

Stricken language will be deleted and underlined language will be added.
Act 268 of the Fiscal Session

1 State of Arkansas
2 90th General Assembly
3 Fiscal Session, 2016
4

As Engrossed: H4/28/16
A Bill

HOUSE BILL 1134

5 By: Joint Budget Committee
6

7 **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 - ADMINISTRATION FOR THE FISCAL YEAR ENDING
11 JUNE 30, 2017; AND FOR OTHER PURPOSES.
12
13

14 **Subtitle**

15 AN ACT FOR THE DEPARTMENT OF HUMAN
16 SERVICES - ADMINISTRATION APPROPRIATION
17 FOR THE 2016-2017 FISCAL YEAR.
18
19

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

22 SECTION 1. REGULAR SALARIES - DIRECTOR'S OFFICE - OFFICE OF CHIEF
23 COUNSEL. There is hereby established for the Department of Human Services -
24 Director's Office - Office of Chief Counsel for the 2016-2017 fiscal year,
25 the following maximum number of regular employees.
26

Item	Class		Maximum	Maximum Annual
No.	Code	Title	No. of	Salary Rate
			Employees	Fiscal Year
				2016-2017
31	(1)	U133U DHS EXECUTIVE DIRECTOR	1	\$280,000
32	(2)	L023N DHS DEPUTY DIRECTOR	2	GRADE N915
33	(3)	G029N DHS DIRECTOR OF POLICY AND LEGAL	1	GRADE N910
34	(4)	G004N DHS CHIEF ATTORNEY	1	GRADE N908
35	(5)	N128N DHS ASST DIR QUALITY ASSURANCE	1	GRADE N904
36	(6)	A007C AUDIT MANAGER	2	GRADE C129



1	(7)	G004C	MANAGING ATTORNEY	3	GRADE C129
2	(8)	G101C	DHS AREA MANAGER	1	GRADE C129
3	(9)	G025C	ATTORNEY SUPERVISOR	5	GRADE C127
4	(10)	G024C	DEPARTMENT ADMINISTRATIVE LAW JUDGE	3	GRADE C127
5	(11)	G047C	ATTORNEY SPECIALIST	53	GRADE C126
6	(12)	G042C	DHS ADMINISTRATIVE LAW JUDGE	6	GRADE C126
7	(13)	R008C	DHS EMPLOYEE RELATIONS MANAGER	1	GRADE C125
8	(14)	D030C	INFORMATION SYSTEMS COORDINATOR	1	GRADE C124
9	(15)	A044C	AUDIT COORDINATOR	2	GRADE C122
10	(16)	R014C	PERSONNEL MANAGER	1	GRADE C121
11	(17)	P013C	PUBLIC INFORMATION COORDINATOR	1	GRADE C120
12	(18)	G152C	DHS PROGRAM MANAGER	3	GRADE C119
13	(19)	A066C	INTERNAL AUDITOR	4	GRADE C119
14	(20)	A060C	SENIOR AUDITOR	13	GRADE C119
15	(21)	R024C	ASSISTANT PERSONNEL MANAGER	2	GRADE C118
16	(22)	G170C	DHS ADMINISTRATIVE REVIEW OFFICER	6	GRADE C118
17	(23)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE C118
18	(24)	R026C	CIVIL RIGHTS/EMP RELATIONS COORD	5	GRADE C117
19	(25)	G183C	DHS PROGRAM COORDINATOR	2	GRADE C117
20	(26)	X101C	INTERNAL AFFAIRS INVESTIGATOR	1	GRADE C117
21	(27)	G179C	LEGAL SERVICES SPECIALIST	3	GRADE C117
22	(28)	G178C	POLICY DEVELOPMENT COORDINATOR	1	GRADE C117
23	(29)	M045C	ADULT PROTECTIVE SERVICES WORKER	1	GRADE C117
24	(30)	A089C	ACCOUNTANT I	1	GRADE C116
25	(31)	X125C	FRAUD INVESTIGATOR COORDINATOR	3	GRADE C116
26	(32)	P031C	MEDIA SPECIALIST	1	GRADE C116
27	(33)	C037C	ADMINISTRATIVE ANALYST	1	GRADE C115
28	(34)	G210C	DHS PROGRAM SPECIALIST	5	GRADE C115
29	(35)	A091C	FISCAL SUPPORT ANALYST	1	GRADE C115
30	(36)	X156C	FRAUD INVESTIGATOR	6	GRADE C114
31	(37)	C046C	LEGAL SUPPORT SPECIALIST	36	GRADE C113
32	(38)	C056C	ADMINISTRATIVE SPECIALIST III	10	GRADE C112
33	(39)	R038C	HUMAN RESOURCES ASSISTANT	1	GRADE C110
34	(40)	C087C	ADMINISTRATIVE SPECIALIST I	<u>2</u>	GRADE C106
35			MAX. NO. OF EMPLOYEES	194	

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1 SECTION 2. REGULAR SALARIES - ADMINISTRATIVE SERVICES. There is hereby
 2 established for the Department of Human Services - Division of Administrative
 3 Services for the 2016-2017 fiscal year, the following maximum number of
 4 regular employees.

5					6	Maximum Annual
7					Maximum	Salary Rate
8	Item	Class			No. of	Fiscal Year
9	No.	Code	Title	Employees	2016-2017	
10	(1)	N016N	DHS DEP DIR ADMINISTRATIVE SVCS	1	GRADE N911	
11	(2)	N040N	DHS CHIEF INFORMATION OFFICER	1	GRADE N909	
12	(3)	<i>N101N DHS/DMS ADD - MEDICAL SERVICES</i>		<i>1</i>	<i>GRADE N906</i>	
13	(4)	N112N	DHS ASST DEP DIR FIN SUPPORT SYSTEM	1	GRADE N905	
14	(5)	N111N	DHS ASST DEP DIR FOR MGR ACCOUNTING	1	GRADE N905	
15	(6)	N107N	DHS/OFA ASST DIR - ACCOUNTING OPS	1	GRADE N905	
16	(7)	N109N	DHS/OFA ASSISTANT DIRECTOR	1	GRADE N905	
17	(8)	R002N	DHS DIRECTOR OF HUMAN CAPITAL	1	GRADE N904	
18	(9)	P004N	DHS DIRECTOR OF PUBLIC RELATIONS	1	GRADE N901	
19	(10)	<i>N167N DHS POLICY & RESEARCH DIRECTOR</i>		<i>1</i>	<i>GRADE N901</i>	
20	(11)	G027N	DHS RESEARCH ANALYSIS MANAGER	1	GRADE N901	
21	(12)	G004C	MANAGING ATTORNEY	1	GRADE C129	
22	(13)	A010C	AGENCY CONTROLLER II	6	GRADE C128	
23	(14)	D007C	INFORMATION SYSTEMS MANAGER	3	GRADE C128	
24	(15)	R006C	HUMAN RESOURCES ADMINISTRATOR	2	GRADE C126	
25	(16)	A027C	ACCOUNTING OPERATIONS MANAGER	1	GRADE C125	
26	(17)	A031C	ASSISTANT CONTROLLER	6	GRADE C124	
27	(18)	D025C	STATE IT SECURITY SPECIALIST	3	GRADE C124	
28	(19)	G099C	DHS PROGRAM ADMINISTRATOR	2	GRADE C122	
29	(20)	A052C	ACCOUNTING COORDINATOR	5	GRADE C121	
30	(21)	A047C	FINANCIAL ANALYST II	1	GRADE C121	
31	(22)	G109C	GRANTS MANAGER	2	GRADE C121	
32	(23)	V004C	PROCUREMENT MANAGER	1	GRADE C121	
33	(24)	D052C	SOFTWARE SUPPORT ANALYST	6	GRADE C121	
34	(25)	A056C	DHS FINANCIAL SECTION MANAGER	7	GRADE C120	
35	(26)	D057C	INFORMATION TECHNOLOGY MANAGER	1	GRADE C120	
36	(27)	E023C	TRAINING PROJECT MANAGER	1	GRADE C120	

1	(28)	R021C	BUDGET ANALYST	1	GRADE C119
2	(29)	D063C	COMPUTER SUPPORT SPECIALIST	11	GRADE C119
3	(30)	G152C	DHS PROGRAM MANAGER	3	GRADE C119
4	(31)	G147C	GRANTS COORDINATOR	2	GRADE C119
5	(32)	D061C	INFORMATION SYSTEMS COORD SPECIALIST	5	GRADE C119
6	(33)	A065C	PAYROLL SERVICES COORDINATOR	2	GRADE C119
7	(34)	V007C	PROCUREMENT COORDINATOR	3	GRADE C119
8	(35)	A063C	RESEARCH & STATISTICS SUPERVISOR	1	GRADE C119
9	(36)	A060C	SENIOR AUDITOR	1	GRADE C119
10	(37)	R024C	ASSISTANT PERSONNEL MANAGER	6	GRADE C118
11	(38)	A075C	FINANCIAL ANALYST I	1	GRADE C118
12	(39)	A074C	FISCAL SUPPORT SUPERVISOR	10	GRADE C118
13	(40)	D064C	WEBSITE DEVELOPER	1	GRADE C118
14	(41)	R027C	BUDGET SPECIALIST	5	GRADE C117
15	(42)	V013C	CENTRAL WAREHOUSE OPERATIONS MGR	1	GRADE C117
16	(43)	D071C	COMPUTER SUPPORT ANALYST	2	GRADE C117
17	(44)	G183C	DHS PROGRAM COORDINATOR	2	GRADE C117
18	(45)	G180C	GRANTS ANALYST	31	GRADE C117
19	(46)	R025C	HUMAN RESOURCES ANALYST	3	GRADE C117
20	(47)	G178C	POLICY DEVELOPMENT COORDINATOR	1	GRADE C117
21	(48)	B076C	RESEARCH PROJECT ANALYST	3	GRADE C117
22	(49)	E040C	STAFF DEVELOPMENT COORDINATOR	6	GRADE C117
23	(50)	A089C	ACCOUNTANT I	14	GRADE C116
24	(51)	R029C	HUMAN RESOURCES RECRUITER	5	GRADE C116
25	(52)	P031C	MEDIA SPECIALIST	1	GRADE C116
26	(53)	C037C	ADMINISTRATIVE ANALYST	5	GRADE C115
27	(54)	D079C	COMPUTER SUPPORT TECHNICIAN	3	GRADE C115
28	(55)	G210C	DHS PROGRAM SPECIALIST	1	GRADE C115
29	(56)	A091C	FISCAL SUPPORT ANALYST	13	GRADE C115
30	(57)	D077C	HELP DESK SPECIALIST	1	GRADE C115
31	(58)	R032C	HUMAN RESOURCES PROGRAM REP	1	GRADE C115
32	(59)	A090C	PAYROLL SERVICES SPECIALIST	1	GRADE C115
33	(60)	S032C	PRINT SHOP SUPERVISOR	1	GRADE C115
34	(61)	V015C	PURCHASING SPECIALIST	4	GRADE C115
35	(62)	C040C	LEASING SPECIALIST	1	GRADE C114
36	(63)	A093C	STATISTICIAN	2	GRADE C114

1	(64)	D081C	TELECOMMUNICATIONS SPECIALIST	1	GRADE C114
2	(65)	V018C	WAREHOUSE MANAGER	1	GRADE C114
3	(66)	C050C	ADMINISTRATIVE SUPPORT SUPERVISOR	2	GRADE C113
4	(67)	R036C	HUMAN RESOURCES SPECIALIST	6	GRADE C113
5	(68)	V020C	INVENTORY CONTROL MANAGER	1	GRADE C113
6	(69)	C043C	RECORDS MANAGEMENT ANALYST	6	GRADE C113
7	(70)	C056C	ADMINISTRATIVE SPECIALIST III	11	GRADE C112
8	(71)	A098C	FISCAL SUPPORT SPECIALIST	31	GRADE C112
9	(72)	S054C	PRINTER	4	GRADE C111
10	(73)	R038C	HUMAN RESOURCES ASSISTANT	8	GRADE C110
11	(74)	V025C	WAREHOUSE SPECIALIST	3	GRADE C110
12	(75)	C073C	ADMINISTRATIVE SPECIALIST II	11	GRADE C109
13	(76)	C070C	DUPLICATION ASSISTANT	1	GRADE C109
14	(77)	V027C	INVENTORY CONTROL TECHNICIAN	1	GRADE C108
15	(78)	C083C	MAIL SERVICES COORDINATOR	1	GRADE C107
16	(79)	C087C	ADMINISTRATIVE SPECIALIST I	4	GRADE C106
17	(80)	V028C	WAREHOUSE WORKER	2	GRADE C106
18	(81)	C088C	MAIL SERVICES ASSISTANT	<u>5</u>	GRADE C105
19			MAX. NO. OF EMPLOYEES	312	

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

22 There is hereby established for the Department of Human Services - Division
 23 of Community Service and Nonprofit Support for the 2016-2017 fiscal year, the
 24 following maximum number of regular employees.

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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2016-2017
(1)	N171N	DHS DEP DIR OFFICE OF VOLUNTEER SVCS	1	GRADE N902
(2)	G076C	ADMINISTRATIVE SERVICES MANAGER	1	GRADE C124
(3)	G080C	NATIONAL & COMMUNITY SVCS EXEC DIR	1	GRADE C123
(4)	G152C	DHS PROGRAM MANAGER	1	GRADE C119
(5)	G147C	GRANTS COORDINATOR	1	GRADE C119
(6)	G180C	GRANTS ANALYST	2	GRADE C117
(7)	E040C	STAFF DEVELOPMENT COORDINATOR	1	GRADE C117

1	(8)	G176C	VOLUNTEER PROGRAM MANAGER	1	GRADE C117
2	(9)	C022C	BUSINESS OPERATIONS SPECIALIST	1	GRADE C116
3	(10)	G202C	VOLUNTEER PROGRAM COORDINATOR	8	GRADE C115
4	(11)	G236C	DHS/DOV AREA COORDINATOR	1	GRADE C114
5	(12)	G214C	GRANTS SPECIALIST	1	GRADE C114
6	(13)	C056C	ADMINISTRATIVE SPECIALIST III	2	GRADE C112
7	(14)	V022C	PURCHASING TECHNICIAN	1	GRADE C112
8	(15)	C073C	ADMINISTRATIVE SPECIALIST II	<u>2</u>	GRADE C109
9			MAX. NO. OF EMPLOYEES	25	

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

12 There is hereby authorized, for the Department of Human Services - Director's
13 Office - Office of Chief Counsel for the 2016-2017 fiscal year, the following
14 maximum number of part-time or temporary employees, to be known as "Extra
15 Help", payable from funds appropriated herein for such purposes: ten (10)
16 temporary or part-time employees, when needed, at rates of pay not to exceed
17 those provided in the Uniform Classification and Compensation Act, or its
18 successor, or this act for the appropriate classification.

19

20 SECTION 5. EXTRA HELP - ADMINISTRATIVE SERVICES. There is hereby
21 authorized, for the Department of Human Services - Division of Administrative
22 Services for the 2016-2017 fiscal year, the following maximum number of part-
23 time or temporary employees, to be known as "Extra Help", payable from funds
24 appropriated herein for such purposes: twenty (20) temporary or part-time
25 employees, when needed, at rates of pay not to exceed those provided in the
26 Uniform Classification and Compensation Act, or its successor, or this act
27 for the appropriate classification.

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29 SECTION 6. APPROPRIATION - DIRECTOR'S OFFICE - OFFICE OF CHIEF COUNSEL

30 - OPERATIONS. There is hereby appropriated, to the Department of Human
31 Services - Director's Office, to be payable from the paying account as
32 determined by the Chief Fiscal Officer of the State, for personal services
33 and operating expenses of the Department of Human Services - Director's
34 Office - Office of Chief Counsel for the fiscal year ending June 30, 2017,
35 the following:

36

1	ITEM	FISCAL YEAR
2	<u>NO.</u>	<u>2016-2017</u>
3	(01) REGULAR SALARIES	\$9,272,158
4	(02) EXTRA HELP	227,799
5	(03) PERSONAL SERVICES MATCHING	3,152,150
6	(04) MAINT. & GEN. OPERATION	
7	(A) OPER. EXPENSE	1,388,201
8	(B) CONF. & TRAVEL	33,972
9	(C) PROF. FEES	11,000
10	(D) CAP. OUTLAY	0
11	(E) DATA PROC.	0
12	(05) DATA PROCESSING SERVICES	<u>12,300</u>
13	TOTAL AMOUNT APPROPRIATED	<u>\$14,097,580</u>

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15 SECTION 7. APPROPRIATION - ADMINISTRATIVE SERVICES - OPERATIONS. There
 16 is hereby appropriated, to the Department of Human Services - Division of
 17 Administrative Services, to be payable from the paying account as determined
 18 by the Chief Fiscal Officer of the State, for personal services and operating
 19 expenses of the Department of Human Services - Division of Administrative
 20 Services for the fiscal year ending June 30, 2017, the following:

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22	ITEM	FISCAL YEAR
23	<u>NO.</u>	<u>2016-2017</u>
24	(01) REGULAR SALARIES	\$12,156,842
25	(02) EXTRA HELP	64,480
26	(03) PERSONAL SERVICES MATCHING	4,415,733
27	(04) OVERTIME	10,000
28	(05) MAINT. & GEN. OPERATION	
29	(A) OPER. EXPENSE	2,608,584
30	(B) CONF. & TRAVEL	40,545
31	(C) PROF. FEES	10,399,691
32	(D) CAP. OUTLAY	65,000
33	(E) DATA PROC.	0
34	(06) DATA PROCESSING SERVICES	<u>1,967,600</u>
35	TOTAL AMOUNT APPROPRIATED	<u>\$31,728,475</u>

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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, 2017, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2016-2017</u>
(01) PURCHASE OF SERVICES	<u>\$111,600</u>

SECTION 9. APPROPRIATION - ADMINISTRATIVE SERVICES - VARIOUS BUILDING CONSTRUCTION. There is hereby appropriated, to the Department of Human Services - Division of Administrative 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 for the fiscal year ending June 30, 2017, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2016-2017</u>
(01) CONSTRUCTION	<u>\$11,119,780</u>

SECTION 10. APPROPRIATION - ADMINISTRATIVE SERVICES - CONSOLIDATED COST. There is hereby appropriated, to the Department of Human Services - Division of Administrative Services, to be payable from the DHS Consolidated Cost Revolving Fund, for operating expenses of the Department of Human Services - Division of Administrative Services - Consolidated Cost for the fiscal year ending June 30, 2017, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2016-2017</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$821,500
(B) CONF. & TRAVEL	0

1	(C) PROF. FEES	0
2	(D) CAP. OUTLAY	0
3	(E) DATA PROC.	<u>0</u>
4	TOTAL AMOUNT APPROPRIATED	<u><u>\$821,500</u></u>

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6 SECTION 11. APPROPRIATION - ADMINISTRATIVE SERVICES - SOCIAL SERVICES

7 BLOCK GRANT - FEDERAL. There is hereby appropriated, to the Department of

8 Human Services - Division of Administrative Services, to be payable from the

9 federal funds as designated by the Chief Fiscal Officer of the State, for

10 purchase of services of the Department of Human Services - Division of

11 Administrative Services for the fiscal year ending June 30, 2017, the

12 following:

14	ITEM	FISCAL YEAR
15	<u>NO.</u>	<u>2016-2017</u>
16	(01) PURCHASE OF SERVICES	<u><u>\$129,084</u></u>

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18 SECTION 12. APPROPRIATION - COMMUNITY SERVICE AND NONPROFIT SUPPORT -

19 OPERATIONS. There is hereby appropriated, to the Department of Human

20 Services - Division of Community Service and Nonprofit Support, to be payable

21 from the paying account as determined by the Chief Fiscal Officer of the

22 State, for personal services and operating expenses of the Department of

23 Human Services - Division of Community Service and Nonprofit Support for the

24 fiscal year ending June 30, 2017, the following:

26	ITEM	FISCAL YEAR
27	<u>NO.</u>	<u>2016-2017</u>
28	(01) REGULAR SALARIES	\$894,459
29	(02) EXTRA HELP	0
30	(03) PERSONAL SERVICES MATCHING	324,307
31	(04) OVERTIME	1,000
32	(05) MAINT. & GEN. OPERATION	
33	(A) OPER. EXPENSE	172,255
34	(B) CONF. & TRAVEL	18,351
35	(C) PROF. FEES	5,000
36	(D) CAP. OUTLAY	0

1	(E) DATA PROC.	0
2	(06) DATA PROCESSING SERVICES	8,200
3	(07) FOSTER GRANDPARENT PROGRAM	<u>340,135</u>
4	TOTAL AMOUNT APPROPRIATED	<u><u>\$1,763,707</u></u>

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 6 SECTION 13. APPROPRIATION - COMMUNITY SERVICE AND NONPROFIT SUPPORT -
 7 CASH. There is hereby appropriated, to the Department of Human Services -
 8 Division of Community Service and Nonprofit Support, to be payable from the
 9 cash fund deposited in the State Treasury as determined by the Chief Fiscal
 10 Officer of the State, for operating expenses of the Department of Human
 11 Services - Division of Community Service and Nonprofit Support for the fiscal
 12 year ending June 30, 2017, the following:

14	ITEM	FISCAL YEAR
15	<u>NO.</u>	<u>2016-2017</u>
16	(01) MAINT. & GEN. OPERATION	
17	(A) OPER. EXPENSE	\$7,703
18	(B) CONF. & TRAVEL	2,865
19	(C) PROF. FEES	1,432
20	(D) CAP. OUTLAY	0
21	(E) DATA PROC.	<u>0</u>
22	TOTAL AMOUNT APPROPRIATED	<u><u>\$12,000</u></u>

23
 24 SECTION 14. APPROPRIATION - COMMUNITY SERVICE AND NONPROFIT SUPPORT -
 25 AMERICORPS GRANTS. There is hereby appropriated, to the Department of Human
 26 Services - Division of Community Service and Nonprofit Support, to be payable
 27 from the paying account as determined by the Chief Fiscal Officer of the
 28 State, for AmeriCorps Grants of the Department of Human Services - Division
 29 of Community Service and Nonprofit Support for the fiscal year ending June
 30 30, 2017, the following:

32	ITEM	FISCAL YEAR
33	<u>NO.</u>	<u>2016-2017</u>
34	(01) AMERICORPS GRANTS	<u><u>\$2,510,704</u></u>

35
 36 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
2 DIRECTOR'S OFFICE/OFFICE OF CHIEF COUNSEL - PURCHASE OF EVIDENCE. Upon
3 approval by the Chief Fiscal Officer of the State, the Chief Counsel for the
4 Department of Human Services may transfer an amount up to but not to exceed
5 \$12,000 and deposit same in a bank account for the purpose of purchasing
6 evidence in the course of investigating the illegal use of food
7 stamps/Electronic Benefit Transfer (EBT) cards. The funds so transferred
8 shall be subject to accounting in a manner substantially similar to that
9 employed by the Arkansas State Police for such transactions; provided
10 however, that information tending to identify participants in such
11 transactions shall be exempt from the Arkansas Freedom of Information Act.

12 The provisions of this section shall be in effect only from July 1, ~~2015~~
13 2016 through June 30, ~~2016~~ 2017.

14
15 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HUMAN
17 SERVICES RENOVATION FUND. Department of Human Services Renovation Fund.

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

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

24 (c) The fund shall consist of:

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

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

1 regular session.

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

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

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

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

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

35 The provisions of this section shall be in effect only from July 1, ~~2015~~
36 2016 through June 30, ~~2016~~ 2017.

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SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER AUTHORITY. The Director of the Department of Human Services shall have transfer authority provided by the following:

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

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

(c) YOUTH SERVICES - HOUSING AND SEPARATION APPROPRIATION PROVISIONS. The Division of Youth Services (DYS) is authorized to fulfill its responsibility to house offenders between the ages of 18 and 21 and to separate juvenile offenders by age and seriousness of offense by either employing additional state employees and providing the corresponding operating expenses or entering into professional services contracts. If the Division of Youth Services determines that the Division needs to employ state employees to fulfill the housing and separation requirements, they may transfer up to the total amount appropriated for the DHS - Residential Services Program appropriation to the appropriate DHS appropriation and line items, upon approval of the Chief Fiscal Officer of the State, and prior review by the Legislative Council; and

(d) REALLOCATION OF RESOURCES: (1) The Department of Human Services (DHS) provides hundreds of different services to over 1 million Arkansans. The specific mix of service needs and the funding and staffing required to provide them can vary significantly based on many factors, including natural disasters, changing federal mandates and funding sources, demographic shifts, fluctuating court-ordered services, social trends, and job market variations

1 such as nursing shortages. The impact of these factors through the course of
2 any fiscal year make it very difficult for the Department to accurately
3 predict the exact needs for funding, appropriation and positions in each of
4 its over 100 different appropriations. To ensure that it can respond quickly
5 to changing client needs and make the most effective use of the resources
6 allocated to it, the Department of Human Services shall be authorized to
7 utilize the reallocation of resource authority to make the proper adjustments
8 to the budgets within the Department. Therefore, upon determination by the
9 Director of the Department of Human Services that a reallocation of resources
10 within the department is necessary for the efficient and effective operation
11 of the department, the director, with approval of the Governor, shall have
12 the authority to request, from the Chief Fiscal Officer of the State, a
13 transfer of positions, appropriations, line item appropriations, and funds
14 within or between existing and newly created divisions, offices, sections, or
15 units of the department. Provided, however, that no transfer of funds or
16 appropriation that provides direct support or matching support for the
17 Arkansas Medicaid Program shall be made to any other fund account or
18 appropriation that does not directly support the Arkansas Medicaid Program.
19 Further, no positions, funds, or appropriation authorized during the budget
20 process for the Division of Children and Family Services compliance with
21 initiatives established under the Angela R. consent decree shall be
22 transferred to any other division. Nothing in this provision is intended to
23 prevent the one-time transfers of savings in any other program to the
24 Arkansas Medicaid Program, with the exception of the provisions previously
25 cited for the Division of Children and Family Services – Angela R. consent
26 decree. The Division of Developmental Disabilities – Grants to Community
27 Providers line item of the Developmental Disabilities Services - Grants-in-
28 Aid appropriation may not be decreased. The appropriation, funding, and
29 positions provided for the five Human Development Centers shall remain at a
30 level sufficient to ensure quality care for the Centers' residents. The
31 exemptions provided in this subsection whereby certain DHS Programs and
32 Divisions are protected from appropriation, fund, or position transfers are
33 applicable only to the reallocation or transfer authority granted herein, and
34 not by any reductions which are applicable to all state programs.

35 The Director of the Department of Human Services shall submit any requests
36 for transfers to and must receive approval of the requests for transfers from

1 the Chief Fiscal Officer of the State, the Governor, and the Arkansas
2 Legislative Council prior to the effective date of the transfers. Provided,
3 however, that the Department of Human Services shall be limited to submitting
4 no more than two reallocation of resources transfer requests during any
5 fiscal year. In each Departmental request no single division will request
6 reallocation for more than one purpose as listed in this section. Transfer
7 authority for unforeseen purposes shall further be limited to no more than 5%
8 of the total appropriation, funding, and positions authorized for the
9 Department. Reallocation of resources transfers may include multiple items
10 but shall be limited to the following purposes:

- 11 i). Medicaid Program
- 12 ii). Facilities and institutions costs, including operational expenses and
13 construction/renovation/equipping expenses
- 14 iii). Departmental grants and contracts
- 15 iv). Court ordered settlements and payments
- 16 v). Payment of administrative expenses, including but not limited to,
17 overtime and other costs of personnel for critical services or functions
18 necessary to carry out the mission of the agency
- 19 vi). Restructuring efforts as deemed necessary to comply with new and/or
20 unanticipated federal or state mandates
- 21 vii). Redirecting internal resources, both direct and/or indirect, to meet
22 client needs and services

23 Determining the maximum number of employees and the maximum amount of
24 appropriation and general revenue funding for a state agency each fiscal year
25 is the prerogative of the General Assembly. This is usually accomplished by
26 delineating such maximums in the appropriation act(s) for a state agency and
27 the general revenue allocations authorized for each fund and fund account by
28 amendment to the Revenue Stabilization law. Further, the General Assembly has
29 determined that the Department of Human Services may operate more efficiently
30 if some flexibility is provided to the Department of Human Services
31 authorizing broad powers under the Reallocation of Resources provisions
32 herein. Therefore, it is both necessary and appropriate that the General
33 Assembly maintain oversight by requiring prior approval of the Legislative
34 Council or Joint Budget Committee as provided by this section. The
35 requirement of approval by the Legislative Council or Joint Budget Committee
36 is not a severable part of this section. If the requirement of approval by

1 the Legislative Council or Joint Budget Committee is ruled unconstitutional
2 by a court of competent jurisdiction, this entire section is void.

3 (2) If it is determined that the requested reallocation of resources
4 transfers should be made, the Chief Fiscal Officer of the State shall then
5 initiate the necessary transfer documents to reflect the transfers upon the
6 fiscal records of the Treasurer of State, the Auditor of State, the Chief
7 Fiscal Officer of the State, and the Department of Human Services. In
8 addition, the Chief Fiscal Officer of the State, together with the Co-
9 Chairpersons of the Legislative Council or Joint Budget Committee, may
10 approve, on an emergency basis, requests for utilization of this Section
11 without prior approval of the Arkansas Legislative Council, with any such
12 actions reported at the next meeting of the Arkansas Legislative Council.

13 The provisions of this section shall be in effect only from July 1, ~~2015~~
14 2016 through June 30, ~~2016~~ 2017.

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

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

26 The stipend is \$5,000 per person per year. Any student who is awarded and
27 accepts a stipend is under employment commitment to the respective DHS
28 Division and is required to work for that division, in a full-time employee
29 status effective immediately upon graduation. The student employment
30 commitment is equal to the number of years the stipend was awarded and
31 accepted. In the event of Employee/Student default of the employment
32 commitment, the Employee/Student will be considered in breach of contract and
33 repayment of the stipend will be required as specified in the Stipend
34 Contract.

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

1 The provisions of this section shall be in effect only from July 1, ~~2015~~
2 2016 through June 30, ~~2016~~ 2017.

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

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

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

23
24 Registered Nurse Classifications

25 \$1,000 after completing 6 months probationary employment

26 \$1,500 after completing 1st year employment

27 \$1,500 after completing 2nd year employment

28
29 Licensed Practical Nurse Classifications

30 \$ 500 after completing 6 months probationary employment

31 \$ 500 after completing 1st year employment

32 \$1,000 after completing 2nd year employment

33
34 Certified Nursing Assistant/Residential Care Assistant/Residential Care
35 Technician/Residential Care Supervisor/Behavioral Health Aide
36 Classifications

1 \$ 500 after completing 6 month probationary employment

2 \$ 500 after completing 1st year employment

3

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

9 The provisions of this section shall be in effect only from July 1, 2015
10 2016 through June 30, ~~2016~~ 2017.

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12 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
14 TRANSFER PROVISION - HEALTH CARE INDEPENDENCE PROGRAM TRUST FUND.

15 Notwithstanding any other provisions of law to the contrary, the entire
16 amount received and retained in the Medicaid Trust Fund from the Pulaski
17 County Circuit Court Case No. CV2007-15345 shall be transferred from the
18 Medicaid Trust Fund to the Health Care Independence Program Trust Fund to be
19 used exclusively as authorized by Ark. Code 19-5-1141.

20 The provisions of this section shall be in effect from July 1, 2015
21 2016 through June 30, ~~2016~~ 2017.

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

32

33 SECTION 22. LEGISLATIVE INTENT. It is the intent of the General
34 Assembly that any funds disbursed under the authority of the appropriations
35 contained in this act shall be in compliance with the stated reasons for
36 which this act was adopted, as evidenced by the Agency Requests, Executive

1 Recommendations and Legislative Recommendations contained in the budget
2 manuals prepared by the Department of Finance and Administration, letters, or
3 summarized oral testimony in the official minutes of the Arkansas Legislative
4 Council or Joint Budget Committee which relate to its passage and adoption.
5

6 SECTION 23. EMERGENCY CLAUSE. It is found and determined by the
7 General Assembly, that the Constitution of the State of Arkansas prohibits
8 the appropriation of funds for more than a one (1) year period; that the
9 effectiveness of this Act on July 1, 2016 is essential to the operation of
10 the agency for which the appropriations in this Act are provided, and that in
11 the event of an extension of the legislative session, the delay in the
12 effective date of this Act beyond July 1, 2016 could work irreparable harm
13 upon the proper administration and provision of essential governmental
14 programs. Therefore, an emergency is hereby declared to exist and this Act
15 being necessary for the immediate preservation of the public peace, health
16 and safety shall be in full force and effect from and after July 1, 2016.
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18 */s/Joint Budget Committee*
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21 **APPROVED: 05/09/2016**
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