

1 State of Arkansas
2 92nd General Assembly
3 Fiscal Session, 2020
4

A Bill

SENATE BILL 58

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 THE
10 INSPECTOR GENERAL FOR THE FISCAL YEAR ENDING JUNE 30,
11 2021; AND FOR OTHER PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE DEPARTMENT OF THE
15 INSPECTOR GENERAL APPROPRIATION FOR THE
16 2020-2021 FISCAL YEAR.
17
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. REGULAR SALARIES - SHARED SERVICES. There is hereby
23 established for the Department of the Inspector General for the 2020-2021
24 fiscal year, the following maximum number of regular employees.
25

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2020-2021
(1)	SC009	SECRETARY OF INSPECTOR GENERAL	<u>1</u>	GRADE SE05
		MAX. NO. OF EMPLOYEES	1	

32
33 SECTION 2. APPROPRIATION - SHARED SERVICES PAYING ACCOUNT. There is
34 hereby appropriated, to the Department of the Inspector General, to be
35 payable from the paying account as determined by the Chief Fiscal Officer of
36 the State with transfers from the State Central Services Fund, for personal



1 services and operating expenses of the Department of the Inspector General -
 2 Shared Services for the fiscal year ending June 30, 2021, the following:

4	ITEM	FISCAL YEAR
5	NO.	2020-2021
6	(01) REGULAR SALARIES	\$159,120
7	(02) PERSONAL SERVICES MATCHING	40,061
8	(03) MAINT. & GEN. OPERATION	
9	(A) OPER. EXPENSE	0
10	(B) CONF. & TRAVEL	0
11	(C) PROF. FEES	0
12	(D) CAP. OUTLAY	0
13	(E) DATA PROC.	0
14	(04) SHARED SERVICES PROGRAMS	<u>0</u>
15	TOTAL AMOUNT APPROPRIATED	<u>\$199,181</u>

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 17 SECTION 3. REGULAR SALARIES - OPERATIONS - OFFICE OF MEDICAID INSPECTOR
 18 GENERAL. There is hereby established for the Department of the Inspector
 19 General - Office of Medicaid Inspector General for the 2020-2021 fiscal year,
 20 the following maximum number of regular employees.

22				Maximum Annual
23				Salary Rate
24	Item	Class	Maximum	Fiscal Year
25	No.	Code	No. of	2020-2021
	No.	Code	Employees	
26	(1)	U124U	1	GRADE SE03
27	(2)	U125U	1	GRADE SE01
28	(3)	L009C	1	GRADE MP03
29	(4)	L027C	3	GRADE MP02
30	(5)	L038C	3	GRADE MP01
31	(6)	D056C	1	GRADE IT05
32	(7)	N199N	1	GRADE GS14
33	(8)	A115C	1	GRADE GS12
34	(9)	G249C	2	GRADE GS12
35	(10)	G250C	2	GRADE GS11
36	(11)	G073C	1	GRADE GS10

1	(12)	M009C LICENSED CERTIFIED SOCIAL WORKER	1	GRADE GS09
2	(13)	G251C OMIG PROGRAM MANAGER	1	GRADE GS08
3	(14)	A113C OMIG SR. AUDITOR	10	GRADE GS08
4	(15)	C010C EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE GS07
5	(16)	X200C MEDICAID FRAUD INVESTIGATOR	1	GRADE GS07
6	(17)	C037C ADMINISTRATIVE ANALYST	1	GRADE GS06
7	(18)	R025C HUMAN RESOURCES ANALYST	1	GRADE GS06
8	(19)	G179C LEGAL SERVICES SPECIALIST	1	GRADE GS06
9	(20)	A114C OMIG AUDITOR	1	GRADE GS06
10	(21)	B076C RESEARCH PROJECT ANALYST	1	GRADE GS06
11	(22)	A101C ACCOUNTING TECHNICIAN	1	GRADE GS04
12	(23)	C046C LEGAL SUPPORT SPECIALIST	1	GRADE GS04
13	(24)	C073C ADMINISTRATIVE SPECIALIST II	<u>1</u>	GRADE GS03
14		MAX. NO. OF EMPLOYEES	39	

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16 SECTION 4. EXTRA HELP - OPERATIONS - OFFICE OF MEDICAID INSPECTOR

17 GENERAL. There is hereby authorized, for the Department of the Inspector
 18 General - Office of Medicaid Inspector General for the 2020-2021 fiscal year,
 19 the following maximum number of part-time or temporary employees, to be known
 20 as "Extra Help", payable from funds appropriated herein for such purposes:
 21 two (2) temporary or part-time employees, when needed, at rates of pay not to
 22 exceed those provided in the Uniform Classification and Compensation Act, or
 23 its successor, or this act for the appropriate classification.

24

25 SECTION 5. APPROPRIATION - STATE OPERATIONS - OFFICE OF MEDICAID

26 INSPECTOR GENERAL. There is hereby appropriated, to the Department of the
 27 Inspector General, to be payable from the Miscellaneous Agencies Fund
 28 Account, for personal services and operating expenses of the Department of
 29 the Inspector General - Office of Medicaid Inspector General for the fiscal
 30 year ending June 30, 2021, the following:

31

32	ITEM	FISCAL YEAR
33	<u>NO.</u>	<u>2020-2021</u>
34	(01) REGULAR SALARIES	\$900,202
35	(02) EXTRA HELP	4,999
36	(03) PERSONAL SERVICES MATCHING	284,396

1	(04) MAINT. & GEN. OPERATION	
2	(A) OPER. EXPENSE	152,500
3	(B) CONF. & TRAVEL	3,400
4	(C) PROF. FEES	2,800
5	(D) CAP. OUTLAY	12,500
6	(E) DATA PROC.	<u>0</u>
7	TOTAL AMOUNT APPROPRIATED	<u>\$1,360,797</u>

8

9 SECTION 6. APPROPRIATION - FEDERAL OPERATIONS - OFFICE OF MEDICAID

10 INSPECTOR GENERAL. There is hereby appropriated, to the Department of the
 11 Inspector General, to be payable from the federal funds as designated by the
 12 Chief Fiscal Officer of the State, for personal services and operating
 13 expenses of the Department of the Inspector General - Office of Medicaid
 14 Inspector General for the fiscal year ending June 30, 2021, the following:

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16	ITEM	FISCAL YEAR
17	<u>NO.</u>	<u>2020-2021</u>
18	(01) REGULAR SALARIES	\$1,200,198
19	(02) EXTRA HELP	5,001
20	(03) PERSONAL SERVICES MATCHING	381,878
21	(04) MAINT. & GEN. OPERATION	
22	(A) OPER. EXPENSE	185,494
23	(B) CONF. & TRAVEL	3,800
24	(C) PROF. FEES	2,800
25	(D) CAP. OUTLAY	12,500
26	(E) DATA PROC.	<u>0</u>
27	TOTAL AMOUNT APPROPRIATED	<u>\$1,791,671</u>

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29 SECTION 7. APPROPRIATION - ENTERPRISE FRAUD PROGRAM - STATE - OFFICE OF

30 MEDICAID INSPECTOR GENERAL. There is hereby appropriated, to the Department
 31 of the Inspector General, to be payable from the Miscellaneous Agencies Fund
 32 Account, for personal services and operating expenses of the Enterprise Fraud
 33 Program of the Department of the Inspector General - Office of Medicaid
 34 Inspector General for the fiscal year ending June 30, 2021, the following:

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36	ITEM	FISCAL YEAR
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1	<u>NO.</u>	<u>2020-2021</u>
2	(01) ENTERPRISE FRAUD PROGRAM	<u>\$900,000</u>

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4 SECTION 8. APPROPRIATION - ENTERPRISE FRAUD PROGRAM - FEDERAL - OFFICE

5 OF MEDICAID INSPECTOR GENERAL. There is hereby appropriated, to the

6 Department of the Inspector General, to be payable from the federal funds as

7 designated by the Chief Fiscal Officer of the State, for personal services

8 and operating expenses of the Enterprise Fraud Program of the Department of

9 the Inspector General - Office of Medicaid Inspector General for the fiscal

10 year ending June 30, 2021, the following:

11	ITEM	FISCAL YEAR
12	<u>NO.</u>	<u>2020-2021</u>
13	(01) ENTERPRISE FRAUD PROGRAM	<u>\$3,600,000</u>

14

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16 SECTION 9. APPROPRIATION - CASH OPERATIONS - OFFICE OF MEDICAID

17 INSPECTOR GENERAL. There is hereby appropriated, to the Department of the

18 Inspector General, to be payable from the cash fund deposited in the State

19 Treasury as determined by the Chief Fiscal Officer of the State, for personal

20 services and operating expenses of the Department of the Inspector General -

21 Office of Medicaid Inspector General for the fiscal year ending June 30,

22 2021, the following:

23	ITEM	FISCAL YEAR
24	<u>NO.</u>	<u>2020-2021</u>
25	(01) REGULAR SALARIES	\$170,945
26	(02) PERSONAL SERVICES MATCHING	54,954
27	(03) MAINT. & GEN. OPERATION	
28	(A) OPER. EXPENSE	16,675
29	(B) CONF. & TRAVEL	6,710
30	(C) PROF. FEES	1,200
31	(D) CAP. OUTLAY	0
32	(E) DATA PROC.	<u>0</u>
33	TOTAL AMOUNT APPROPRIATED	<u>\$250,484</u>

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36 SECTION 10. REGULAR SALARIES - ARKANSAS FAIR HOUSING COMMISSION. There

1 is hereby established for the Department of the Inspector General - Arkansas
 2 Fair Housing Commission for the 2020-2021 fiscal year, the following maximum
 3 number of regular employees.

Item	Class	Maximum	Maximum Annual
No.	Code Title	No. of	Salary Rate
		Employees	Fiscal Year
			2020-2021
9	(1) N177N AFHC DIRECTOR	1	GRADE GS14
10	(2) G076C ADMINISTRATIVE SERVICES MANAGER	1	GRADE GS10
11	(3) X112C AFHC CHIEF INVESTIGATOR	1	GRADE GS07
12	(4) C010C EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE GS07
13	(5) X150C AFHC INVESTIGATOR	5	GRADE GS06
14	(6) A074C FISCAL SUPPORT SUPERVISOR	1	GRADE GS06
15	(7) G180C GRANTS ANALYST	1	GRADE GS06
16	(8) P027C PUBLIC INFORMATION SPECIALIST	<u>1</u>	GRADE GS06
17	MAX. NO. OF EMPLOYEES	12	

18
 19 SECTION 11. EXTRA HELP - ARKANSAS FAIR HOUSING COMMISSION. There is
 20 hereby authorized, for the Department of the Inspector General - Arkansas
 21 Fair Housing Commission for the 2020-2021 fiscal year, the following maximum
 22 number of part-time or temporary employees, to be known as "Extra Help",
 23 payable from funds appropriated herein for such purposes: two (2) temporary
 24 or part-time employees, when needed, at rates of pay not to exceed those
 25 provided in the Uniform Classification and Compensation Act, or its
 26 successor, or this act for the appropriate classification.

27
 28 SECTION 12. APPROPRIATION - ARKANSAS FAIR HOUSING COMMISSION. There is
 29 hereby appropriated, to the Department of the Inspector General, to be
 30 payable from the Miscellaneous Agencies Fund Account, for personal services
 31 and operating expenses of the Department of the Inspector General - Arkansas
 32 Fair Housing Commission for the fiscal year ending June 30, 2021, the
 33 following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>

1	(01) REGULAR SALARIES	\$581,308
2	(02) EXTRA HELP	40,000
3	(03) PERSONAL SERVICES MATCHING	195,653
4	(04) MAINT. & GEN. OPERATION	
5	(A) OPER. EXPENSE	250,000
6	(B) CONF. & TRAVEL	58,000
7	(C) PROF. FEES	57,007
8	(D) CAP. OUTLAY	0
9	(E) DATA PROC.	0
10	(05) PUBLIC EDUCATION	<u>899</u>
11	TOTAL AMOUNT APPROPRIATED	<u>\$1,182,867</u>

12

13 SECTION 13. APPROPRIATION - EDUCATION - TRUST - ARKANSAS FAIR HOUSING
 14 COMMISSION. There is hereby appropriated, to the Department of the Inspector
 15 General, to be payable from the Arkansas Fair Housing Commission Trust Fund,
 16 for operating expenses of the Department of the Inspector General - Arkansas
 17 Fair Housing Commission for the fiscal year ending June 30, 2021, the
 18 following:

19

20	ITEM	FISCAL YEAR
21	<u>NO.</u>	<u>2020-2021</u>
22	(01) MAINT. & GEN. OPERATION	
23	(A) OPER. EXPENSE	\$115,000
24	(B) CONF. & TRAVEL	55,000
25	(C) PROF. FEES	0
26	(D) CAP. OUTLAY	0
27	(E) DATA PROC.	<u>0</u>
28	TOTAL AMOUNT APPROPRIATED	<u>\$170,000</u>

29

30 SECTION 14. REGULAR SALARIES - INTERNAL AUDIT. There is hereby
 31 established for the Department of the Inspector General - Internal Audit for
 32 the 2020-2021 fiscal year, the following maximum number of regular employees.

33

34		Maximum Annual
35		Salary Rate
36	Item Class	Fiscal Year
		Maximum
		No. of

No.	Code	Title	Employees	2020-2021
(1)	N219N	DFA ADMINISTRATOR-INTERNAL AUDIT	1	GRADE SE02
(2)	A010C	AGENCY CONTROLLER II	1	GRADE GS13
(3)	A044C	AUDIT COORDINATOR	4	GRADE GS10
(4)	A081C	AUDITOR	<u>1</u>	GRADE GS07
		MAX. NO. OF EMPLOYEES	7	

SECTION 15. APPROPRIATION - INTERNAL AUDIT - OPERATIONS. There is hereby appropriated, to the Department of the Inspector General, to be payable from the State Central Services Fund, for personal services and operating expenses of the Department of the Inspector General - Internal Audit - Operations for the fiscal year ending June 30, 2021, the following:

ITEM NO.	FISCAL YEAR
	2020-2021
(01) REGULAR SALARIES	\$563,659
(02) PERSONAL SERVICES MATCHING	164,752
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	51,542
(B) CONF. & TRAVEL	3,500
(C) PROF. FEES	40,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(04) DATA PROCESSING SERVICES	<u>50,000</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$873,453</u></u>

SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS FAIR HOUSING COMMISSION PROMOTIONAL ITEMS. Upon approval of the Chief Fiscal Officer of the State, the Arkansas Fair Housing Commission is hereby authorized to transfer appropriation from Operating Expenses to Promotional Items in the Education-Trust Appropriation provided by this Act in an amount not to exceed eight thousand dollars (\$8,000) each fiscal year to meet the Commission's educational needs. The provisions of this section shall be in effect only from July 1, ~~2019~~ 2020 through June 30, ~~2020~~ 2021.

1 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SHARED
3 SERVICES.

4 (a)(1)(A) The Chief Fiscal Officer of the State may create paying
5 accounts on his or her books and on the books of the Treasurer of State and
6 the Auditor of State for the payment of personal services and operating
7 expenses by the Department of the Inspector General.

8 (B) Upon prior approval of the Arkansas Legislative Council, or
9 if meeting in Legislative Session the Joint Budget Committee, the Chief
10 Fiscal Officer of the State shall direct the transfer of funds and
11 appropriations to the Shared Services Paying Account appropriation section of
12 this act and the transfer of positions to the Regular Salaries – Shared
13 Services appropriation section of this act on the books of the Treasurer of
14 State, the Auditor of State, and the Chief Fiscal Officer of the State.

15 (2) The transfer authority provided in subdivision (a)(1) of
16 this section for efficiencies and to eliminate duplication of services are
17 limited only to those services that are provided for multiple divisions of a
18 department, including without limitation to administration, human resources,
19 procurement, communications, fleet operations, and information services.

20 (3) The transfer authority provided to the department in
21 subdivision (a)(1) of this section may be used to make transfers only within
22 the department's appropriation act or between other appropriation acts
23 authorized for the department.

24 (b)(1) Each department utilizing the Shared Services Paying Account
25 section or Regular Salaries – Shared Services section of this act shall
26 submit a report to be included in the Budget Manuals for hearings, conducted
27 by the General Assembly, listing all shared services transfers of positions,
28 funds, and appropriation under this section, which shall be submitted as
29 instructed by the Department of Finance and Administration - Office of Budget
30 for uniformity.

31 (2) A report submitted under subdivision (b)(1) of this section
32 shall include the following:

33 (A) The position number, authorized position title, class
34 code, grade, business area, and name of the division, section, or unit for
35 the position being transferred to the Regular Salaries – Shared Services
36 section of this act; and

1 (B) The fund center, appropriation, appropriation amount,
2 commitment item or items, business area, and name of the division, section,
3 or unit for the fund or appropriation being transferred to the Shared
4 Services Paying Account.

5 (c)(1) It is the intent of the Ninety-Second General Assembly that the
6 authority under this section to transfer positions is intended for use for
7 the time period prior to Fiscal Year 2022 to allow cabinet-level departments
8 to establish a centralized Regular Salaries - Shared Services section, with
9 the recommendation that the position transfer authority granted under this
10 section be discontinued after that time.

11 (2) The Bureau of Legislative Research shall bring the
12 recommendation in subdivision (c)(1) of this section to the attention of the
13 chairs conducting the 2021 Regular Session pre-session budget hearings, the
14 chairs of the Special Language Subcommittee, and the members of the Special
15 Language Subcommittee during pre-session budget hearings.

16 (d) Determining the maximum number of employees and the maximum amount
17 of appropriation and general revenue funding for a cabinet-level department
18 each fiscal year is the prerogative of the General Assembly and is usually
19 accomplished by delineating the maximums in the appropriation act or acts and
20 establishing authorized positions and the general revenue allocations
21 authorized for each fund and fund account by amendment to the Revenue
22 Stabilization Law. Further, the General Assembly has determined that the
23 cabinet-level departments created under Acts 2019, No. 910, may operate more
24 efficiently if some flexibility is provided as authorized under this section.
25 Therefore, it is both necessary and appropriate that the General Assembly
26 maintain oversight by requiring prior approval of the Legislative Council or,
27 if the General Assembly is in session, the Joint Budget Committee, as
28 provided by this section. The requirement of approval by the Legislative
29 Council or Joint Budget Committee is not a severable part of this section.
30 If the requirement of approval by the Legislative Council or Joint Budget
31 Committee is ruled unconstitutional by a court of competent jurisdiction,
32 this entire section is void.

33 (e) The provisions of this section shall be in effect from the date of
34 passage through June 30, 2021.

35
36 SECTION 18. COMPLIANCE WITH OTHER LAWS. Disbursement of funds

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

9
10 SECTION 19. LEGISLATIVE INTENT. It is the intent of the General
11 Assembly that any funds disbursed under the authority of the appropriations
12 contained in this act shall be in compliance with the stated reasons for
13 which this act was adopted, as evidenced by the Agency Requests, Executive
14 Recommendations and Legislative Recommendations contained in the budget
15 manuals prepared by the Department of Finance and Administration, letters, or
16 summarized oral testimony in the official minutes of the Arkansas Legislative
17 Council or Joint Budget Committee which relate to its passage and adoption.

18
19 SECTION 20. EMERGENCY CLAUSE. It is found and determined by the
20 General Assembly, that the Constitution of the State of Arkansas prohibits
21 the appropriation of funds for more than a one (1) year period; that the
22 effectiveness of this Act on July 1, 2020 is essential to the operation of
23 the agency for which the appropriations in this Act are provided, and that in
24 the event of an extension of the legislative session, the delay in the
25 effective date of this Act beyond July 1, 2020 could work irreparable harm
26 upon the proper administration and provision of essential governmental
27 programs. Therefore, an emergency is hereby declared to exist and this Act
28 being necessary for the immediate preservation of the public peace, health
29 and safety shall be in full force and effect from and after July 1, 2020.