

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

A Bill

SENATE BILL 67

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 AGING, ADULT, AND BEHAVIORAL
11 HEALTH SERVICES FOR THE FISCAL YEAR ENDING JUNE 30,
12 2021; AND FOR OTHER PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE DEPARTMENT OF HUMAN
16 SERVICES - DIVISION OF AGING, ADULT, AND
17 BEHAVIORAL HEALTH SERVICES APPROPRIATION
18 FOR THE 2020-2021 FISCAL YEAR.
19
20
21

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

24 SECTION 1. REGULAR SALARIES - STATE OPERATIONS. There is hereby
25 established for the Department of Human Services - Division of Aging, Adult,
26 and Behavioral Health Services for the 2020-2021 fiscal year, the following
27 maximum number of regular employees.
28

Item	Class		Maximum	Maximum Annual
No.	Code	Title	No. of	Salary Rate
			Employees	Fiscal Year
				2020-2021
33	(1)	N221N ARKANSAS STATE HOSPITAL COO	1	GRADE SE03
34	(2)	N181N DIRECTOR OF MEDICAL SERVICES	1	GRADE SE02
35	(3)	N019N DHS DEP DIR BEHAV HLTH SERVICES	1	GRADE SE01
36	(4)	N027N DHS DEPUTY DIRECTOR ADULT SERVICES	1	GRADE SE01



1	(5)	L005N PSYCHIATRIC SPECIALIST	1	GRADE MP08
2	(6)	L011N DENTIST	1	GRADE MP06
3	(7)	L009N DHS BEHAV HLTH GENERAL PHYSICIAN	4	GRADE MP06
4	(8)	L014N DIRECTOR OF PHARMACY	1	GRADE MP06
5	(9)	L013N GENERAL PHYSICIAN	1	GRADE MP06
6	(10)	L016N REGISTERED PHARMACIST	2	GRADE MP05
7	(11)	L105C AHC NURSING DIRECTOR	1	GRADE MP04
8	(12)	L001C PSYCHOLOGIST SUPERVISOR	2	GRADE MP04
9	(13)	L006C ASSOCIATE DIRECTOR OF NURSING	3	GRADE MP03
10	(14)	L009C NURSE MANAGER	9	GRADE MP03
11	(15)	L003C PSYCHOLOGIST	4	GRADE MP03
12	(16)	L015C CLINICAL SPEECH PATHOLOGIST	1	GRADE MP02
13	(17)	L036C NURSE INSTRUCTOR	1	GRADE MP02
14	(18)	L027C REGISTERED NURSE SUPERVISOR	30	GRADE MP02
15	(19)	L038C REGISTERED NURSE	82	GRADE MP01
16	(20)	L032C REGISTERED NURSE - HOSPITAL	61	GRADE MP01
17	(21)	N103N DHS MENTAL HEALTH CENTER DIRECTOR	1	GRADE GS14
18	(22)	N128N DHS ASST DIR QUALITY ASSURANCE	1	GRADE GS13
19	(23)	M002C DHS BEHAV HLTH ASSOC DIR, AHC	1	GRADE GS13
20	(24)	G277C DHS PROCESS IMPROVEMENT DIRECTOR	1	GRADE GS13
21	(25)	N147N DHS/DAAS ASST DEP DIR	1	GRADE GS13
22	(26)	N127N DHS/DBHS DIR ALCOHOL & DRUG ABUSE PREV	1	GRADE GS13
23	(27)	G101C DHS AREA MANAGER	1	GRADE GS12
24	(28)	G047C ATTORNEY SPECIALIST	1	GRADE GS11
25	(29)	L011C DHS ALCHL/DRUG ABUSE PREV ASST DEP DIR	2	GRADE GS11
26	(30)	G027N DHS RESEARCH ANALYSIS MANAGER	1	GRADE GS11
27	(31)	G076C ADMINISTRATIVE SERVICES MANAGER	2	GRADE GS10
28	(32)	L024C DHS BEHAV HLTH FACILITY ADMIN	1	GRADE GS09
29	(33)	G099C DHS PROGRAM ADMINISTRATOR	10	GRADE GS09
30	(34)	G109C GRANTS MANAGER	2	GRADE GS09
31	(35)	M009C LICENSED CERTIFIED SOCIAL WORKER	30	GRADE GS09
32	(36)	L033C PSYCHOLOGICAL EXAMINER	2	GRADE GS09
33	(37)	E035C CERTIFIED MASTERS TEACHER	1	GRADE GS08
34	(38)	L050C CERTIFIED RESPIRATORY THERAPY TECH	4	GRADE GS08
35	(39)	L098C CERTIFIED VOCATIONAL REHAB COUNSELOR	1	GRADE GS08
36	(40)	T031C DHS BEHAV HLTH PUBLIC SAFETY DIR	2	GRADE GS08

1	(41)	M016C	DHS FIELD MANAGER	5	GRADE GS08
2	(42)	G152C	DHS PROGRAM MANAGER	5	GRADE GS08
3	(43)	G083C	DHS/DAAS DIVISION MANAGER	1	GRADE GS08
4	(44)	E026C	EDUCATION & INSTRUCTION COORDINATOR	1	GRADE GS08
5	(45)	M010C	FAMILY SERVICE WORKER CLINICAL SPEC	1	GRADE GS08
6	(46)	S004C	MAINTENANCE MANAGER	1	GRADE GS08
7	(47)	E023C	TRAINING PROJECT MANAGER	1	GRADE GS08
8	(48)	G131C	DHS BEHAV HLTH MED BUS PRACTICES ADMIN	1	GRADE GS07
9	(49)	G183C	DHS PROGRAM COORDINATOR	24	GRADE GS07
10	(50)	G153C	DHS/DAAS PROGRAM SUPERVISOR	2	GRADE GS07
11	(51)	L055C	DIETICIAN	1	GRADE GS07
12	(52)	L062C	LICENSED PRACTICAL NURSE SUPERVISOR	13	GRADE GS07
13	(53)	M026C	LICENSED SOCIAL WORKER	5	GRADE GS07
14	(54)	M025C	PROGRAM ELIGIBILITY COORDINATOR I	1	GRADE GS07
15	(55)	L052C	REHAB FACILITY SUPERVISOR	2	GRADE GS07
16	(56)	A063C	RESEARCH & STATISTICS SUPERVISOR	1	GRADE GS07
17	(57)	M049C	SENIOR CHAPLAIN	1	GRADE GS07
18	(58)	C037C	ADMINISTRATIVE ANALYST	8	GRADE GS06
19	(59)	M045C	ADULT PROTECTIVE SERVICES WORKER	37	GRADE GS06
20	(60)	E044C	CERTIFIED BACHELORS TEACHER	3	GRADE GS06
21	(61)	L044C	DHS BEHAV HLTH CASE REVIEW ANALYST	1	GRADE GS06
22	(62)	G184C	DHS PROGRAM CONSULTANT	3	GRADE GS06
23	(63)	G210C	DHS PROGRAM SPECIALIST	3	GRADE GS06
24	(64)	G198C	DHS/DAAS PROGRAM SPECIALIST	3	GRADE GS06
25	(65)	T052C	DHS/DBHS PUBLIC SAFETY SUPERVISOR	5	GRADE GS06
26	(66)	G180C	GRANTS ANALYST	3	GRADE GS06
27	(67)	X101C	INTERNAL AFFAIRS INVESTIGATOR	1	GRADE GS06
28	(68)	L069C	LICENSED PRACTICAL NURSE	121	GRADE GS06
29	(69)	S033C	MAINTENANCE SUPERVISOR	2	GRADE GS06
30	(70)	P031C	MEDIA SPECIALIST	1	GRADE GS06
31	(71)	G124C	OMBUDSMAN	1	GRADE GS06
32	(72)	G178C	POLICY DEVELOPMENT COORDINATOR	1	GRADE GS06
33	(73)	M066C	PROGRAM ELIGIBILITY SPECIALIST	7	GRADE GS06
34	(74)	L103C	PSYCHOLOGICAL EVALUATOR	3	GRADE GS06
35	(75)	X136C	QUALITY ASSURANCE REVIEWER	2	GRADE GS06
36	(76)	C026C	RECORDS/INTAKE SUPERVISOR	1	GRADE GS06

1	(77)	L051C REHABILITATION COUNSELOR	2	GRADE GS06
2	(78)	B076C RESEARCH PROJECT ANALYST	3	GRADE GS06
3	(79)	S022C SKILLED TRADES SUPERVISOR	8	GRADE GS06
4	(80)	G202C VOLUNTEER PROGRAM COORDINATOR	1	GRADE GS06
5	(81)	S021C WATER FILTER/WASTE DISPOSAL PLNT SUPV	1	GRADE GS06
6	(82)	C050C ADMINISTRATIVE SUPPORT SUPERVISOR	1	GRADE GS05
7	(83)	S041C BOILER OPERATOR	4	GRADE GS05
8	(84)	A091C FISCAL SUPPORT ANALYST	2	GRADE GS05
9	(85)	D077C HELP DESK SPECIALIST	2	GRADE GS05
10	(86)	A090C PAYROLL SERVICES SPECIALIST	1	GRADE GS05
11	(87)	T055C PUBLIC SAFETY OFFICER	20	GRADE GS05
12	(88)	M065C RECREATIONAL ACTIVITY SUPERVISOR	3	GRADE GS05
13	(89)	L066C REHABILITATION INSTRUCTOR	37	GRADE GS05
14	(90)	M004C RESIDENTIAL OPERATIONS MANAGER	1	GRADE GS05
15	(91)	S031C SKILLED TRADESMAN	25	GRADE GS05
16	(92)	V018C WAREHOUSE MANAGER	1	GRADE GS05
17	(93)	S030C WATER FILTER/WASTE DISPOSAL PLNT OPER	2	GRADE GS05
18	(94)	C056C ADMINISTRATIVE SPECIALIST III	42	GRADE GS04
19	(95)	X167C COMPLAINTS INVESTIGATOR	1	GRADE GS04
20	(96)	L102C DIETETIC SPECIALIST	2	GRADE GS04
21	(97)	V020C INVENTORY CONTROL MANAGER	3	GRADE GS04
22	(98)	B111C LABORATORY TECHNICIAN	2	GRADE GS04
23	(99)	S046C MAINTENANCE TECHNICIAN	1	GRADE GS04
24	(100)	C043C RECORDS MANAGEMENT ANALYST	4	GRADE GS04
25	(101)	T072C SECURITY OFFICER SUPERVISOR	1	GRADE GS04
26	(102)	S099C STATIONARY ENGINEER	1	GRADE GS04
27	(103)	V023C STOREROOM SUPERVISOR	1	GRADE GS04
28	(104)	L074C THERAPY ASSISTANT	3	GRADE GS04
29	(105)	V025C WAREHOUSE SPECIALIST	1	GRADE GS04
30	(106)	C073C ADMINISTRATIVE SPECIALIST II	10	GRADE GS03
31	(107)	M084C BEHAV HLTH AIDE	77	GRADE GS03
32	(108)	L082C CERTIFIED NURSING ASSISTANT	157	GRADE GS03
33	(109)	S056C FOOD PREPARATION SUPERVISOR	9	GRADE GS03
34	(110)	S067C HOUSEKEEPER SUPERVISOR	2	GRADE GS03
35	(111)	V027C INVENTORY CONTROL TECHNICIAN	5	GRADE GS03
36	(112)	C062C LOCAL OFFICE ADMINISTRATIVE ASST	1	GRADE GS03

1	(113)	C074C MEDICAL RECORDS ASSISTANT	1	GRADE GS03
2	(114)	T084C PUBLIC SAFETY SECURITY OFFICER	62	GRADE GS03
3	(115)	C087C ADMINISTRATIVE SPECIALIST I	5	GRADE GS02
4	(116)	S070C EQUIPMENT TECHNICIAN	6	GRADE GS02
5	(117)	S085C FOOD PREPARATION SPECIALIST	7	GRADE GS02
6	(118)	S084C INSTITUTIONAL SERVICES SUPERVISOR	4	GRADE GS02
7	(119)	M076C RECREATIONAL ACTIVITY LEADER II	27	GRADE GS02
8	(120)	V030C SHIPPING & RECEIVING CLERK	1	GRADE GS02
9	(121)	E056C TEACHER ASSISTANT	4	GRADE GS02
10	(122)	V028C WAREHOUSE WORKER	2	GRADE GS02
11	(123)	S089C FOOD PREPARATION TECHNICIAN	34	GRADE GS01
12	(124)	S087C INSTITUTIONAL SERVICES ASSISTANT	52	GRADE GS01
13	(125)	L086C PHARMACY ASSISTANT	2	GRADE GS01
14	(126)	M082C RECREATIONAL ACTIVITY LEADER I	<u>3</u>	GRADE GS01
15		MAX. NO. OF EMPLOYEES	1,193	

16

17 SECTION 2. EXTRA HELP - STATE OPERATIONS. There is hereby authorized,
 18 for the Department of Human Services - Division of Aging, Adult, and
 19 Behavioral Health Services for the 2020-2021 fiscal year, the following
 20 maximum number of part-time or temporary employees, to be known as "Extra
 21 Help", payable from funds appropriated herein for such purposes: three
 22 hundred forty-three (343) temporary or part-time employees, when needed, at
 23 rates of pay not to exceed those provided in the Uniform Classification and
 24 Compensation Act, or its successor, or this act for the appropriate
 25 classification.

26

27 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby
 28 appropriated, to the Department of Human Services, to be payable from the
 29 Behavioral Health Services Fund Account, for personal services and operating
 30 expenses of the Department of Human Services - Division of Aging, Adult, and
 31 Behavioral Health Services for the fiscal year ending June 30, 2021, the
 32 following:

33

34	ITEM	FISCAL YEAR
35	<u>NO.</u>	<u>2020-2021</u>
36	(01) REGULAR SALARIES	\$49,451,498

1	(02) EXTRA HELP	5,764,305
2	(03) PERSONAL SERVICES MATCHING	19,064,050
3	(04) OVERTIME	4,212,006
4	(05) MAINT. & GEN. OPERATION	
5	(A) OPER. EXPENSE	28,151,937
6	(B) CONF. & TRAVEL	133,369
7	(C) PROF. FEES	10,431,280
8	(D) CAP. OUTLAY	250,000
9	(E) DATA PROC.	0
10	(06) FOSTER GRANDPARENT PROGRAM	<u>340,135</u>
11	TOTAL AMOUNT APPROPRIATED	<u>\$117,798,580</u>

12

SECTION 4. APPROPRIATION - AGING AND ADULT SERVICES - OPERATIONS.

14 There is hereby appropriated, to the Department of Human Services, to be
 15 payable from the paying account as determined by the Chief Fiscal Officer of
 16 the State, for operating expenses, grants, and programs for aging and adult
 17 services of the Department of Human Services - Division of Aging, Adult, and
 18 Behavioral Health Services for the fiscal year ending June 30, 2021, the
 19 following:

20

21	ITEM	FISCAL YEAR
22	<u>NO.</u>	<u>2020-2021</u>
23	(01) NURSING HOME CARE ALTERNATIVES	\$4,802,025
24	(02) NUTRITION PROGRAMS	10,441,932
25	(03) OLDER WORKER PROGRAM	1,052,665
26	(04) PROJECT GRANTS	9,971,411
27	(05) RETIRED & SENIOR VOLUNTEER PROGRAM	75,000
28	(06) SENIOR CITIZEN CENTERS	<u>8,000,000</u>
29	TOTAL AMOUNT APPROPRIATED	<u>\$34,343,033</u>

30

SECTION 5. APPROPRIATION - COMMUNITY ALCOHOL SAFETY OPERATIONS. There

32 is hereby appropriated, to the Department of Human Services, to be payable
 33 from the Highway Safety Special Fund, for grant payments of the Department of
 34 Human Services - Division of Aging, Adult, and Behavioral Health Services for
 35 the fiscal year ending June 30, 2021, the following:

36

1	ITEM	FISCAL YEAR
2	<u>NO.</u>	<u>2020-2021</u>
3	(01) COMMUNITY ALCOHOL SAFETY GRANTS AND	
4	AID	<u>\$2,416,834</u>

5

6 SECTION 6. APPROPRIATION - PATIENT BENEFITS - CASH. There is hereby

7 appropriated, to the Department of Human Services, to be payable from the

8 cash fund deposited in the State Treasury as determined by the Chief Fiscal

9 Officer of the State, for benefits of the patients of the Department of Human

10 Services - Division of Aging, Adult, and Behavioral Health Services for the

11 fiscal year ending June 30, 2021, the following:

12

13	ITEM	FISCAL YEAR
14	<u>NO.</u>	<u>2020-2021</u>
15	(01) PATIENT BENEFIT FUND	<u>\$34,676</u>

16

17 SECTION 7. APPROPRIATION - MENTAL HEALTH GRANTS. There is hereby

18 appropriated, to the Department of Human Services, to be payable from the

19 paying account as determined by the Chief Fiscal Officer of the State, for

20 grant payments of the Department of Human Services - Division of Aging,

21 Adult, and Behavioral Health Services for the fiscal year ending June 30,

22 2021, the following:

23

24	ITEM	FISCAL YEAR
25	<u>NO.</u>	<u>2020-2021</u>
26	(01) MENTAL HEALTH GRANTS AND AID	<u>\$34,534,315</u>

27

28 SECTION 8. APPROPRIATION - ALCOHOL AND DRUG ABUSE PREVENTION. There is

29 hereby appropriated, to the Department of Human Services, to be payable from

30 the Drug Abuse Prevention and Treatment Fund, for education, drug abuse

31 prevention, and treatment services of the Department of Human Services -

32 Division of Aging, Adult, and Behavioral Health Services for the fiscal year

33 ending June 30, 2021, the following:

34

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

1 (01) EDUCATION/PREVENTION/TREATMENT \$27,170,743

2

3 SECTION 9. APPROPRIATION - COMMUNITY BASED CRISIS INTERVENTION. There
4 is hereby appropriated, to the Department of Human Services, to be payable
5 from the Behavioral Health Services Fund Account, for grants and operating
6 expenses related to crisis intervention of the Department of Human Services -
7 Division of Aging, Adult, and Behavioral Health Services for the fiscal year
8 ending June 30, 2021, the following:

9

10 ITEM	FISCAL YEAR
11 <u>NO.</u>	<u>2020-2021</u>
12 (01) CRISIS INTERVENTION GRANTS AND AID	<u>\$5,000,000</u>

13

14 SECTION 10. APPROPRIATION - MEALS ON WHEELS. There is hereby
15 appropriated, to the Department of Human Services, to be payable from the
16 Aging and Adult Services Fund Account, for the Meals on Wheels Program and
17 transportation services for the elderly of the Department of Human Services -
18 Division of Aging, Adult, and Behavioral Health Services for the fiscal year
19 ending June 30, 2021, the following:

20

21 ITEM	FISCAL YEAR
22 <u>NO.</u>	<u>2020-2021</u>
23 (01) TRANSPORTATION SERVICES	<u>\$2,400,000</u>

24

25 SECTION 11. APPROPRIATION - ARKANSAS SENIOR OLYMPICS. There is hereby
26 appropriated, to the Department of Human Services, to be payable from the
27 Behavioral Health Services Fund Account, for matching funds for the Arkansas
28 Senior Olympics of the Department of Human Services - Division of Aging,
29 Adult, and Behavioral Health Services for the fiscal year ending June 30,
30 2021, the following:

31

32 ITEM	FISCAL YEAR
33 <u>NO.</u>	<u>2020-2021</u>
34 (01) STATE MATCH	<u>\$70,000</u>

35

36 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 2 BEHAVIORAL HEALTH SERVICES - FEDERAL FUNDS. It is the specific intent of the
 3 General Assembly that in the event of the availability of federal funding for
 4 the Division of Aging, Adult, and Behavioral Health Services during the
 5 fiscal year ending June 30, ~~2020~~ 2021, that such funding be utilized to
 6 conserve or reduce the expenditure of general revenue except where prohibited
 7 by law.

8 The provisions of this section shall be in effect only from July 1, ~~2019~~
 9 2020 through June 30, ~~2020~~ 2021.

10
 11 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 13 BEHAVIORAL HEALTH SERVICES. Pay rates for physicians and chief psychologists
 14 within the Division of Aging, Adult, and Behavioral Health Services may
 15 include the special allowances available to UAMS physicians and professional
 16 faculty as described in the special language of the UAMS appropriation. Part
 17 of the salaries of such staff will come from the receipt of professional
 18 income in the care of patients and/or funds received from federal agencies,
 19 foundations and other private sponsors in the support of research. Provided
 20 that any such allowance shall not exceed, for any employee, an amount equal
 21 to two and one half times the salary authorized by the General Assembly. The
 22 specific Division of Aging, Adult, and Behavioral Health Services
 23 classifications covered by this language are:

- 24 Class
- 25 Code Title
- 26 L005N Psychiatric Specialist
- 27 L009N DHS Behavioral Health General Physician
- 28 L001C Psychologist Supervisor

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

33 The provisions of this section shall be in effect only from July 1, ~~2019~~
 34 2020 through June 30, ~~2020~~ 2021.

35
 36 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

2 BEHAVIORAL HEALTH SERVICES - VOCATIONAL TRAINEES. The Division of Aging,
3 Adult, and Behavioral Health Services of the Department of Human Services is
4 hereby authorized to provide employment opportunities for some of the working
5 residents who are separate from the currently authorized regular vocational
6 trainee positions. The positions authorized herein shall not be incorporated
7 into the present classification system but shall be provided for by each
8 Community Mental Health Center or the State Hospital, on a cash account
9 basis. It is the intent of the General Assembly that the authorization of
10 these positions shall facilitate the Agency's ability to provide for
11 residents who are not part of a regular vocational training program.

12 The provisions of this section shall be in effect only from July 1, ~~2019~~
13 2020 through June 30, ~~2020~~ 2021.

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

17 BEHAVIORAL HEALTH SERVICES - JOB SHARE. The Division of Aging, Adult, and
18 Behavioral Health Services can utilize job share for positions within the
19 nursing classification (RN, LPN/LPTN, BHA/CNA) for up to 24 hours per week
20 per individual. This will allow the Division to offer weekend option shifts
21 to nursing personnel without increasing the number of positions.

22 The provisions of this section shall be in effect only from July 1, ~~2019~~
23 2020 through June 30, ~~2020~~ 2021.

24
25 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

27 BEHAVIORAL HEALTH SERVICES - STATE HOSPITAL CONTINGENCY POSITIONS. If the
28 Department of Human Services determines, and after prior review by the
29 Legislative Council or Joint Budget Committee, it shall be determined that it
30 is in the best interest of the State of Arkansas to discontinue a management
31 contract with a private provider and it is deemed necessary to utilize
32 Department staff to provide the required services, the Director of the
33 Department of Human Services may request the Department of Finance and
34 Administration to approve the establishment of one or more additional
35 positions at salary rates not to exceed the maximum salaries established for
36 comparable positions in the Uniform Classification and Compensation Act, the

1 Department of Human Services' Appropriation Act, and the University of
2 Arkansas for Medical Sciences' Appropriation Act. Upon approval by the
3 Department of Finance and Administration and after review by the Legislative
4 Council or Joint Budget Committee, the Department of Human Services -
5 Division of Aging, Adult, and Behavioral Health Services may establish such
6 positions.

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

10 The provisions of this section shall be in effect only from July 1, ~~2019~~
11 2020 through June 30, ~~2020~~ 2021.

12

13 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS
15 HEALTH CENTER. (A) The Department of Human Services shall not close the
16 Arkansas Health Center that provides skilled nursing through specialized
17 services and programs.

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

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

25 (D) Determining the maximum amount of appropriation and general revenue
26 funding for a state agency each fiscal year is the prerogative of the General
27 Assembly. This is usually accomplished by delineating such maximums in the
28 appropriation act(s) for a state agency and the general revenue allocations
29 authorized for each fund and fund account by amendment to the Revenue
30 Stabilization law. Further, the General Assembly has determined that the
31 Department of Human Services may operate more efficiently if some flexibility
32 is provided to the Department of Human Services authorizing broad powers
33 under this Section. Therefore, it is both necessary and appropriate that the
34 General Assembly maintain oversight by requiring prior approval of the
35 Legislative Council or Joint Budget Committee as provided by this section.
36 The requirement of approval by the Legislative Council or Joint Budget

1 Committee is not a severable part of this section. If the requirement of
2 approval by the Legislative Council or Joint Budget Committee is ruled
3 unconstitutional by a court of competent jurisdiction, this entire section is
4 void.

5 The provisions of this section shall be in effect only from July 1, ~~2019~~
6 2020 through June 30, ~~2020~~ 2021.

7
8 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA
10 HELP – BEHAVIORAL HEALTH SERVICES. Employees in extra-help positions at the
11 Department of Human Services – Division of Aging, Adult, and Behavioral
12 Health Services may receive an amount not to exceed eighty-five percent (85%)
13 of the maximum annual salary for a comparable position as authorized under §
14 21-5-201 et seq. during any fiscal year, nor shall such an employee be
15 employed for a period of time to exceed one thousand eight hundred (1,800)
16 hours in any single fiscal year.

17 The provisions of this section shall be in effect only from July 1, ~~2019~~
18 2020 through June 30, ~~2020~~ 2021.

19
20 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
22 BEHAVIORAL HEALTH SERVICES - PROCEEDS FOR SALES OF TIMBER AND HAY - CAPITAL
23 IMPROVEMENTS AND EQUIPMENT. The Division of Aging, Adult, and Behavioral
24 Health Services is authorized to use the administrative operating account for
25 capital improvements to the physical plant, and for the purchase of capital
26 equipment, and for the operation of the Arkansas Health Center, operated by
27 the Department of Human Services - Division of Aging, Adult, and Behavioral
28 Health Services. The funds shall be held by the Department of Human Services
29 - Division of Aging, Adult, and Behavioral Health Services, from the proceeds
30 of the sale of timber and hay that may be harvested from land owned by the
31 Division of Aging, Adult, and Behavioral Health Services. All funds deposited
32 and all expenses shall be tracked separately. The harvesting of timber and
33 hay is specifically authorized to provide funds to finance capital
34 improvements to the physical plant, for the purchase of major capital
35 equipment, and for the operation of the Arkansas Health Center. The Division
36 of Aging, Adult, and Behavioral Health Services shall report all income

1 derived from the sale of timber and hay to the Chief Fiscal Officer of the
 2 State and the Legislative Council or Joint Budget Committee. Any contracts
 3 initiated for the harvesting of timber and hay shall be submitted to the
 4 Review Subcommittee of the Arkansas Legislative Council or Joint Budget
 5 Committee for prior review. All expenditures of funds derived from the sale
 6 of timber and hay will be expended in accordance with relevant state
 7 purchasing laws.

8 The provisions of this section shall be in effect only from July 1, ~~2019~~
 9 2020 through June 30, ~~2020~~ 2021.

10
 11 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL
 13 RATES OF PAY AND EMPLOYMENT WORK DAYS. For employees hired on or after July
 14 1, 2013, at the Arkansas State Hospital in the classifications listed below,
 15 the Division of Aging, Adult, and Behavioral Health Services Director shall
 16 implement salary adjustments utilizing the approved pay grid for teachers
 17 employed by the Arkansas Schools for the Blind and Deaf.

18 To achieve the salary adjustments, the Division of Aging, Adult, and
 19 Behavioral Health Services is authorized to pay special rates of pay for
 20 classifications at the Arkansas State Hospital listed below:

21	Classification	Title	Grade
22	E035C	Certified Masters Teacher	GS08
23	E044C	Certified Bachelors Teacher	GS06

24 Funding for the minimum compensation provided for in this section that
 25 is supported in whole or in part from general revenues, shall, if required,
 26 be provided by a transfer from the Performance Fund to the proper fund or
 27 fund account and in such amounts as determined by the Chief Fiscal Officer of
 28 the State. The Division of Aging, Adult, and Behavioral Health Services
 29 shall in addition to the funds provided in this Act for Annual Career Service
 30 Recognition Payments from the Performance Fund, make available any funding
 31 generated from agency salary savings for such purposes from the funds or fund
 32 accounts as provided by law.

33 For employees hired on or after July 1, 2013, at the Arkansas State
 34 Hospital in the classifications listed above, the Division of Aging, Adult,
 35 and Behavioral Health Services Director shall set the number of work days for
 36 the employment year to equal the number of days worked by those employed in

1 the same classifications at the Arkansas Schools for the Blind and Deaf. The
2 accrual, use, and carryover of sick days, personal days, and holidays of the
3 employees at the Arkansas State Hospital that are hired on or after July 1,
4 2013, or current employees choosing to adopt this plan, shall be treated in
5 the same manner as those employed in the same classifications at the Arkansas
6 Schools for the Blind and Deaf.

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

12 Accrued annual and holiday leave, up to 240 hours, as of June 30,
13 2013, will be paid out to current employees choosing to adopt this plan. Any
14 additional accrued annual and holiday leave will be forfeited. Accrued sick
15 leave, as of June 30, 2013, shall be retained on file and shall be exhausted
16 before any newly accrued sick leave may be taken.

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

19 The provisions of this section shall be in effect only from July 1, ~~2019~~
20 2020 through June 30, ~~2020~~ 2021.

21
22 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
24 FORWARD - COMMUNITY BASED CRISIS INTERVENTION. Any unexpended balance of
25 funds allocated for Community Based Crisis Intervention in the Department of
26 Human Services - Division of Aging, Adult, and Behavioral Health Services
27 from the Behavioral Health Services Fund Account which remains at the close
28 of each state fiscal year shall be carried forward to the next state fiscal
29 year to be used for the same intent and purposes as set forth in law. Any
30 carry forward of unexpended balance of funding as authorized herein may be
31 carried forward under the following conditions:

32 (1) Prior to June 30, 2020, the Agency shall, by written statement, set
33 forth its reason(s) for the need to carry forward said funding to the
34 Department of Finance and Administration Office of Budget;

35 (2) The Department of Finance and Administration Office of Budget shall
36 report to the Arkansas Legislative Council all amounts carried forward by the

1 September Arkansas Legislative Council or Joint Budget Committee meeting
2 which report shall include the name of the Agency, Board, Commission or
3 Institution and the amount of the funding carried forward, the program name
4 or line item, the funding source of that appropriation and a copy of the
5 written request set forth in (1) above;

6 (3) Each Agency, Board, Commission or Institution shall provide a
7 written report to the Arkansas Legislative Council or Joint Budget Committee
8 containing all information set forth in item (2) above, along with a written
9 statement as to the current status of the project, contract, purpose etc. for
10 which the carry forward was originally requested no later than thirty (30)
11 days prior to the time the Agency, Board, Commission or Institution presents
12 its budget request to the Arkansas Legislative Council/Joint Budget
13 Committee; and

14 (4) Thereupon, the Department of Finance and Administration shall
15 include all information obtained in item (3) above in the budget manuals
16 and/or a statement of non-compliance by the Agency, Board, Commission or
17 Institution.

18 The provisions of this section shall be in effect only from July 1,
19 ~~2019~~ 2020 through June 30, ~~2020~~ 2021.

20
21 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND
23 ADULT SERVICES - MATCHING FUNDS. The funds appropriated for state match for
24 the Arkansas Senior Olympics Program in this Act shall be paid on a two-to-
25 one state/local matching basis. The Senior Arkansas Sports Organization must
26 certify its portion of the match to the Division of Aging, Adult, and
27 Behavioral Health Services before any funds appropriated for state match for
28 the Arkansas Senior Olympics Program in this Act are disbursed.

29 The provisions of this section shall be in effect only from July 1, ~~2019~~
30 2020 through June 30, ~~2020~~ 2021.

31
32 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND
34 ADULT SERVICES - STATE MATCH AUTHORIZED. The Director of the Department of
35 Human Services is authorized to use State funds appropriated in this Act to
36 match Federal funds available under Title III and Title V of the Older

1 Americans Act, Social Services Block Grant, or such other federal funds as
2 may become available.

3 The provisions of this section shall be in effect only from July 1, ~~2019~~
4 2020 through June 30, ~~2020~~ 2021.

5
6 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND
8 ADULT SERVICES - GRANT/CONTRACT DISBURSEMENT GUIDELINES. All appropriations
9 for state and federal funding contained herein for Aging and Adult Services
10 and that are distributed under grant or contract methodologies may be
11 disbursed by the Department of Human Services in the same manner as
12 authorized under federal regulations for the disbursement of Title III Older
13 Americans Act funds. Otherwise, all disbursements shall comply with the
14 provisions of this Act.

15 The provisions of this section shall be in effect only from July 1, ~~2019~~
16 2020 through June 30, ~~2020~~ 2021.

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18 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND
20 ADULT SERVICES - NURSING HOME CARE ALTERNATIVES. Funding for "Nursing Home
21 Care Alternatives", as it appears in the Aging and Adult Services -
22 Operations appropriation may be used for home delivered meals, adult day
23 care, homemaker/chore, respite care, personal care, health promotion, and
24 other community-based activities. These funds may also be used to match
25 Medicaid community-based programs.

26 The provisions of this section shall be in effect only from July 1, ~~2019~~
27 2020 through June 30, ~~2020~~ 2021.

28
29 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SENIOR
31 CITIZEN CENTERS. The appropriation in this act for Senior Citizen Centers
32 shall be distributed in the same manner as the funding formula requirements
33 set out in the federal Older Americans Act funding law. The additional
34 funding provided by this provision shall supplement and not supplant any
35 monies currently funding services for Senior Citizen Centers.

36 The requirements in this section shall only be implemented in accordance

1 with any necessary approval by the Centers for Medicare and Medicaid Services
2 and in the event that additional general revenue funding is provided by the
3 General Assembly for these purposes. Should additional funding provided for
4 these purposes be insufficient to provide for the increases in full, the
5 increases shall be provided to the extent that funding is made available.

6 The provisions of this section shall be in effect only from July 1, ~~2019~~
7 2020 through June 30, ~~2020~~ 2021.

8
9 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
11 FORWARD OF UNOBLIGATED GENERAL REVENUE FUNDS FOR SENIOR CITIZEN CENTERS. (a)
12 On June 30, 2019, or as soon as is practicable to determine funds available
13 as authorized in this Section, and each fiscal year thereafter the Chief
14 Fiscal Officer of the State shall cause to be transferred on his or her books
15 and those of the State Treasurer and Auditor of State the balance of
16 unobligated general revenue funds, excluding funds carried forward for other
17 purposes, remaining in the Fund or Fund Accounts and the corresponding paying
18 accounts as determined by the Chief Fiscal Officer of the State, as set out
19 in subsection (b) herein, to the Department of Human Services - Division of
20 Aging, Adult, and Behavioral Health Services paying account to be used
21 exclusively for the disbursement of funds for Senior Citizen Centers in the
22 amount of recouped and recovered general revenue not to exceed five hundred
23 thousand dollars (\$500,000).

24 (b) Any unobligated general revenue, excluding funds carried forward for
25 other purposes, remaining in the following Fund or Fund Accounts and the
26 corresponding paying accounts at the end of the Fiscal Year that would
27 normally be transferred into the General Revenue Allotment Reserve Fund as
28 recouped or recovered General Revenue shall be transferred as authorized in
29 subsection (a) herein:

- 30 (1) Department of Human Services Administration Fund Account;
- 31 (2) Children and Family Services Fund Account;
- 32 (3) Child Care and Early Childhood Education Fund Account;
- 33 (4) Youth Services Fund Account;
- 34 (5) Developmental Disabilities Services Fund Account;
- 35 (6) Medical Services Fund Account;
- 36 (7) Behavioral Health Services Fund Account;

1 (8) County Operations Fund Account; and

2 (9) Provider Services and Quality Assurance Fund Account.

3 (c)(1) Any general revenue recouped or recovered as authorized in
4 subsections (a) and (b) herein shall be carried forward to the following
5 fiscal year for Senior Citizen Centers and shall be distributed in the same
6 manner as the funding formula requirements set out in the federal Older
7 Americans Act funding law.

8 (2) The additional funding provided by this provision shall supplement
9 and not supplant any monies currently funding services for Senior Citizen
10 Centers.

11 (d) Should additional funding provided for in subsections (a) and (b)
12 herein be insufficient to provide for the full five hundred thousand dollars
13 (\$500,000) authorized, the increases shall be provided to the extent that
14 general revenue is recouped and carried forward.

15 (e)(1) The Department of Human Services shall provide a written report to
16 the Department of Finance and Administration Budget Office, the Arkansas
17 Legislative Council or Joint Budget Committee the total amount of general
18 revenue carried forward and distributed as set forth in this section no later
19 than thirty (30) days prior to the time the Department presents its budget
20 request to the Legislative Council or Joint Budget Committee.

21 (2) The Department of Finance and Administration shall include all
22 information obtained in subsection (e)(1) herein in the budget manual
23 submitted to the Arkansas Legislative Council or Joint Budget Committee for
24 the Department.

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

35
36 SECTION 29. LEGISLATIVE INTENT. It is the intent of the General

1 Assembly that any funds disbursed under the authority of the appropriations
2 contained in this act shall be in compliance with the stated reasons for
3 which this act was adopted, as evidenced by the Agency Requests, Executive
4 Recommendations and Legislative Recommendations contained in the budget
5 manuals prepared by the Department of Finance and Administration, letters, or
6 summarized oral testimony in the official minutes of the Arkansas Legislative
7 Council or Joint Budget Committee which relate to its passage and adoption.
8

9 SECTION 30. EMERGENCY CLAUSE. It is found and determined by the
10 General Assembly, that the Constitution of the State of Arkansas prohibits
11 the appropriation of funds for more than a one (1) year period; that the
12 effectiveness of this Act on July 1, 2020 is essential to the operation of
13 the agency for which the appropriations in this Act are provided, and that in
14 the event of an extension of the legislative session, the delay in the
15 effective date of this Act beyond July 1, 2020 could work irreparable harm
16 upon the proper administration and provision of essential governmental
17 programs. Therefore, an emergency is hereby declared to exist and this Act
18 being necessary for the immediate preservation of the public peace, health
19 and safety shall be in full force and effect from and after July 1, 2020.
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