

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

HOUSE BILL 1118

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 - SECRETARY'S OFFICE FOR THE FISCAL YEAR
11 ENDING JUNE 30, 2024; AND FOR OTHER PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE DEPARTMENT OF HUMAN
15 SERVICES - SECRETARY'S OFFICE
16 APPROPRIATION FOR THE 2023-2024 FISCAL
17 YEAR.
18
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. REGULAR SALARIES - SECRETARY OF HUMAN SERVICES. There is
24 hereby established for the Department of Human Services - Secretary's Office
25 for the 2023-2024 fiscal year, the following maximum number of regular
26 employees.
27

Item	Class	Maximum	Maximum Annual
No.	Code	No. of	Salary Rate
		Employees	Fiscal Year
			2023-2024
(1)	SC008	SECRETARY OF HUMAN SERVICES	<u>1</u> GRADE SE05
		MAX. NO. OF EMPLOYEES	1

35 SECTION 2. APPROPRIATION - SECRETARY OF HUMAN SERVICES. There is
36 hereby appropriated, to the Department of Human Services, to be payable from



1 the paying account as determined by the Chief Fiscal Officer of the State,
 2 for personal services of the Department of Human Services - Secretary's
 3 Office for the fiscal year ending June 30, 2024, the following:

5	ITEM	FISCAL YEAR
6	<u>NO.</u>	<u>2023-2024</u>
7	(01) REGULAR SALARIES	\$287,042
8	(02) PERSONAL SERVICES MATCHING	<u>62,151</u>
9	TOTAL AMOUNT APPROPRIATED	<u><u>\$349,193</u></u>

11 SECTION 3. REGULAR SALARIES - OPERATIONS. There is hereby established
 12 for the Department of Human Services - Secretary's Office for the 2023-2024
 13 fiscal year, the following maximum number of regular employees.

15				Maximum Annual
16				Salary Rate
17	Item	Class	Maximum	Fiscal Year
18	<u>No.</u>	<u>Code Title</u>	<u>No. of</u>	<u>2023-2024</u>
			<u>Employees</u>	
19	(1)	L023N DHS DEPUTY DIRECTOR	4	GRADE SE03
20	(2)	N011N DFA CHIEF INFORMATION OFFICER	1	GRADE SE02
21	(3)	N220N DHS CHIEF ATTORNEY	1	GRADE SE02
22	(4)	N040N DHS CHIEF INFORMATION OFFICER	1	GRADE SE02
23	(5)	N233N DHS CHIEF OF BUSINESS OPERATIONS	1	GRADE SE02
24	(6)	N232N DHS DEPUTY CHIEF INFORMATION OFFICER	1	GRADE SE02
25	(7)	A136C DHS MEDICAID CHIEF FINANCE OFFICER	1	GRADE SE02
26	(8)	G029N DHS DIRECTOR OF POLICY AND LEGAL	2	GRADE SE01
27	(9)	L009C NURSE MANAGER	1	GRADE MP03
28	(10)	D006N STATE SYSTEMS ARCHITECT	3	GRADE IT10
29	(11)	D025N DHS IT SENIOR ENGINEER	4	GRADE IT09
30	(12)	D022N IT SENIOR PROJECT MANAGER	3	GRADE IT09
31	(13)	D007C INFORMATION SYSTEMS MANAGER	8	GRADE IT08
32	(14)	D030C INFORMATION SYSTEMS COORDINATOR	3	GRADE IT07
33	(15)	D025C STATE IT SECURITY SPECIALIST	3	GRADE IT06
34	(16)	D054C COMPUTER SUPPORT COORDINATOR	1	GRADE IT05
35	(17)	D063C COMPUTER SUPPORT SPECIALIST	12	GRADE IT05
36	(18)	D061C INFORMATION SYSTEMS COORDINATION SPEC	9	GRADE IT05

1	(19)	D057C INFORMATION TECHNOLOGY MANAGER	2	GRADE IT05
2	(20)	D052C SOFTWARE SUPPORT ANALYST	6	GRADE IT05
3	(21)	D044C SYSTEMS ANALYST	1	GRADE IT05
4	(22)	D062C DATABASE ANALYST	5	GRADE IT04
5	(23)	D064C WEBSITE DEVELOPER	1	GRADE IT04
6	(24)	D071C COMPUTER SUPPORT ANALYST	3	GRADE IT03
7	(25)	D075C SOFTWARE SUPPORT SPECIALIST	4	GRADE IT03
8	(26)	D079C COMPUTER SUPPORT TECHNICIAN	11	GRADE IT02
9	(27)	R048C DHS CHIEF HUMAN RESOURCES OFFICER	1	GRADE GS15
10	(28)	N244N DHS CHIEF OF COMMUNICATION	1	GRADE GS15
11	(29)	A131C DHS CHIEF PROCUREMENT OFFICER	1	GRADE GS15
12	(30)	N016N DHS DEP DIR ADMINISTRATIVE SVCS	1	GRADE GS15
13	(31)	N231N DHS DEPUTY CHIEF COUNSEL	1	GRADE GS15
14	(32)	G286C DMS DEPUTY DIRECTOR	1	GRADE GS15
15	(33)	N086N DHS DDS DIR EVAL PLAN & MGMT SYSTEMS	1	GRADE GS14
16	(34)	N142N DHS/DAAS DEPUTY DIRECTOR	1	GRADE GS14
17	(35)	N122N DHS/DCC ASSISTANT DIR FINANCE & ADMN	1	GRADE GS14
18	(36)	N101N DHS/DCO ASST DEP DIR PGM & ADMN SPT	1	GRADE GS14
19	(37)	N099N DHS/DMS ADD - LONG TERM CARE	1	GRADE GS14
20	(38)	N100N DHS/DMS ADD - MEDICAL SERVICES	4	GRADE GS14
21	(39)	N124N DHS/DYS ASSISTANT DIVISION DIRECTOR	2	GRADE GS14
22	(40)	A010C AGENCY CONTROLLER II	1	GRADE GS13
23	(41)	G290C ASST DEPUTY DIR OF LEGISLATIVE AFRS	1	GRADE GS13
24	(42)	N111N DHS ASST DEP DIR FOR MGR ACCOUNTING	1	GRADE GS13
25	(43)	N128N DHS ASST DIR QUALITY ASSURANCE	2	GRADE GS13
26	(44)	D026N DHS ELIGIBILITY SYSTEM PROGRAM MGR	2	GRADE GS13
27	(45)	G054N DHS GENERAL COUNSEL	1	GRADE GS13
28	(46)	N108N DHS/DCO ASST DEP DIR	1	GRADE GS13
29	(47)	N107N DHS/OFA ASSISTANT DIR - ACCTNG OPS	3	GRADE GS13
30	(48)	N109N DHS/OFA ASSISTANT DIRECTOR	1	GRADE GS13
31	(49)	G019C GENERAL COUNSEL	1	GRADE GS13
32	(50)	G004C MANAGING ATTORNEY	2	GRADE GS13
33	(51)	A021C AGENCY CONTROLLER I	1	GRADE GS12
34	(52)	G025C ATTORNEY SUPERVISOR	7	GRADE GS12
35	(53)	G024C DEPARTMENT ADMINISTRATIVE LAW JUDGE	2	GRADE GS12
36	(54)	G042C DHS ADMINISTRATIVE LAW JUDGE	6	GRADE GS12

1	(55)	G101C DHS AREA MANAGER	1	GRADE GS12
2	(56)	P004N DHS DIRECTOR OF PUBLIC RELATIONS	3	GRADE GS12
3	(57)	A016C DHS DMS BUSINESS OPERATIONS MANAGER	4	GRADE GS12
4	(58)	G274C DHS VOLUNTEER SERVICES DEPUTY DIR	1	GRADE GS12
5	(59)	A014C FISCAL DIVISION MANAGER	4	GRADE GS12
6	(60)	R006C HUMAN RESOURCES ADMINISTRATOR	1	GRADE GS12
7	(61)	A031C ASSISTANT CONTROLLER	7	GRADE GS11
8	(62)	G047C ATTORNEY SPECIALIST	58	GRADE GS11
9	(63)	G022C DHS DIRECTOR OF EMERGENCY OPERATIONS	1	GRADE GS11
10	(64)	A024C DHS DIVISION CHIEF FISCAL OFFICER	1	GRADE GS11
11	(65)	G027N DHS RESEARCH ANALYSIS MANAGER	1	GRADE GS11
12	(66)	G008C RISK MANAGEMENT ASSISTANT DIRECTOR	1	GRADE GS11
13	(67)	G076C ADMINISTRATIVE SERVICES MANAGER	5	GRADE GS10
14	(68)	G073C ATTORNEY	1	GRADE GS10
15	(69)	A044C AUDIT COORDINATOR	6	GRADE GS10
16	(70)	L010C DHS DMS MEDICAL ASSISTANCE MANAGER	3	GRADE GS10
17	(71)	A052C ACCOUNTING COORDINATOR	4	GRADE GS09
18	(72)	A050C AGENCY FISCAL MANAGER	2	GRADE GS09
19	(73)	G099C DHS PROGRAM ADMINISTRATOR	7	GRADE GS09
20	(74)	A038C FISCAL SUPPORT MANAGER	1	GRADE GS09
21	(75)	G109C GRANTS MANAGER	3	GRADE GS09
22	(76)	P004C PUBLIC INFORMATION MANAGER	1	GRADE GS09
23	(77)	A082C ACCOUNTANT II	2	GRADE GS08
24	(78)	R021C BUDGET ANALYST	3	GRADE GS08
25	(79)	A056C DHS FINANCIAL SECTION MANAGER	6	GRADE GS08
26	(80)	G152C DHS PROGRAM MANAGER	19	GRADE GS08
27	(81)	G129C DHS/DCO PROGRAM MANAGER	3	GRADE GS08
28	(82)	E031C EDUCATION PROGRAM COORDINATOR	1	GRADE GS08
29	(83)	A047C FINANCIAL ANALYST II	3	GRADE GS08
30	(84)	A066C INTERNAL AUDITOR	2	GRADE GS08
31	(85)	R014C PERSONNEL MANAGER	7	GRADE GS08
32	(86)	V007C PROCUREMENT COORDINATOR	5	GRADE GS08
33	(87)	V004C PROCUREMENT MANAGER	5	GRADE GS08
34	(88)	A041C PROGRAM FISCAL MANAGER	3	GRADE GS08
35	(89)	X062C QUALITY ASSURANCE COORDINATOR	2	GRADE GS08
36	(90)	A060C SENIOR AUDITOR	20	GRADE GS08

1	(91)	E023C TRAINING PROJECT MANAGER	2	GRADE GS08
2	(92)	A089C ACCOUNTANT I	10	GRADE GS07
3	(93)	R024C ASSISTANT PERSONNEL MANAGER	10	GRADE GS07
4	(94)	A081C AUDITOR	1	GRADE GS07
5	(95)	V008C BUYER SUPERVISOR	1	GRADE GS07
6	(96)	P065C DEVELOPMENT SPECIALIST	1	GRADE GS07
7	(97)	G183C DHS PROGRAM COORDINATOR	7	GRADE GS07
8	(98)	M042C DHS STAFF SUPERVISOR	1	GRADE GS07
9	(99)	C010C EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE GS07
10	(100)	M040C FAMILY SERVICES PROGRAM COORDINATOR	1	GRADE GS07
11	(101)	A076C FINANCE PROGRAM ANALYST	2	GRADE GS07
12	(102)	A075C FINANCIAL ANALYST I	2	GRADE GS07
13	(103)	X125C FRAUD INVESTIGATOR COORDINATOR	2	GRADE GS07
14	(104)	G147C GRANTS COORDINATOR	3	GRADE GS07
15	(105)	S017C MAINTENANCE COORDINATOR	1	GRADE GS07
16	(106)	A065C PAYROLL SERVICES COORDINATOR	1	GRADE GS07
17	(107)	P020C PRODUCTION ARTIST	1	GRADE GS07
18	(108)	P013C PUBLIC INFORMATION COORDINATOR	3	GRADE GS07
19	(109)	A063C RESEARCH & STATISTICS SUPERVISOR	1	GRADE GS07
20	(110)	G265C SENIOR TECHNICAL WRITER	1	GRADE GS07
21	(111)	E040C STAFF DEVELOPMENT COORDINATOR	4	GRADE GS07
22	(112)	C037C ADMINISTRATIVE ANALYST	11	GRADE GS06
23	(113)	M045C ADULT PROTECTIVE SERVICES WORKER	3	GRADE GS06
24	(114)	R027C BUDGET SPECIALIST	15	GRADE GS06
25	(115)	R026C CIVIL RIGHTS/EMPLOYEE RELATIONS COORD	2	GRADE GS06
26	(116)	G170C DHS ADMINISTRATIVE REVIEW OFFICER	6	GRADE GS06
27	(117)	G210C DHS PROGRAM SPECIALIST	12	GRADE GS06
28	(118)	P021C EDITOR	1	GRADE GS06
29	(119)	A074C FISCAL SUPPORT SUPERVISOR	12	GRADE GS06
30	(120)	X156C FRAUD INVESTIGATOR	6	GRADE GS06
31	(121)	G180C GRANTS ANALYST	14	GRADE GS06
32	(122)	G214C GRANTS SPECIALIST	1	GRADE GS06
33	(123)	P049C GRAPHIC ARTIST	1	GRADE GS06
34	(124)	L053C HEALTH PROGRAM SPECIALIST I	1	GRADE GS06
35	(125)	R025C HUMAN RESOURCES ANALYST	12	GRADE GS06
36	(126)	R029C HUMAN RESOURCES RECRUITER	5	GRADE GS06

1	(127)	X101C INTERNAL AFFAIRS INVESTIGATOR	2	GRADE GS06
2	(128)	G179C LEGAL SERVICES SPECIALIST	7	GRADE GS06
3	(129)	P031C MEDIA SPECIALIST	2	GRADE GS06
4	(130)	G178C POLICY DEVELOPMENT COORDINATOR	1	GRADE GS06
5	(131)	X136C QUALITY ASSURANCE REVIEWER	1	GRADE GS06
6	(132)	B076C RESEARCH PROJECT ANALYST	4	GRADE GS06
7	(133)	G202C VOLUNTEER PROGRAM COORDINATOR	1	GRADE GS06
8	(134)	C050C ADMINISTRATIVE SUPPORT SUPERVISOR	1	GRADE GS05
9	(135)	A088C ASSETS COORDINATOR	2	GRADE GS05
10	(136)	C022C BUSINESS OPERATIONS SPECIALIST	1	GRADE GS05
11	(137)	A091C FISCAL SUPPORT ANALYST	17	GRADE GS05
12	(138)	L070C HEALTH CARE ANALYST	3	GRADE GS05
13	(139)	D077C HELP DESK SPECIALIST	3	GRADE GS05
14	(140)	R032C HUMAN RESOURCES PROGRAM REP	5	GRADE GS05
15	(141)	C040C LEASING SPECIALIST	1	GRADE GS05
16	(142)	A090C PAYROLL SERVICES SPECIALIST	5	GRADE GS05
17	(143)	V015C PURCHASING SPECIALIST	7	GRADE GS05
18	(144)	V018C WAREHOUSE MANAGER	1	GRADE GS05
19	(145)	A101C ACCOUNTING TECHNICIAN	1	GRADE GS04
20	(146)	C056C ADMINISTRATIVE SPECIALIST III	17	GRADE GS04
21	(147)	A098C FISCAL SUPPORT SPECIALIST	23	GRADE GS04
22	(148)	R036C HUMAN RESOURCES SPECIALIST	1	GRADE GS04
23	(149)	V020C INVENTORY CONTROL MANAGER	1	GRADE GS04
24	(150)	C046C LEGAL SUPPORT SPECIALIST	35	GRADE GS04
25	(151)	C044C MEDICAL BILLING SPECIALIST	2	GRADE GS04
26	(152)	A097C PAYROLL TECHNICIAN	2	GRADE GS04
27	(153)	V022C PURCHASING TECHNICIAN	1	GRADE GS04
28	(154)	C043C RECORDS MANAGEMENT ANALYST	3	GRADE GS04
29	(155)	V021C SURPLUS PROPERTY AGENT	1	GRADE GS04
30	(156)	V025C WAREHOUSE SPECIALIST	1	GRADE GS04
31	(157)	C073C ADMINISTRATIVE SPECIALIST II	8	GRADE GS03
32	(158)	V027C INVENTORY CONTROL TECHNICIAN	2	GRADE GS03
33	(159)	C062C LOCAL OFFICE ADMINISTRATIVE ASST	1	GRADE GS03
34	(160)	S054C PRINTER	1	GRADE GS03
35	(161)	C087C ADMINISTRATIVE SPECIALIST I	<u>1</u>	GRADE GS02
36		MAX. NO. OF EMPLOYEES	661	

SECTION 4. EXTRA HELP - OPERATIONS. There is hereby authorized, for the Department of Human Services - Secretary's Office for the 2023-2024 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: twenty-seven (27) 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 5. APPROPRIATION - OPERATIONS. There is hereby appropriated, to the Department of Human 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 - Secretary's Office for the fiscal year ending June 30, 2024, the following:

ITEM NO.	FISCAL YEAR
	2023-2024
(01) REGULAR SALARIES	\$37,048,480
(02) EXTRA HELP	298,556
(03) PERSONAL SERVICES MATCHING	13,455,690
(04) OVERTIME	8,383
(05) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	5,571,873
(B) CONF. & TRAVEL	59,433
(C) PROF. FEES	9,261,800
(D) CAP. OUTLAY	400,000
(E) DATA PROC.	0
(06) DATA PROCESSING SERVICES	<u>2,016,710</u>
TOTAL AMOUNT APPROPRIATED	<u>\$68,120,925</u>

SECTION 6. APPROPRIATION - VARIOUS BUILDING CONSTRUCTION. There is hereby appropriated, to the Department of Human Services, to be payable from the Department of Human Services Renovation Fund, for construction, renovation, maintenance, equipment, and repairs for various buildings operated by the Department of Human Services - Secretary's Office for the

1 fiscal year ending June 30, 2024, the following:

2

3 ITEM	FISCAL YEAR
4 <u>NO.</u>	<u>2023-2024</u>
5 (01) CONSTRUCTION	<u>\$15,914,729</u>

6

7 SECTION 7. APPROPRIATION - CONSOLIDATED COST. There is hereby
 8 appropriated, to the Department of Human Services, to be payable from the DHS
 9 Consolidated Cost Revolving Fund, for operating expenses of the Department of
 10 Human Services - Secretary's Office - Consolidated Cost for the fiscal year
 11 ending June 30, 2024, the following:

12

13 ITEM	FISCAL YEAR
14 <u>NO.</u>	<u>2023-2024</u>
15 (01) MAINT. & GEN. OPERATION	
16 (A) OPER. EXPENSE	\$800,000
17 (B) CONF. & TRAVEL	0
18 (C) PROF. FEES	0
19 (D) CAP. OUTLAY	21,500
20 (E) DATA PROC.	<u>0</u>
21 TOTAL AMOUNT APPROPRIATED	<u>\$821,500</u>

22

23 SECTION 8. APPROPRIATION - GRANTS PAYING. There is hereby
 24 appropriated, to the Department of Human Services, to be payable from the
 25 paying account as determined by the Chief Fiscal Officer of the State, for
 26 purchase of services of the Department of Human Services - Secretary's Office
 27 for the fiscal year ending June 30, 2024, the following:

28

29 ITEM	FISCAL YEAR
30 <u>NO.</u>	<u>2023-2024</u>
31 (01) PURCHASE OF SERVICES	<u>\$129,084</u>

32

33 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 35 SECRETARY'S OFFICE/OFFICE OF CHIEF COUNSEL - PURCHASE OF EVIDENCE. Upon
 36 approval by the Chief Fiscal Officer of the State, the Chief Counsel for the

1 Department of Human Services may transfer an amount up to but not to exceed
2 \$12,000 and deposit same in a bank account for the purpose of purchasing
3 evidence in the course of investigating the illegal use of food
4 stamps/Electronic Benefit Transfer (EBT) cards. The funds so transferred
5 shall be subject to accounting in a manner substantially similar to that
6 employed by the Arkansas State Police for such transactions; provided
7 however, that information tending to identify participants in such
8 transactions shall be exempt from the Arkansas Freedom of Information Act.

9 The provisions of this section shall be in effect only from July 1, ~~2022~~
10 2023 through June 30, ~~2023~~ 2024.

11
12 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HUMAN
14 SERVICES RENOVATION FUND. Department of Human Services Renovation Fund.

15 (a) There is established on the books of the Treasurer of State, Auditor
16 of State, and the Chief Fiscal Officer of the State a fund to be known as the
17 Department of Human Services Renovation Fund.

18 (b) This fund shall be used for constructing, acquiring, renovating,
19 maintaining, repairing, and equipping facilities of the Department of Human
20 Services and for paying disallowances by the federal government.

21 (c) The fund shall consist of:

22 (1) Federal reimbursement received by the Department of Human Services and
23 deposited in the various fund accounts of the department; and

24 (2) General revenues transferred from the Division of Youth Services, the
25 Division of Aging, Adult, and Behavioral Health Services, and the Division of
26 Developmental Disabilities Services for the purposes of repairing,
27 renovating, equipping, acquiring and constructing Department of Human
28 Services facilities with an annual maximum of five million dollars
29 (\$5,000,000). The projects for which these transfers are authorized must be
30 projects which were unanticipated during the preceding regular session of the
31 Arkansas General Assembly and must be projects which, if not carried out in
32 the interim period between regular sessions of the Arkansas General Assembly
33 would cause greater harm to the facilities, clients or programs of the
34 Department of Human Services than to wait until the next regular session.

35 (3) Other non-general revenue funds as may be available within the Department
36 of Human Services that can be used for the purposes of this fund.

1 (d)(1) At the request of the Secretary of the Department of Human
2 Services, and upon certification of the availability of such funds, the Chief
3 Fiscal Officer of the State shall initiate the necessary transfer documents
4 to reflect the transfer on the books of record of the Treasurer of State, the
5 Auditor of State, the Chief Fiscal Officer of the State, and the Department
6 of Human Services.

7 (2) The Secretary of the Department of Human Services shall submit any
8 transfer plan to and must receive approval of the plan from the Chief Fiscal
9 Officer of the State, the Governor and the Arkansas Legislative Council or
10 Joint Budget Committee prior to the effective date of the transfer.

11 (e) Provided, that any non-general revenue funding that may remain in the
12 fund at the end of any fiscal year shall be carried over into the next fiscal
13 year and all obligated general revenue funding that may remain in the fund at
14 the end of any fiscal year shall be carried over into the next fiscal year to
15 satisfy such legal and contractual obligations that have been entered into
16 prior to the end of the fiscal year.

17 (f) Determining the amount of funds appropriated to a state agency is the
18 prerogative of the General Assembly and is usually accomplished by
19 delineating specific line items and by identifying the appropriation and
20 funding attached to that line item. The General Assembly has determined that
21 the Department of Human Services could be operated more efficiently if some
22 flexibility is given to that agency. That flexibility is being accomplished
23 by providing transfer authority in subsection (d) of this section, and since
24 the General Assembly has granted the agency broad powers under the transfer
25 authority concept, it is both necessary and appropriate that the General
26 Assembly maintain oversight of the utilization of the transfer authority by
27 requiring prior approval of the Legislative Council or Joint Budget Committee
28 in the utilization of this transfer authority. Therefore, the requirement of
29 approval by the Legislative Council or Joint Budget Committee is not a
30 severable part of this section. If the requirement of approval by the
31 Legislative Council or Joint Budget Committee is ruled unconstitutional by a
32 court of competent jurisdiction, this entire section is void.

33 The provisions of this section shall be in effect only from July 1, ~~2022~~
34 2023 through June 30, ~~2023~~ 2024.

35
36 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

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

2 TRANSFER AUTHORITY. The Secretary of the Department of Human Services shall
3 have transfer authority provided by the following:

4 (a) DEPARTMENT OF HUMAN SERVICES RENOVATION FUND. The Secretary of the
5 Department of Human Services is authorized to request fund transfers
6 according to the provisions established by Arkansas Code Ann. 19-5-1020,
7 Department of Human Services Renovation Fund, as amended herein; and

8 (b) MATCH TRANSFER. The Secretary of the Department of Human Services,
9 with the approval of the Chief Fiscal Officer of the State, is authorized to
10 effect inter-agency and inter-divisional fund transfers for the purpose of
11 providing the State's matching share for payments made to that Division or
12 Office or its service providers for services eligible for federal
13 reimbursement under programs administered by the Department of Human
14 Services. The Department of Human Services shall report to the Legislative
15 Council or Joint Budget Committee on a quarterly basis all fund transfers
16 made in accordance with the authority granted by this section; and

17 (c) REALLOCATION OF RESOURCES: (1) The Department of Human Services (DHS)
18 provides hundreds of different services to over 1 million Arkansans. The
19 specific mix of service needs and the funding and staffing required to
20 provide them can vary significantly based on many factors, including natural
21 disasters, changing federal mandates and funding sources, demographic shifts,
22 fluctuating court-ordered services, social trends, and job market variations
23 such as nursing shortages. The impact of these factors through the course of
24 any fiscal year make it very difficult for the Department to accurately
25 predict the exact needs for funding, appropriation and positions in each of
26 its over 100 different appropriations. To ensure that it can respond quickly
27 to changing client needs and make the most effective use of the resources
28 allocated to it, the Department of Human Services shall be authorized to
29 utilize the reallocation of resource authority to make the proper adjustments
30 to the budgets within the Department. Therefore, upon determination by the
31 Secretary of the Department of Human Services that a reallocation of
32 resources within the department is necessary for the efficient and effective
33 operation of the department, the Secretary, with approval of the Governor,
34 shall have the authority to request, from the Chief Fiscal Officer of the
35 State, a transfer of positions, appropriations, line item appropriations, and
36 funds within or between existing and newly created divisions, offices,

1 sections, or units of the department. Provided, however, that no transfer of
2 funds or appropriation that provides direct support or matching support for
3 the Arkansas Medicaid Program shall be made to any other fund account or
4 appropriation that does not directly support the Arkansas Medicaid Program.
5 Further, no positions, funds, or appropriation authorized during the budget
6 process for the Division of Children and Family Services' compliance with
7 initiatives established under the Angela R. consent decree shall be
8 transferred to any other division. Nothing in this provision is intended to
9 prevent the one-time transfers of savings in any other program to the
10 Arkansas Medicaid Program, with the exception of the provisions previously
11 cited for the Division of Children and Family Services – Angela R. consent
12 decree. The Division of Developmental Disabilities – Grants to Community
13 Providers line item of the Developmental Disabilities Services - Grants-in-
14 Aid appropriation may not be decreased. The appropriation, funding, and
15 positions provided for the five Human Development Centers shall remain at a
16 level sufficient to ensure quality care for the Centers' residents. The
17 exemptions provided in this subsection whereby certain DHS Programs and
18 Divisions are protected from appropriation, fund, or position transfers are
19 applicable only to the reallocation or transfer authority granted herein, and
20 not by any reductions which are applicable to all state programs.

21 The Secretary of the Department of Human Services shall submit any
22 requests for transfers to and must receive approval of the requests for
23 transfers from the Chief Fiscal Officer of the State, the Governor, and the
24 Arkansas Legislative Council or Joint Budget Committee prior to the effective
25 date of the transfers. Provided, however, that the Department of Human
26 Services shall be limited to submitting no more than ~~four~~ two reallocation of
27 resources transfer requests during any fiscal year. In each Departmental
28 request no single division will request reallocation for more than one
29 purpose as listed in this section. Transfer authority for unforeseen purposes
30 shall further be limited to no more than 5% of the total appropriation,
31 funding, and positions authorized for the Department. Reallocation of
32 resources transfers may include multiple items but shall be limited to the
33 following purposes:
34 i) Medicaid Program;
35 ii) Facilities and institutions costs, including operational expenses and
36 construction/renovation/equipping expenses;

- 1 iii) Departmental grants and contracts;
2 iv) Court ordered settlements and payments;
3 v) Payment of administrative expenses, including but not limited to, overtime
4 and other costs of personnel for critical services or functions necessary to
5 carry out the mission of the agency;
6 vi) Restructuring efforts as deemed necessary to comply with new and/or
7 unanticipated federal or state mandates; and/or
8 vii) Redirecting internal resources, both direct and/or indirect, to meet
9 client needs and services.

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

26 (2) If it is determined that the requested reallocation of resources
27 transfers should be made, the Chief Fiscal Officer of the State shall then
28 initiate the necessary transfer documents to reflect the transfers upon the
29 fiscal records of the Treasurer of State, the Auditor of State, the Chief
30 Fiscal Officer of the State, and the Department of Human Services. In
31 addition, the Chief Fiscal Officer of the State, together with the Co-
32 Chairpersons of the Legislative Council or Joint Budget Committee, may
33 approve, on an emergency basis, requests for utilization of this Section
34 without prior approval of the Arkansas Legislative Council or Joint Budget
35 Committee, with any such actions reported at the next meeting of the Arkansas
36 Legislative Council or Joint Budget Committee.

1 The provisions of this section shall be in effect only from July 1, 2022
2 2023 through June 30, ~~2023~~ 2024.

3
4 SECTION 12. SPECIAL LANGUAGE – CODE AMENDMENT. Arkansas Code Title 6,
5 Chapter 82, is amended to add an additional subchapter to codify special
6 language in appropriation acts to read as follows:

7 Subchapter 22 - Nursing/Direct Care Education Stipend Program

8
9 6-82-2201. Eligible nursing students.

10 A nursing student who is attending an accredited nursing institution to
11 become one (1) of the following is eligible for the Nursing/Direct Care
12 Education Stipend Program:

- 13 (1) An Advanced Practice Nurse;
14 (2) A registered or licensed practical nurse;
15 (3) A certified nursing assistant;
16 (4) A residential care assistant;
17 (5) A residential care technician;
18 (6) A residential care supervisor; or
19 (7) A behavioral health aide.

20
21 6-82-2202. Department of Human Services stipend.

22 (a) An eligible student under § 6-82-2201(2)-(7) may be awarded a
23 stipend of five thousand dollars (\$5,000) per year.

24 (b)(1) If an eligible student under § 6-82-2201(2)-(7) accepts a
25 stipend under this section and signs a stipend contract, the eligible student
26 shall be under an employment commitment to the respective division of the
27 Department of Human Services and is required to work for the respective
28 division in a full-time employee status effective immediately upon
29 graduation.

30 (2) The student employment commitment under subdivision (b)(1)
31 of this section is equal to the number of years that the stipend was awarded
32 and accepted.

33 (c) Each division of the department that is participating in the
34 Nursing/Direct Care Education Stipend Program shall determine on an annual
35 basis the number of student stipends available.

36 (d) The department may pay the stipend allowed under this section from

1 the state and federal funds appropriated for the respective division of the
2 department.

3
4 6-82-2203. Department of Health stipend.

5 (a) An eligible student under § 6-82-2201(1) may be awarded a stipend
6 of seven thousand five hundred dollars (\$7,500) per year.

7 (b)(1) If an eligible student under § 6-82-2201(1) accepts a stipend
8 under this section and signs a stipend contract, the eligible student shall
9 be under an employment commitment to the Department of Health and is required
10 to work for the department in a full-time employee status effective
11 immediately upon graduation.

12 (2) The student employment commitment under subdivision (b)(1)
13 of this section is equal to the number of years that the stipend was awarded
14 and accepted.

15 (c) The department shall determine on an annual basis the number of
16 student stipends available based on the availability of funds and the need
17 for direct care services.

18 (d) The department may pay the stipend allowed under this section from
19 the funds appropriated for the department.

20
21 6-82-2204. Default of employment commitment.

22 In the event of an employee or eligible student defaulting on the
23 employment commitment under § 6-82-2202 or § 6-82-2203, the employee or
24 eligible student shall be in breach of contract and repayment of the stipend
25 shall be required as specified in the stipend contract with the appropriate
26 division or department.

27
28 SECTION 13. SPECIAL LANGUAGE – CODE AMENDMENT. Arkansas Code Title
29 21, Chapter 5, Subchapter 1, is amended to add an additional section to
30 codify special language in appropriation acts to read as follows:

31 21-5-111. Department of Human Services – Nursing/direct care
32 recruitment and retention bonuses.

33 (a) The Department of Human Services may issue nursing/direct care
34 recruitment and retention bonuses in addition to the maximum annual amounts
35 provided for regular salaries in the operative appropriation act for the
36 department for:

- 1 (1) Registered nurses;
- 2 (2) Licensed practical nurses;
- 3 (3) Certified nursing assistants;
- 4 (4) Residential care assistants;
- 5 (5) Residential care technicians;
- 6 (6) Residential care supervisors; and
- 7 (7) Behavioral health aides.

8 (b) New hire nurses shall be licensed by the Arkansas State Board of
 9 Nursing.

10 (c) The total recruitment/retention bonus payment commitment for
 11 eligible nurses shall not exceed:

- 12 (1) Four thousand dollars (\$4,000) per registered nurse;
- 13 (2) Two thousand dollars (\$2,000) per licensed practical nurse;

14 and

- 15 (3) One thousand dollars (\$1,000) per:
 - 16 (A) Certified nursing assistant;
 - 17 (B) Residential care assistant;
 - 18 (C) Residential care technician;
 - 19 (D) Residential care supervisor; and
 - 20 (E) Behavioral health aide.

21 (d) The lump-sum bonus payments allowed under this section and the
 22 employment commitment to the state shall be made in partial payments as
 23 follows:

24 (1) For registered nurse classifications:

- 25 (A) One thousand dollars (\$1,000) after completing six (6)
 26 months of probationary employment;
- 27 (B) One thousand five hundred dollars (\$1,500) after
 28 completing the first year of employment; and
- 29 (C) One thousand five hundred dollars (\$1,500) after
 30 completing the second year of employment;

31 (2) For licensed practical nurse classifications:

- 32 (A) Five hundred dollars (\$500) after completing six (6)
 33 months of probationary employment;
- 34 (B) Five hundred dollars (\$500) after completing the first
 35 year of employment; and
- 36 (C) One thousand dollars (\$1,000) after completing the

1 second year of employment; and

2 (3) For certified nursing assistant, residential care assistant,
 3 residential care technician, residential care supervisor, and behavioral
 4 health aide classifications:

5 (A) Five hundred dollars (\$500) after completing six (6)
 6 months of probationary employment; and

7 (B) Five hundred dollars (\$500) after completing the first
 8 year of employment.

9 (e) A qualified person hired and offered bonus payments under this
 10 section forfeits the balance of the bonus payments if he or she voluntarily
 11 resigns or is terminated for cause from employment with the department before
 12 completing the required employment commitment time periods under subsection
 13 (d) of this section.

14 (f) The department may pay the nursing/direct care recruitment and
 15 retention bonuses allowed under this section from the state and federal funds
 16 appropriated for the respective division of the department.

17
 18 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 20 EMPLOYEE SURVEY.

21 (a) The Department of Human Services will develop and implement a plan
 22 for measuring and improving employee engagement among employees of the
 23 State's Human Development Centers for the purpose of:

24 (1) Receiving and acting on employee feedback on areas including
 25 without limitation:

- 26 (A) Employee engagement;
- 27 (B) Supervision;
- 28 (C) Strategy;
- 29 (D) Workplace community and climate;
- 30 (E) Information systems;
- 31 (F) Pay;
- 32 (G) Benefits;
- 33 (H) Employee development; and
- 34 (I) Job satisfaction;

35 (2) Assessing and systematically identifying problematic areas;

36 (3) Identifying areas to be improved;

1 (4) Developing improvement strategies and recommending changes to
2 problematic areas; and

3 (5) Assessing management and leadership.

4 (b) The Department will develop the plan under this section with the
5 intent of modeling and implementing employee engagement efforts in other
6 divisions of the department.

7 (c) The Department may contract with an outside entity to aid in plan
8 development, implement the plan, or assist with implementation of the plan
9 under this section.

10 (d) The Department will adopt internal employment policies as necessary
11 to implement the plan under this section.

12 (e) The Department will submit a written report of the plan under this
13 section and ongoing implementation efforts to Legislative Council no later
14 than December 1, 2022. The report will identify without limitation the data
15 received, the issues identified, and the lessons learned to date.

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

26
27 SECTION 16. LEGISLATIVE INTENT. It is the intent of the General
28 Assembly that any funds disbursed under the authority of the appropriations
29 contained in this act shall be in compliance with the stated reasons for
30 which this act was adopted, as evidenced by the Agency Requests, Executive
31 Recommendations and Legislative Recommendations contained in the budget
32 manuals prepared by the Department of Finance and Administration, letters, or
33 summarized oral testimony in the official minutes of the Arkansas Legislative
34 Council or Joint Budget Committee which relate to its passage and adoption.

35
36 SECTION 17. EMERGENCY CLAUSE. It is found and determined by the

1 General Assembly, that the Constitution of the State of Arkansas prohibits
2 the appropriation of funds for more than a one (1) year period; that the
3 effectiveness of this Act on July 1, 2023 is essential to the operation of
4 the agency for which the appropriations in this Act are provided, and that in
5 the event of an extension of the legislative session, the delay in the
6 effective date of this Act beyond July 1, 2023 could work irreparable harm
7 upon the proper administration and provision of essential governmental
8 programs. Therefore, an emergency is hereby declared to exist and this Act
9 being necessary for the immediate preservation of the public peace, health
10 and safety shall be in full force and effect from and after July 1, 2023.

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