department
 15 of Human Services - Division of Provider Services and Quality Assurance -
 16 Medicaid Expansion Program for the 2019-2020 fiscal year, the following
 17 maximum number of regular employees.

18	19	20	21	22	23	24
					Maximum Annual	
					Salary Rate	
Item	Class		No. of		Fiscal Year	
No.	Code	Title	Employees		2019-2020	
(1)	G129C	DHS/DCO PROGRAM MANAGER	1		GRADE GS08	
(2)	M037C	PROGRAM ELIGIBILITY SUPERVISOR	2		GRADE GS07	
(3)	M066C	PROGRAM ELIGIBILITY SPECIALIST	14		GRADE GS06	
(4)	C062C	LOCAL OFFICE ADMINISTRATIVE ASST	<u>3</u>		GRADE GS03	
		MAX. NO. OF EMPLOYEES	20			

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 26 SECTION 4. APPROPRIATION - COUNTY OPERATIONS - MEDICAID EXPANSION
 27 PROGRAM. There is hereby appropriated, to the Department of Human Services -
 28 Division of County Operations, to be payable from the Medicaid Expansion
 29 Program Account, for personal services and operating expenses of the
 30 Department of Human Services - Division of County Operations - Medicaid
 31 Expansion Program for the fiscal year ending June 30, 2020, the following:

32	33	34	35	36
ITEM				FISCAL YEAR

1	<u>NO.</u>	<u>2019-2020</u>
2	(01) REGULAR SALARIES	\$1,463,880
3	(02) PERSONAL SERVICES MATCHING	545,033
4	(03) MAINT. & GEN. OPERATION	
5	(A) OPER. EXPENSE	197,197
6	(B) CONF. & TRAVEL	0
7	(C) PROF. FEES	0
8	(D) CAP. OUTLAY	0
9	(E) DATA PROC.	0
10	(04) DATA PROCESSING SERVICES	<u>50,000</u>
11	TOTAL AMOUNT APPROPRIATED	<u><u>\$2,256,110</u></u>

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13 SECTION 5. APPROPRIATION - MEDICAL SERVICES - MEDICAID EXPANSION
 14 PROGRAM. There is hereby appropriated, to the Department of Human Services -
 15 Division of Medical Services, to be payable from the Medicaid Expansion
 16 Program Account, for personal services and operating expenses of the
 17 Department of Human Services - Division of Medical Services - Medicaid
 18 Expansion Program for the fiscal year ending June 30, 2020, the following:

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20	ITEM	FISCAL YEAR
21	<u>NO.</u>	<u>2019-2020</u>
22	(01) REGULAR SALARIES	\$47,069
23	(02) PERSONAL SERVICES MATCHING	16,082
24	(03) MAINT. & GEN. OPERATION	
25	(A) OPER. EXPENSE	12,369
26	(B) CONF. & TRAVEL	2,000
27	(C) PROF. FEES	0
28	(D) CAP. OUTLAY	0
29	(E) DATA PROC.	<u>0</u>
30	TOTAL AMOUNT APPROPRIATED	<u><u>\$77,520</u></u>

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32 SECTION 6. APPROPRIATION - MEDICAL SERVICES - MEDICAID EXPANSION
 33 PROGRAM GRANTS. There is hereby appropriated, to the Department of Human
 34 Services - Division of Medical Services, to be payable from the Medicaid
 35 Expansion Program Account, for grant payments by the Department of Human
 36 Services - Division of Medical Services - Medicaid Expansion Program Grants

1 for the fiscal year ending June 30, 2020, the following:

2

3 ITEM	FISCAL YEAR
4 <u>NO.</u>	<u>2019-2020</u>
5 (01) HOSPITAL AND MEDICAL SERVICES	\$99,027,014
6 (02) PRESCRIPTION DRUGS	<u>8,983,674</u>
7 TOTAL AMOUNT APPROPRIATED	<u><u>\$108,010,688</u></u>

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9 SECTION 7. APPROPRIATION - PROVIDER SERVICES AND QUALITY ASSURANCE -
 10 MEDICAID EXPANSION PROGRAM. There is hereby appropriated, to the Department
 11 of Human Services - Division of Provider Services and Quality Assurance, to
 12 be payable from the Medicaid Expansion Program Account, for personal services
 13 and operating expenses of the Department of Human Services - Division of
 14 Provider Services and Quality Assurance - Medicaid Expansion Program for the
 15 fiscal year ending June 30, 2020, the following:

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17 ITEM	FISCAL YEAR
18 <u>NO.</u>	<u>2019-2020</u>
19 (01) REGULAR SALARIES	\$743,276
20 (02) PERSONAL SERVICES MATCHING	275,176
21 (03) MAINT. & GEN. OPERATION	
22 (A) OPER. EXPENSE	98,598
23 (B) CONF. & TRAVEL	0
24 (C) PROF. FEES	0
25 (D) CAP. OUTLAY	0
26 (E) DATA PROC.	<u>0</u>
27 TOTAL AMOUNT APPROPRIATED	<u><u>\$1,117,050</u></u>

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29 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MEDICAID
 31 EXPANSION PROGRAM - PAYING ACCOUNTS. The Medicaid Expansion Program as
 32 established by Initiated Act 1 of 2000 and enacted in the Tobacco Settlement
 33 Proceeds Act shall be a separate and distinct component of the Arkansas
 34 Medicaid Program, administered by the Department of Human Services and
 35 established as set out in § 19-12-116(b)(1). Separate Paying Accounts shall
 36 be established for the Medicaid Expansion Program as designated by the Chief

1 Fiscal Officer of the State, to be used exclusively for the purpose of
2 drawing down federal funds associated with the federal share of expenditures
3 and for the state share of expenditures transferred from the Medicaid
4 Expansion Program Account or for any other appropriate state match funds.

5 The provisions of this section shall be in effect only from July 1, ~~2018~~
6 2019 through June 30, ~~2019~~ 2020.

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8 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ACCOUNTS.
10 Such appropriations and fund accounts as may be necessary to administer the
11 provisions of this act shall be established on the books of the Chief Fiscal
12 Officer of the State, State Treasurer, and the Auditor of the State.

13 The provisions of this section shall be in effect only from July 1, ~~2018~~
14 2019 through June 30, ~~2019~~ 2020.

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

18 POSITIONS. (a) Nothing in this act shall be construed as a commitment of the
19 State of Arkansas or any of its agencies or institutions to continue funding
20 any position paid from the proceeds of the Tobacco Settlement in the event
21 that Tobacco Settlement funds are not sufficient to finance the position.

22 (b) State funds will not be used to replace Tobacco Settlement funds when
23 such funds expire, unless appropriated by the General Assembly and authorized
24 by the Governor.

25 (c) A disclosure of the language contained in (a) and (b) of this Section
26 shall be made available to all new hire and current positions paid from the
27 proceeds of the Tobacco Settlement by the Tobacco Settlement Commission.

28 (d) Whenever applicable the information contained in (a) and (b) of this
29 Section shall be included in the employee handbook and/or Professional
30 Services Contract paid from the proceeds of the Tobacco Settlement.

31 The provisions of this section shall be in effect only from July 1, ~~2018~~
32 2019 through June 30, ~~2019~~ 2020.

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34 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
36 RESTRICTIONS. The appropriations provided in this act shall not be

1 transferred under the provisions of Arkansas Code 19-4-522, but only as
2 provided by this act.

3 The provisions of this section shall be in effect only from July 1, ~~2018~~
4 2019 through June 30, ~~2019~~ 2020.

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6 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFERS
8 OF APPROPRIATIONS. In the event the amount of any of the budget
9 classifications of maintenance and general operation in this act are found by
10 the administrative head of the agency to be inadequate, then the agency head
11 may request, upon forms provided for such purpose by the Chief Fiscal Officer
12 of the State, a modification of the amounts of the budget classification. In
13 that event, he shall set out on the forms the particular classifications for
14 which he is requesting an increase or decrease, the amounts thereof, and his
15 reasons therefor. In no event shall the total amount of the budget exceed
16 either the amount of the appropriation or the amount of the funds available,
17 nor shall any transfer be made from the capital outlay or data processing
18 subclassifications unless specific authority for such transfers is provided
19 by law, except for transfers from capital outlay to data processing when
20 determined by the Department of Information Systems that data processing
21 services for a state agency can be performed on a more cost-efficient basis
22 by the Department of Information Systems than through the purchase of data
23 processing equipment by that state agency. In considering the proposed
24 modification as prepared and submitted by each state agency, the Chief Fiscal
25 Officer of the State shall make such studies as he deems necessary. The Chief
26 Fiscal Officer of the State shall, after obtaining the approval of the
27 Legislative Council or Joint Budget Committee, approve the requested transfer
28 if in his opinion it is in the best interest of the state.

29 Upon determination by the Director of the Department of Human Services
30 that a Reallocation of Resources is necessary for the effective operation of
31 the Medicaid Expansion Program Grants, the director, with the approval of the
32 Governor, shall have the authority to request from the Chief Fiscal Officer
33 of the State a transfer of Appropriation. This transfer authority applies
34 only to the Medicaid Expansion Program Grants appropriation section of this
35 Act between the Hospital and Medical Services line item and the Prescription
36 Drugs line item. The limitation restrictions applicable to the Department

1 Reallocation of Resources authority applies to this section.

2 The General Assembly has determined that the agency in this act could be
3 operated more efficiently if some flexibility is given to that agency and
4 that flexibility is being accomplished by providing authority to transfer
5 between certain items of appropriation made by this act. Since the General
6 Assembly has granted the agency broad powers under the transfer of
7 appropriations, it is both necessary and appropriate that the General
8 Assembly maintain oversight of the utilization of the transfers by requiring
9 prior approval of the Legislative Council or Joint Budget Committee in the
10 utilization of the transfer authority. Therefore, the requirement of approval
11 by the Legislative Council or Joint Budget Committee is not a severable part
12 of this section. If the requirement of approval by the Legislative Council or
13 Joint Budget Committee is ruled unconstitutional by a court of competent
14 jurisdiction, this entire section is void.

15 The provisions of this section shall be in effect only from July 1, ~~2018~~
16 2019 through June 30, ~~2019~~ 2020.

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

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

29 The provisions of this section shall be in effect only from July 1, ~~2018~~
30 2019 through June 30, ~~2019~~ 2020.

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

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

1 adopted, as evidenced by Initiated Act 1 of 2000, the Agency Requests,
2 Executive Recommendations and Legislative Recommendations contained in the
3 budget manuals prepared by the Department of Finance and Administration,
4 letters, or summarized oral testimony in the official minutes of the Arkansas
5 Legislative Council or Joint Budget Committee which relate to its passage and
6 adoption.

7 The provisions of this section shall be in effect only from July 1, ~~2018~~
8 2019 through June 30, ~~2019~~ 2020.

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10 SECTION 15. EMERGENCY CLAUSE. It is found and determined by the
11 General Assembly, that the Constitution of the State of Arkansas prohibits
12 the appropriation of funds for more than a one (1) year period; that the
13 effectiveness of this Act on July 1, 2019 is essential to the operation of
14 the agency for which the appropriations in this Act are provided, and that in
15 the event of an extension of the legislative session, the delay in the
16 effective date of this Act beyond July 1, 2019 could work irreparable harm
17 upon the proper administration and provision of essential governmental
18 programs. Therefore, an emergency is hereby declared to exist and this Act
19 being necessary for the immediate preservation of the public peace, health
20 and safety shall be in full force and effect from and after July 1, 2019.

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/s/Joint Budget Committee

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