

1 State of Arkansas
2 88th General Assembly
3 Fiscal Session, 2012
4

A Bill

HOUSE BILL 1067

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
9 SERVICES AND OPERATING EXPENSES FOR THE
10 DEPARTMENT OF HUMAN SERVICES - ADMINISTRATION FOR
11 THE FISCAL YEAR ENDING JUNE 30, 2013; AND FOR
12 OTHER PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE DEPARTMENT OF HUMAN SERVICES
16 - ADMINISTRATION APPROPRIATION FOR THE
17 2012-2013 FISCAL YEAR.
18
19
20

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

23 SECTION 1. REGULAR SALARIES - DIRECTOR'S OFFICE - OFFICE OF CHIEF
24 COUNSEL. There is hereby established for the Department of Human Services -
25 Director's Office - Office of Chief Counsel for the 2012-2013 fiscal year,
26 the following maximum number of regular employees.
27

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2012-2013
32	(1) U011U	DHS DIRECTOR	1	\$156,317
33	(2) L023N	DHS DEPUTY DIRECTOR	2	GRADE N915
34	(3) G004N	DHS CHIEF ATTORNEY	1	GRADE N908
35	(4) N128N	DHS ASST DIR QUALITY ASSURANCE	1	GRADE N904
36	(5) A007C	AUDIT MANAGER	2	GRADE C129



1	(6)	G004C	MANAGING ATTORNEY	3	GRADE C129
2	(7)	G025C	ATTORNEY SUPERVISOR	4	GRADE C127
3	(8)	G024C	DEPARTMENT ADMINISTRATIVE LAW JUDGE	3	GRADE C127
4	(9)	G047C	ATTORNEY SPECIALIST	53	GRADE C126
5	(10)	G042C	DHS ADMINISTRATIVE LAW JUDGE	6	GRADE C126
6	(11)	D030C	INFORMATION SYSTEMS COORDINATOR	2	GRADE C124
7	(12)	A044C	AUDIT COORDINATOR	3	GRADE C122
8	(13)	G124C	OMBUDSMAN	1	GRADE C120
9	(14)	G152C	DHS PROGRAM MANAGER	4	GRADE C119
10	(15)	A066C	INTERNAL AUDITOR	4	GRADE C119
11	(16)	A060C	SENIOR AUDITOR	13	GRADE C119
12	(17)	G170C	DHS ADMINISTRATIVE REVIEW OFFICER	6	GRADE C118
13	(18)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE C118
14	(19)	G183C	DHS PROGRAM COORDINATOR	2	GRADE C117
15	(20)	X101C	INTERNAL AFFAIRS INVESTIGATOR	1	GRADE C117
16	(21)	G179C	LEGAL SERVICES SPECIALIST	2	GRADE C117
17	(22)	X125C	FRAUD INVESTIGATOR COORDINATOR	3	GRADE C116
18	(23)	P031C	MEDIA SPECIALIST	1	GRADE C116
19	(24)	G210C	DHS PROGRAM SPECIALIST	3	GRADE C115
20	(25)	X156C	FRAUD INVESTIGATOR	6	GRADE C114
21	(26)	C046C	LEGAL SUPPORT SPECIALIST	36	GRADE C113
22	(27)	C056C	ADMINISTRATIVE SPECIALIST III	8	GRADE C112
23	(28)	C087C	ADMINISTRATIVE SPECIALIST I	<u>2</u>	GRADE C106
24			MAX. NO. OF EMPLOYEES	174	

25
 26 SECTION 2. REGULAR SALARIES - ADMINISTRATIVE SERVICES. There is hereby
 27 established for the Department of Human Services - Division of Administrative
 28 Services for the 2012-2013 fiscal year, the following maximum number of
 29 regular employees.

30					Maximum Annual
31					Salary Rate
32					Fiscal Year
33	Item	Class		Maximum	
34	No.	Code	Title	No. of	2012-2013
				Employees	
35	(1)	N016N	DHS DEP DIR ADMINISTRATIVE SVCS	1	GRADE N911
36	(2)	N040N	DHS CHIEF INFORMATION OFFICER	1	GRADE N909

1	(3)	N112N	DHS ASST DEP DIR FIN SUPPORT SYSTEM	1	GRADE N905
2	(4)	N111N	DHS ASST DEP DIR FOR MGR ACCOUNTING	1	GRADE N905
3	(5)	N107N	DHS/OFA ASSISTANT DIR - ACCOUNTING	1	GRADE N905
4	(6)	N109N	DHS/OFA ASSISTANT DIRECTOR	1	GRADE N905
5	(7)	R002N	DHS DIRECTOR OF HUMAN RESOURCES	1	GRADE N904
6	(8)	P004N	DHS DIRECTOR OF PUBLIC RELATIONS	1	GRADE N901
7	(9)	N167N	DHS POLICY & RESEARCH DIRECTOR	1	GRADE N901
8	(10)	G027N	DHS RESEARCH ANALYSIS MANAGER	1	GRADE N901
9	(11)	G004C	MANAGING ATTORNEY	1	GRADE C129
10	(12)	A010C	AGENCY CONTROLLER II	7	GRADE C128
11	(13)	D007C	INFORMATION SYSTEMS MANAGER	4	GRADE C128
12	(14)	A027C	ACCOUNTING OPERATIONS MANAGER	1	GRADE C125
13	(15)	R008C	DHS EMPLOYEE RELATIONS MANAGER	1	GRADE C125
14	(16)	A031C	ASSISTANT CONTROLLER	7	GRADE C124
15	(17)	R013C	AGENCY HUMAN RESOURCES MANAGER	2	GRADE C123
16	(18)	G099C	DHS PROGRAM ADMINISTRATOR	2	GRADE C122
17	(19)	A052C	ACCOUNTING COORDINATOR	4	GRADE C121
18	(20)	A047C	FINANCIAL ANALYST II	1	GRADE C121
19	(21)	G109C	GRANTS MANAGER	2	GRADE C121
20	(22)	R014C	PERSONNEL MANAGER	1	GRADE C121
21	(23)	V004C	PROCUREMENT MANAGER	1	GRADE C121
22	(24)	D052C	SOFTWARE SUPPORT ANALYST	6	GRADE C121
23	(25)	A056C	DHS FINANCIAL SECTION MANAGER	11	GRADE C120
24	(26)	E023C	TRAINING PROJECT MANAGER	1	GRADE C120
25	(27)	R021C	BUDGET ANALYST	1	GRADE C119
26	(28)	D063C	COMPUTER SUPPORT SPECIALIST	9	GRADE C119
27	(29)	R020C	DHS EMPLOYEE RELATIONS/CIVIL RIGHTS	1	GRADE C119
28	(30)	G152C	DHS PROGRAM MANAGER	3	GRADE C119
29	(31)	G147C	GRANTS COORDINATOR	2	GRADE C119
30	(32)	D061C	INFORMATION SYSTEMS COORDINATION SP	5	GRADE C119
31	(33)	A065C	PAYROLL SERVICES COORDINATOR	2	GRADE C119
32	(34)	V007C	PROCUREMENT COORDINATOR	4	GRADE C119
33	(35)	A063C	RESEARCH & STATISTICS SUPERVISOR	1	GRADE C119
34	(36)	R024C	ASSISTANT PERSONNEL MANAGER	8	GRADE C118
35	(37)	A075C	FINANCIAL ANALYST I	1	GRADE C118
36	(38)	A074C	FISCAL SUPPORT SUPERVISOR	10	GRADE C118

1	(39)	D064C	WEBSITE DEVELOPER	1	GRADE C118
2	(40)	R027C	BUDGET SPECIALIST	7	GRADE C117
3	(41)	R026C	CIVIL RIGHTS/EMPLOYEE RELATIONS COORD	5	GRADE C117
4	(42)	D071C	COMPUTER SUPPORT ANALYST	1	GRADE C117
5	(43)	G183C	DHS PROGRAM COORDINATOR	2	GRADE C117
6	(44)	G180C	GRANTS ANALYST	33	GRADE C117
7	(45)	R025C	HUMAN RESOURCES ANALYST	5	GRADE C117
8	(46)	G178C	POLICY DEVELOPMENT COORDINATOR	2	GRADE C117
9	(47)	B076C	RESEARCH PROJECT ANALYST	2	GRADE C117
10	(48)	E040C	STAFF DEVELOPMENT COORDINATOR	5	GRADE C117
11	(49)	A089C	ACCOUNTANT I	15	GRADE C116
12	(50)	R029C	HUMAN RESOURCES RECRUITER	5	GRADE C116
13	(51)	C037C	ADMINISTRATIVE ANALYST	6	GRADE C115
14	(52)	D079C	COMPUTER SUPPORT TECHNICIAN	2	GRADE C115
15	(53)	G210C	DHS PROGRAM SPECIALIST	4	GRADE C115
16	(54)	A091C	FISCAL SUPPORT ANALYST	15	GRADE C115
17	(55)	D077C	HELP DESK SPECIALIST	1	GRADE C115
18	(56)	A090C	PAYROLL SERVICES SPECIALIST	1	GRADE C115
19	(57)	S032C	PRINT SHOP SUPERVISOR	1	GRADE C115
20	(58)	V015C	PURCHASING SPECIALIST	5	GRADE C115
21	(59)	C040C	LEASING SPECIALIST	1	GRADE C114
22	(60)	A093C	STATISTICIAN	3	GRADE C114
23	(61)	D081C	TELECOMMUNICATIONS SPECIALIST	1	GRADE C114
24	(62)	V018C	WAREHOUSE MANAGER	1	GRADE C114
25	(63)	C050C	ADMINISTRATIVE SUPPORT SUPERVISOR	2	GRADE C113
26	(64)	R036C	HUMAN RESOURCES SPECIALIST	6	GRADE C113
27	(65)	V020C	INVENTORY CONTROL MANAGER	1	GRADE C113
28	(66)	C043C	RECORDS MANAGEMENT ANALYST	6	GRADE C113
29	(67)	C056C	ADMINISTRATIVE SPECIALIST III	16	GRADE C112
30	(68)	A098C	FISCAL SUPPORT SPECIALIST	31	GRADE C112
31	(69)	S054C	PRINTER	4	GRADE C111
32	(70)	R038C	HUMAN RESOURCES ASSISTANT	9	GRADE C110
33	(71)	V025C	WAREHOUSE SPECIALIST	3	GRADE C110
34	(72)	C073C	ADMINISTRATIVE SPECIALIST II	11	GRADE C109
35	(73)	C070C	DUPLICATION ASSISTANT	1	GRADE C109
36	(74)	V027C	INVENTORY CONTROL TECHNICIAN	1	GRADE C108

1	(75)	C083C	MAIL SERVICES COORDINATOR	1	GRADE C107
2	(76)	C087C	ADMINISTRATIVE SPECIALIST I	7	GRADE C106
3	(77)	V028C	WAREHOUSE WORKER	1	GRADE C106
4	(78)	C088C	MAIL SERVICES ASSISTANT	<u>5</u>	GRADE C105
5			MAX. NO. OF EMPLOYEES	338	

6

7 SECTION 3. REGULAR SALARIES - COMMUNITY SERVICE AND NONPROFIT SUPPORT.

8 There is hereby established for the Department of Human Services - Division
 9 of Community Service and Nonprofit Support for the 2012-2013 fiscal year, the
 10 following maximum number of regular employees.

11

12				Maximum	Maximum Annual
13				No. of	Salary Rate
14	Item	Class			Fiscal Year
15	No.	Code	Title	Employees	2012-2013
16	(1)	N171N	DHS DEP DIR OFFICE OF VOLUNTEER SER	1	GRADE N902
17	(2)	G076C	ADMINISTRATIVE SERVICES MANAGER	1	GRADE C124
18	(3)	G080C	NATIONAL & COMMUNITY SERVICES EXEC	1	GRADE C123
19	(4)	G152C	DHS PROGRAM MANAGER	1	GRADE C119
20	(5)	G147C	GRANTS COORDINATOR	1	GRADE C119
21	(6)	M037C	PROGRAM ELIGIBILITY SUPERVISOR	1	GRADE C117
22	(7)	E040C	STAFF DEVELOPMENT COORDINATOR	1	GRADE C117
23	(8)	G176C	VOLUNTEER PROGRAM MANAGER	1	GRADE C117
24	(9)	C022C	BUSINESS OPERATIONS SPECIALIST	1	GRADE C116
25	(10)	G202C	VOLUNTEER PROGRAM COORDINATOR	8	GRADE C115
26	(11)	G236C	DHS/DOV AREA COORDINATOR	1	GRADE C114
27	(12)	G214C	GRANTS SPECIALIST	1	GRADE C114
28	(13)	C056C	ADMINISTRATIVE SPECIALIST III	2	GRADE C112
29	(14)	V022C	PURCHASING TECHNICIAN	1	GRADE C112
30	(15)	C073C	ADMINISTRATIVE SPECIALIST II	<u>2</u>	GRADE C109
31			MAX. NO. OF EMPLOYEES	24	

32

33 SECTION 4. EXTRA HELP - DIRECTOR'S OFFICE - OFFICE OF CHIEF COUNSEL.

34 There is hereby authorized, for the Department of Human Services - Director's
 35 Office - Office of Chief Counsel for the 2012-2013 fiscal year, the following
 36 maximum number of part-time or temporary employees, to be known as "Extra

1 Help", payable from funds appropriated herein for such purposes: ten (10)
 2 temporary or part-time employees, when needed, at rates of pay not to exceed
 3 those provided in the Uniform Classification and Compensation Act, or its
 4 successor, or this act for the appropriate classification.

5
 6 SECTION 5. EXTRA HELP - ADMINISTRATIVE SERVICES. There is hereby
 7 authorized, for the Department of Human Services - Division of Administrative
 8 Services for the 2012-2013 fiscal year, the following maximum number of part-
 9 time or temporary employees, to be known as "Extra Help", payable from funds
 10 appropriated herein for such purposes: twenty (20) temporary or part-time
 11 employees, when needed, at rates of pay not to exceed those provided in the
 12 Uniform Classification and Compensation Act, or its successor, or this act
 13 for the appropriate classification.

14
 15 SECTION 6. APPROPRIATION - DIRECTOR'S OFFICE - OFFICE OF CHIEF COUNSEL
 16 - OPERATIONS. There is hereby appropriated, to the Department of Human
 17 Services - Director's Office - Office of Chief Counsel, to be payable from
 18 the paying account as determined by the Chief Fiscal Officer of the State,
 19 for personal services and operating expenses of the Department of Human
 20 Services - Director's Office - Office of Chief Counsel for the fiscal year
 21 ending June 30, 2013, the following:

22

23 ITEM	FISCAL YEAR
24 <u>NO.</u>	<u>2012-2013</u>
25 (01) REGULAR SALARIES	\$8,771,879
26 (02) EXTRA HELP	200,348
27 (03) PERSONAL SERVICES MATCHING	2,669,637
28 (04) MAINT. & GEN. OPERATION	
29 (A) OPER. EXPENSE	1,243,110
30 (B) CONF. & TRAVEL	32,472
31 (C) PROF. FEES	11,000
32 (D) CAP. OUTLAY	0
33 (E) DATA PROC.	0
34 (05) DATA PROCESSING SERVICES	<u>12,300</u>
35 TOTAL AMOUNT APPROPRIATED	<u>\$12,940,746</u>

36

SECTION 7. APPROPRIATION - ADMINISTRATIVE SERVICES - OPERATIONS. There is hereby appropriated, to the Department of Human Services - Division of Administrative Services, to be payable from the paying account as determined by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Department of Human Services - Division of Administrative Services for the fiscal year ending June 30, 2013, the following:

ITEM NO.	FISCAL YEAR 2012-2013
(01) REGULAR SALARIES	\$14,358,321
(02) EXTRA HELP	64,480
(03) PERSONAL SERVICES MATCHING	4,695,491
(04) OVERTIME	10,000
(05) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	3,104,383
(B) CONF. & TRAVEL	20,000
(C) PROF. FEES	10,311,696
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(06) DATA PROCESSING SERVICES	1,967,600
(07) AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009	<u>25,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$34,556,971</u>

SECTION 8. APPROPRIATION - ADMINISTRATIVE SERVICES - CLIENT SPECIFIC EMERGENCY SERVICES - CASH. There is hereby appropriated, to the Department of Human Services - Division of Administrative Services, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Department of Human Services - Division of Administrative Services, for purchase of services of the Department of Human Services - Division of Administrative Services for the fiscal year ending June 30, 2013, the following:

ITEM NO.	FISCAL YEAR 2012-2013
(01) PURCHASE OF SERVICES	<u>\$120,000</u>

SECTION 9. APPROPRIATION - ADMINISTRATIVE SERVICES - VARIOUS BUILDING

1 CONSTRUCTION. There is hereby appropriated, to the Department of Human
 2 Services - Division of Administrative Services, to be payable from the
 3 Department of Human Services Renovation Fund, for construction, renovation,
 4 maintenance, equipment and repairs for various buildings operated by the
 5 Department of Human Services for the fiscal year ending June 30, 2013, the
 6 following:

8 ITEM	FISCAL YEAR
9 <u>NO.</u>	<u>2012-2013</u>
10 (01) CONSTRUCTION	<u>\$7,688,100</u>

11
 12 SECTION 10. APPROPRIATION - ADMINISTRATIVE SERVICES - CONSOLIDATED
 13 COST. There is hereby appropriated, to the Department of Human Services -
 14 Division of Administrative Services, to be payable from the DHS Consolidated
 15 Cost Revolving Fund, for operating expenses of the Department of Human
 16 Services - Division of Administrative Services - Consolidated Cost for the
 17 fiscal year ending June 30, 2013, the following:

19 ITEM	FISCAL YEAR
20 <u>NO.</u>	<u>2012-2013</u>
21 (01) MAINT. & GEN. OPERATION	
22 (A) OPER. EXPENSE	\$821,500
23 (B) CONF. & TRAVEL	0
24 (C) PROF. FEES	0
25 (D) CAP. OUTLAY	0
26 (E) DATA PROC.	<u>0</u>
27 TOTAL AMOUNT APPROPRIATED	<u>\$821,500</u>

28
 29 SECTION 11. APPROPRIATION - ADMINISTRATIVE SERVICES - SOCIAL SERVICES
 30 BLOCK GRANT - FEDERAL. There is hereby appropriated, to the Department of
 31 Human Services - Division of Administrative Services, to be payable from the
 32 federal funds as designated by the Chief Fiscal Officer of the State, for
 33 purchase of services of the Department of Human Services - Division of
 34 Administrative Services for the fiscal year ending June 30, 2013, the
 35 following:

36

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2012-2013</u>
(01) PURCHASE OF SERVICES	<u>\$139,733</u>

SECTION 12. APPROPRIATION - COMMUNITY SERVICE AND NONPROFIT SUPPORT - OPERATIONS. There is hereby appropriated, to the Department of Human Services - Division of Community Service and Nonprofit Support, to be payable from the paying account as determined by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Department of Human Services - Division of Community Service and Nonprofit Support for the fiscal year ending June 30, 2013, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2012-2013</u>
(01) REGULAR SALARIES	\$966,119
(02) PERSONAL SERVICES MATCHING	315,116
(03) OVERTIME	1,000
(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	192,730
(B) CONF. & TRAVEL	22,000
(C) PROF. FEES	10,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(05) DELTA SERVICE CORPS GRANTS	2,410,704
(06) DATA PROCESSING SERVICES	<u>8,200</u>
TOTAL AMOUNT APPROPRIATED	<u>\$3,925,869</u>

SECTION 13. APPROPRIATION - COMMUNITY SERVICE AND NONPROFIT SUPPORT - CASH. There is hereby appropriated, to the Department of Human Services - Division of Community Service and Nonprofit Support, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for operating expenses of the Department of Human Services - Division of Community Service and Nonprofit Support for the fiscal year ending June 30, 2013, the following:

ITEM	FISCAL YEAR
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1	<u>NO.</u>	<u>2012-2013</u>
2	(01) MAINT. & GEN. OPERATION	
3	(A) OPER. EXPENSE	\$7,703
4	(B) CONF. & TRAVEL	2,865
5	(C) PROF. FEES	1,432
6	(D) CAP. OUTLAY	0
7	(E) DATA PROC.	<u>0</u>
8	TOTAL AMOUNT APPROPRIATED	<u><u>\$12,000</u></u>

9

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

12 DIRECTOR'S OFFICE/OFFICE OF CHIEF COUNSEL - PURCHASE OF EVIDENCE. Upon
 13 approval by the Chief Fiscal Officer of the State, the Chief Counsel for the
 14 Department of Human Services may transfer an amount up to but not to exceed
 15 \$12,000 and deposit same in a bank account for the purpose of purchasing
 16 evidence in the course of investigating the illegal use of food
 17 stamps/Electronic Benefit Transfer (EBT) cards. The funds so transferred
 18 shall be subject to accounting in a manner substantially similar to that
 19 employed by the Arkansas State Police for such transactions; provided
 20 however, that information tending to identify participants in such
 21 transactions shall be exempt from the Arkansas Freedom of Information Act.

22 The provisions of this section shall be in effect only from July 1, ~~2010~~
 23 2012 through June 30, ~~2011~~ 2013.

24

25 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HUMAN
 27 SERVICES RENOVATION FUND. Department of Human Services Renovation Fund.

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

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

34 (c) The fund shall consist of:

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

1 (2) General revenues transferred from the Division of Youth Services, the
2 Division of Behavioral Health, and the Division of Developmental Disabilities
3 Services for the purposes of repairing, renovating, equipping, acquiring and
4 constructing Department of Human Services facilities with an annual maximum
5 of five million dollars (\$5,000,000). The projects for which these transfers
6 are authorized must be projects which were unanticipated during the preceding
7 regular session of the Arkansas General Assembly and must be projects which,
8 if not carried out in the interim period between regular sessions of the
9 Arkansas General Assembly would cause greater harm to the facilities, clients
10 or programs of the Department of Human Services than to wait until the next
11 regular session.

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

14 (d)(1) At the request of the Director of the Department of Human
15 Services, and upon certification of the availability of such funds, the Chief
16 Fiscal Officer of the State shall initiate the necessary transfer documents
17 to reflect the transfer on the books of record of the Treasurer of State, the
18 Auditor of State, the Chief Fiscal Officer of the State, and the Department
19 of Human Services.

20 (2) The Director of the Department of Human Services shall submit any
21 transfer plan to and must receive approval of the plan from the Chief Fiscal
22 Officer of the State, the Governor and the Arkansas Legislative Council prior
23 to the effective date of the transfer.

24 (e) Provided, that any non-general revenue funding that may remain in
25 the fund at the end of any fiscal year shall be carried over into the next
26 fiscal year and all obligated general revenue funding that may remain in the
27 fund at the end of any fiscal year shall be carried over into the next fiscal
28 year to satisfy such legal and contractual obligations that have been entered
29 into prior to the end of the fiscal year.

30 (f) Determining the amount of funds appropriated to a state agency is
31 the prerogative of the General Assembly and is usually accomplished by
32 delineating specific line items and by identifying the appropriation and
33 funding attached to that line item. The General Assembly has determined that
34 the Department of Human Services could be operated more efficiently if some
35 flexibility is given to that agency. That flexibility is being accomplished
36 by providing transfer authority in subsection (d) of this section, and since

1 the General Assembly has granted the agency broad powers under the transfer
2 authority concept, it is both necessary and appropriate that the General
3 Assembly maintain oversight of the utilization of the transfer authority by
4 requiring prior approval of the Legislative Council in the utilization of
5 this transfer authority. Therefore, the requirement of approval by the
6 Legislative Council is not a severable part of this section. If the
7 requirement of approval by the Legislative Council is ruled unconstitutional
8 by a court jurisdiction, this entire section is void.

9 The provisions of this section shall be in effect only from July 1, ~~2010~~
10 2012 through June 30, ~~2011~~ 2013.

11
12 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
14 AUTHORITY. The Director of the Department of Human Services shall have
15 transfer authority provided by the following:

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

20 (b) MATCH TRANSFER. The Director of the Department of Human Services,
21 with the approval of the Chief Fiscal Officer of the State, is authorized to
22 effect inter-agency and inter-divisional fund transfers for the purpose of
23 providing the State's matching share for payments made to that Division or
24 Office or its service providers for services eligible for federal
25 reimbursement under programs administered by the Department of Human
26 Services. The Department of Human Services shall report to the Legislative
27 Council or Joint Budget Committee on a quarterly basis all fund transfers
28 made in accordance with the authority granted by this section; and

29 (c) YOUTH SERVICES - HOUSING AND SEPARATION APPROPRIATION PROVISIONS.
30 The Division of Youth Services (DYS) is authorized to fulfill its
31 responsibility to house offenders between the ages of 18 and 21 and to
32 separate juvenile offenders by age and seriousness of offense by either
33 employing additional state employees and providing the corresponding
34 operating expenses or entering into professional services contracts. If the
35 Division of Youth Services determines that the Division needs to employ state
36 employees to fulfill the housing and separation requirements, they may

1 transfer up to the total amount appropriated for the DYS - Residential
2 Services Program appropriation to the appropriate DYS appropriation and line
3 items, upon approval of the Chief Fiscal Officer of the State, and prior
4 review by the Legislative Council; and

5 (d) REALLOCATION OF RESOURCES: (1) The Department of Human Services
6 (DHS) provides hundreds of different services to over 1 million Arkansans.
7 The specific mix of service needs and the funding and staffing required to
8 provide them can vary significantly based on many factors, including natural
9 disasters, changing federal mandates and funding sources, demographic shifts,
10 fluctuating court-ordered services, social trends, and job market variations
11 such as nursing shortages. The impact of these factors through the course of
12 any fiscal year make it very difficult for the Department to accurately
13 predict the exact needs for funding, appropriation and positions in each of
14 its over 100 different appropriations. To ensure that it can respond quickly
15 to changing client needs and make the most effective use of the resources
16 allocated to it, the Department of Human Services shall be authorized to
17 utilize the reallocation of resource authority to make the proper adjustments
18 to the budgets within the Department. Therefore, upon determination by the
19 Director of the Department of Human Services that a reallocation of resources
20 within the department is necessary for the efficient and effective operation
21 of the department, the director, with approval of the Governor, shall have
22 the authority to request, from the Chief Fiscal Officer of the State, a
23 transfer of positions, appropriations, line item appropriations, and funds
24 within or between existing and newly created divisions, offices, sections, or
25 units of the department. Provided, however, that no transfer of funds or
26 appropriation that provides direct support or matching support for the
27 Arkansas Medicaid Program shall be made to any other fund account or
28 appropriation that does not directly support the Arkansas Medicaid Program.
29 Further, no positions, funds, or appropriation authorized during the budget
30 process for the Division of Children and Family Services compliance with
31 initiatives established under the Angela R. consent decree shall be
32 transferred to any other division. Nothing in this provision is intended to
33 prevent the one-time transfers of savings in any other program to the
34 Arkansas Medicaid Program, with the exception of the provisions previously
35 cited for the Division of Children and Family Services - Angela R. consent
36 decree. The Division of Developmental Disabilities - Grants to Community

1 Providers line item of the Developmental Disabilities Services - Grants-in-
2 Aid appropriation may not be decreased. The appropriation, funding, and
3 positions provided for the six Human Development Centers shall remain at a
4 level sufficient to ensure quality care for the Centers' residents. The
5 exemptions provided in this subsection whereby certain DHS Programs and
6 Divisions are protected from appropriation, fund, or position transfers are
7 applicable only to the reallocation or transfer authority granted herein, and
8 not by any reductions which are applicable to all state programs.

9 The Director of the Department of Human Services shall submit any requests
10 for transfers to and must receive approval of the requests for transfers from
11 the Chief Fiscal Officer of the State, the Governor, and the Arkansas
12 Legislative Council prior to the effective date of the transfers. Provided,
13 however, that the Department of Human Services shall be limited to submitting
14 no more than two reallocation of resources transfer requests during any
15 fiscal year. In each Departmental request no single division will request
16 reallocation for more than one purpose as listed in this section. Transfer
17 authority for unforeseen purposes shall further be limited to no more than 5%
18 of the total appropriation, funding, and positions authorized for the
19 Department. Reallocation of resources transfers may include multiple items
20 but shall be limited to the following purposes:

21 i). Medicaid Program

22 ii). Facilities and institutions costs, including operational expenses and
23 construction/renovation/equipping expenses

24 iii). Departmental grants and contracts

25 iv). Court ordered settlements and payments

26 v). Payment of administrative expenses, including but not limited to,
27 overtime and other costs of personnel for critical services or functions
28 necessary to carry out the mission of the agency

29 vi). Restructuring efforts as deemed necessary to comply with new and/or
30 unanticipated federal or state mandates

31 vii). Redirecting internal resources, both direct and/or indirect, to meet
32 client needs and services

33 Determining the maximum number of employees and the maximum amount of
34 appropriation and general revenue funding for a state agency each fiscal year
35 is the prerogative of the General Assembly. This is usually accomplished by
36 delineating such maximums in the appropriation act(s) for a state agency and

1 the general revenue allocations authorized for each fund and fund account by
2 amendment to the Revenue Stabilization law. Further, the General Assembly has
3 determined that the Department of Human Services may operate more efficiently
4 if some flexibility is provided to the Department of Human Services
5 authorizing broad powers under the Reallocation of Resources provisions
6 herein. Therefore, it is both necessary and appropriate that the General
7 Assembly maintain oversight by requiring prior approval of the Legislative
8 Council or Joint Budget Committee as provided by this section. The
9 requirement of approval by the Legislative Council or Joint Budget Committee
10 is not a severable part of this section. If the requirement of approval by
11 the Legislative Council or Joint Budget Committee is ruled unconstitutional
12 by a court of competent jurisdiction, this entire section is void.

13 (2) If it is determined that the requested reallocation of resources
14 transfers should be made, the Chief Fiscal Officer of the State shall then
15 initiate the necessary transfer documents to reflect the transfers upon the
16 fiscal records of the Treasurer of State, the Auditor of State, the Chief
17 Fiscal Officer of the State, and the Department of Human Services. In
18 addition, the Chief Fiscal Officer of the State, together with the Co-
19 Chairpersons of the Legislative Council or Joint Budget Committee, may
20 approve, on an emergency basis, requests for utilization of this Section
21 without prior approval of the Arkansas Legislative Council, with any such
22 actions reported at the next meeting of the Arkansas Legislative Council.

23 The provisions of this section shall be in effect only from July 1, ~~2010~~
24 2012 through June 30, ~~2011~~ 2013.

25
26 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

28 NURSING/DIRECT CARE EDUCATION STIPEND PROGRAM. Special provision for a
29 Nursing/Direct Care Education Stipend Program for the Department of Human
30 Services is hereby authorized to pay from State and Federal Funds
31 appropriated in each division Act. This program is for eligible nursing
32 students who are attending accredited nursing institutions to become
33 Registered or Licensed Practical Nurses, as well as Certified Nursing
34 Assistants, Residential Care Assistants, Residential Care Technicians,
35 Residential Care Supervisors and Behavioral Health Aides.

36 The stipend is \$5,000 per person per year. Any student who is awarded

1 and accepts a stipend is under employment commitment to the respective DHS
2 Division and is required to work for that division, in a full-time employee
3 status effective immediately upon graduation. The student employment
4 commitment is equal to the number of years the stipend was awarded and
5 accepted. In the event of Employee/Student default of the employment
6 commitment, the Employee/Student will be considered in breach of contract and
7 repayment of the stipend will be required as specified in the Stipend
8 Contract.

9 Each division participating in the Education Stipend Program shall
10 determine on an annual basis, the number of student stipends available.

11 The provisions of this section shall be in effect only from July 1, ~~2010~~
12 2012 through June 30, ~~2011~~ 2013.

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

16 NURSING/DIRECT CARE RECRUITMENT/RETENTION BONUSES. Special provision to
17 provide Nursing/Direct Care Recruitment and Retention Bonuses for the
18 Department of Human Services is hereby authorized to pay from State and
19 Federal funds appropriated for each respective division. Nursing/direct care
20 service recruitment/retention bonuses are in addition to the maximum annual
21 amounts provided in the Regular Salaries Section of the respective Division
22 Act for Registered Nurse, Licensed Practical Nurse, Certified Nursing
23 Assistant, Residential Care Assistant, Residential Care Technician,
24 Residential Care Supervisor and Behavioral Health Aide. New hire nurses must
25 be licensed by the Arkansas State Board of Nursing. The total
26 recruitment/retention bonus payment commitment for eligible nurses shall not
27 exceed \$4,000 per Registered Nurse and \$2,000 per Licensed Practical Nurse
28 and \$1,000 per Certified Nursing Assistant, Residential Care Assistant,
29 Residential Care Technician, Residential Care Supervisor and Behavioral
30 Health Aide.

31 The lump sum bonus payments and employment commitment to the State will
32 be made in partial payments as follows:

33
34 Registered Nurse Classifications
35 \$1,000 after completing 6 months probationary employment
36 \$1,500 after completing 1st year employment

1 \$1,500 after completing 2nd year employment

3 Licensed Practical Nurse Classifications

4 \$ 500 after completing 6 months probationary employment

5 \$ 500 after completing 1st year employment

6 \$1,000 after completing 2nd year employment

8 Certified Nursing Assistant/Residential Care Assistant/Residential Care
 9 Technician/Residential Care Supervisor/Behavioral Health Aide
 10 Classifications

11 \$ 500 after completing 6 month probationary employment

12 \$ 500 after completing 1st year employment

14 Any qualified person hired and offered bonus payment described herein
 15 will forfeit the balance of the payments if he/she voluntarily resigns or is
 16 terminated for cause from employment from the Department of Human Services
 17 prior to completing the required employment commitment time periods outlined
 18 above.

19 The provisions of this section shall be in effect only from July 1, ~~2010~~
 20 2012 through June 30, ~~2011~~ 2013.

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

32 SECTION 20. LEGISLATIVE INTENT. It is the intent of the General
 33 Assembly that any funds disbursed under the authority of the appropriations
 34 contained in this act shall be in compliance with the stated reasons for
 35 which this act was adopted, as evidenced by the Agency Requests, Executive
 36 Recommendations and Legislative Recommendations contained in the budget

1 manuals prepared by the Department of Finance and Administration, letters, or
 2 summarized oral testimony in the official minutes of the Arkansas Legislative
 3 Council or Joint Budget Committee which relate to its passage and adoption.
 4

5 SECTION 21. EMERGENCY CLAUSE. It is found and determined by the
 6 General Assembly, that the Constitution of the State of Arkansas prohibits
 7 the appropriation of funds for more than a one (1) year period; that the
 8 effectiveness of this Act on July 1, 2012 is essential to the operation of
 9 the agency for which the appropriations in this Act are provided, and that in
 10 the event of an extension of the legislative session, the delay in the
 11 effective date of this Act beyond July 1, 2012 could work irreparable harm
 12 upon the proper administration and provision of essential governmental
 13 programs. Therefore, an emergency is hereby declared to exist and this Act
 14 being necessary for the immediate preservation of the public peace, health
 15 and safety shall be in full force and effect from and after July 1, 2012.
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