

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021  
4

# A Bill

SENATE BILL 54

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 COMMERCE  
10 - STATE INSURANCE DEPARTMENT FOR THE FISCAL YEAR  
11 ENDING JUNE 30, 2022; AND FOR OTHER PURPOSES.  
12  
13

## Subtitle

14 AN ACT FOR THE DEPARTMENT OF COMMERCE -  
15 STATE INSURANCE DEPARTMENT APPROPRIATION  
16 FOR THE 2021-2022 FISCAL YEAR.  
17  
18  
19

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

22 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established  
23 for the Department of Commerce - State Insurance Department for the 2021-2022  
24 fiscal year, the following maximum number of regular employees.  
25

| Item No. | Class Code | Title                               | Maximum No. of Employees | Maximum Annual Salary Rate Fiscal Year 2021-2022 |
|----------|------------|-------------------------------------|--------------------------|--|
| 30       | (1) U047U  | ACOM STATE INSURANCE COMMISSIONER   | 1                        | GRADE SE03                                       |
| 31       | (2) U042U  | ACOM INSURANCE CHIEF DEPUTY COMM    | 1                        | GRADE SE02                                       |
| 32       | (3) N025N  | ACOM INSURANCE DEP COMM INFO SVCS   | 1                        | GRADE SE01                                       |
| 33       | (4) D028N  | REGULATORY HEALTH LINK TECH OFFICER | 1                        | GRADE IT10                                       |
| 34       | (5) D010N  | ACOM INSURANCE CHIEF TECH OFFICER   | 1                        | GRADE IT08                                       |
| 35       | (6) D007C  | INFORMATION SYSTEMS MANAGER         | 2                        | GRADE IT08                                       |
| 36       | (7) D034C  | DATABASE ADMINISTRATOR              | 1                        | GRADE IT07                                       |



|    |      |  |    |            |
|----|------|--|----|------------|
| 1  | (8)  | D038C SENIOR SOFTWARE SUPPORT ANALYST        | 1  | GRADE IT06 |
| 2  | (9)  | D022C SYSTEMS SPECIALIST                     | 4  | GRADE IT06 |
| 3  | (10) | D052C SOFTWARE SUPPORT ANALYST               | 4  | GRADE IT05 |
| 4  | (11) | D044C SYSTEMS ANALYST                        | 1  | GRADE IT05 |
| 5  | (12) | N014N ACOM INSURANCE DEP COMM FINANCIAL REGS | 1  | GRADE GS15 |
| 6  | (13) | N201N DEPUTY COMM OF CRIMINAL INVESTIGATION  | 1  | GRADE GS15 |
| 7  | (14) | G018N ACOM DIRECTOR RISK MANAGEMENT          | 1  | GRADE GS14 |
| 8  | (15) | N140N ACOM INS ASST DEP COMM FINANCE         | 1  | GRADE GS14 |
| 9  | (16) | A128C ACOM INSURANCE CLAIMS DIR PUBLIC EMP   | 1  | GRADE GS14 |
| 10 | (17) | N023N ACOM INSURANCE DEPUTY COMMISSIONER     | 2  | GRADE GS14 |
| 11 | (18) | N190N ACOM INSURANCE GENERAL COUNSEL         | 1  | GRADE GS14 |
| 12 | (19) | X002N PROPERTY & CASUALTY MANAGER            | 1  | GRADE GS14 |
| 13 | (20) | N073N ACOM INS CHF FIN/MKT CONDUCT EXMR      | 1  | GRADE GS13 |
| 14 | (21) | A004N CERTIFIED FINANCIAL EXAMINER MANAGER   | 3  | GRADE GS13 |
| 15 | (22) | G004C MANAGING ATTORNEY                      | 3  | GRADE GS13 |
| 16 | (23) | G043N RISK MANAGEMENT ASSISTANT DIRECTOR     | 1  | GRADE GS13 |
| 17 | (24) | A004C CERTIFIED FINANCIAL EXAMINER           | 12 | GRADE GS12 |
| 18 | (25) | R013C AGENCY HUMAN RESOURCES MANAGER         | 1  | GRADE GS11 |
| 19 | (26) | G047C ATTORNEY SPECIALIST                    | 7  | GRADE GS11 |
| 20 | (27) | P074C ACOM AID PUBLIC INFORMATION OFFICER    | 1  | GRADE GS10 |
| 21 | (28) | X009C ACOM INSURANCE DEPT DIR OF SECURITY    | 1  | GRADE GS10 |
| 22 | (29) | G259C ACOM INSURANCE PROGRAM MANAGER         | 1  | GRADE GS10 |
| 23 | (30) | A044C AUDIT COORDINATOR                      | 1  | GRADE GS10 |
| 24 | (31) | X032C ACOM SENIOR SECURITIES EXAMINER        | 1  | GRADE GS09 |
| 25 | (32) | G241C HEALTH INFO TECH OPER & TECH OFFICER   | 1  | GRADE GS09 |
| 26 | (33) | A042C INSURANCE SENIOR EXAMINER              | 7  | GRADE GS09 |
| 27 | (34) | X020C ACOM BURIAL ASSOCIATION BD EXEC SEC    | 1  | GRADE GS08 |
| 28 | (35) | X018C ACOM INS CONSUMER PROTECT MANAGER      | 1  | GRADE GS08 |
| 29 | (36) | X017C ACOM INSURANCE LICENSING MANAGER       | 1  | GRADE GS08 |
| 30 | (37) | G304C ACOM WORKERS' COMP PROG MANAGER        | 1  | GRADE GS08 |
| 31 | (38) | X192C ASST DIRECTOR FRAUD INVESTIGATION      | 1  | GRADE GS08 |
| 32 | (39) | X072C CRIMINAL INSURANCE FRAUD INVESTIGATOR  | 7  | GRADE GS08 |
| 33 | (40) | R014C PERSONNEL MANAGER                      | 1  | GRADE GS08 |
| 34 | (41) | X034C PREPAID FUNERAL MANAGER                | 1  | GRADE GS08 |
| 35 | (42) | A060C SENIOR AUDITOR                         | 2  | GRADE GS08 |
| 36 | (43) | G064C SR HLTH INSURANCE INFO PROG MANAGER    | 1  | GRADE GS08 |

|    |      |  |          |            |
|----|------|--|----------|------------|
| 1  | (44) | G106C WCC CLAIMS SPECIALIST                  | 5        | GRADE GS08 |
| 2  | (45) | A067C ACOM INSURANCE EXAMINER                | 2        | GRADE GS07 |
| 3  | (46) | X083C ACOM INSURANCE LIFE & HEALTH COMP OFF  | 5        | GRADE GS07 |
| 4  | (47) | X066C ACOM INSURANCE PREMIUM TAX EXAMINER    | 4        | GRADE GS07 |
| 5  | (48) | G125C ACOM INSURANCE SPECIAL PROJECTS COORD  | 1        | GRADE GS07 |
| 6  | (49) | X076C ACOM TITLE INSURANCE COMPLIANCE OFF    | 1        | GRADE GS07 |
| 7  | (50) | A081C AUDITOR                                | 1        | GRADE GS07 |
| 8  | (51) | X080C PROPERTY & CASUALTY COMPLIANCE OFFICER | 4        | GRADE GS07 |
| 9  | (52) | G120C RISK CONSULTANT                        | 7        | GRADE GS07 |
| 10 | (53) | A080C ACOM FINANCE AUTHORITY SPECIALIST      | 1        | GRADE GS06 |
| 11 | (54) | C037C ADMINISTRATIVE ANALYST                 | 7        | GRADE GS06 |
| 12 | (55) | X088C EMBALMERS & FUNERAL DIR INVESTIGATOR   | 2        | GRADE GS06 |
| 13 | (56) | R025C HUMAN RESOURCES ANALYST                | 1        | GRADE GS06 |
| 14 | (57) | M066C PROGRAM ELIGIBILITY SPECIALIST         | 2        | GRADE GS06 |
| 15 | (58) | G202C VOLUNTEER PROGRAM COORDINATOR          | 3        | GRADE GS06 |
| 16 | (59) | C016C ACOM INSURANCE ADMINISTRATIVE COORD    | 3        | GRADE GS05 |
| 17 | (60) | R033C BENEFITS ANALYST                       | 1        | GRADE GS05 |
| 18 | (61) | A091C FISCAL SUPPORT ANALYST                 | 1        | GRADE GS05 |
| 19 | (62) | X123C INSURANCE INVESTIGATOR                 | 9        | GRADE GS05 |
| 20 | (63) | G201C WCC CLAIMS ANALYST                     | 3        | GRADE GS05 |
| 21 | (64) | C056C ADMINISTRATIVE SPECIALIST III          | 13       | GRADE GS04 |
| 22 | (65) | A098C FISCAL SUPPORT SPECIALIST              | 4        | GRADE GS04 |
| 23 | (66) | R036C HUMAN RESOURCES SPECIALIST             | 1        | GRADE GS04 |
| 24 | (67) | C046C LEGAL SUPPORT SPECIALIST               | 3        | GRADE GS04 |
| 25 | (68) | X180C ACOM INSURANCE LICENSING TECHNICIAN    | 7        | GRADE GS03 |
| 26 | (69) | C073C ADMINISTRATIVE SPECIALIST II           | 10       | GRADE GS03 |
| 27 | (70) | C087C ADMINISTRATIVE SPECIALIST I            | 1        | GRADE GS02 |
| 28 | (71) | C084C MAIL SERVICES SPECIALIST               | <u>2</u> | GRADE GS02 |
| 29 |      | MAX. NO. OF EMPLOYEES                        | 189      |            |

30

31 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department  
 32 of Commerce - State Insurance Department for the 2021-2022 fiscal year, the  
 33 following maximum number of part-time or temporary employees, to be known as  
 34 "Extra Help", payable from funds appropriated herein for such purposes:  
 35 nineteen (19) temporary or part-time employees, when needed, at rates of pay  
 36 not to exceed those provided in the Uniform Classification and Compensation

1 Act, or its successor, or this act for the appropriate classification.

2

3 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated,  
 4 to the Department of Commerce, to be payable from the State Insurance  
 5 Department Trust Fund, for personal services, operating expenses, special  
 6 maintenance and professional services of the Department of Commerce - State  
 7 Insurance Department - Operations for the fiscal year ending June 30, 2022,  
 8 the following:

9

| 10 ITEM                            | FISCAL YEAR         |
|------------------------------------|---------------------|
| 11 <u>NO.</u>                      | <u>2021-2022</u>    |
| 12 (01) REGULAR SALARIES           | \$7,731,855         |
| 13 (02) EXTRA HELP                 | 140,000             |
| 14 (03) PERSONAL SERVICES MATCHING | 2,530,074           |
| 15 (04) OVERTIME                   | 27,500              |
| 16 (05) MAINT. & GEN. OPERATION    |                     |
| 17 (A) OPER. EXPENSE               | 2,200,674           |
| 18 (B) CONF. & TRAVEL              | 188,000             |
| 19 (C) PROF. FEES                  | 161,600             |
| 20 (D) CAP. OUTLAY                 | 150,000             |
| 21 (E) DATA PROC.                  | 0                   |
| 22 (06) SPECIAL MAINTENANCE        | 50,000              |
| 23 (07) PROFESSIONAL SERVICES      | 956,000             |
| 24 (08) AHIM EXPENSES              | <u>500,000</u>      |
| 25 TOTAL AMOUNT APPROPRIATED       | <u>\$14,635,703</u> |

26

27 SECTION 4. APPROPRIATION - STATE BOARD OF EMBALMERS, FUNERAL DIRECTORS,  
 28 CEMETERIES, AND BURIAL SERVICES - OPERATIONS. There is hereby appropriated,  
 29 to the Department of Commerce, to be payable from the cash fund deposited in  
 30 the State Treasury as determined by the Chief Fiscal Officer of the State,  
 31 for personal services and operating expenses of the Department of Commerce -  
 32 State Insurance Department - State Board of Embalmers, Funeral Directors,  
 33 Cemeteries, and Burial Services - Operations for the fiscal year ending June  
 34 30, 2022, the following:

35

| 36 ITEM | FISCAL YEAR |
|---------|-------------|
|---------|-------------|

| 1  | <u>NO.</u>                      | <u>2021-2022</u>        |
|----|---------------------------------|-------------------------|
| 2  | (01) REGULAR SALARIES           | \$245,995               |
| 3  | (02) PERSONAL SERVICES MATCHING | 89,988                  |
| 4  | (03) MAINT. & GEN. OPERATION    |                         |
| 5  | (A) OPER. EXPENSE               | 167,242                 |
| 6  | (B) CONF. & TRAVEL              | 5,464                   |
| 7  | (C) PROF. FEES                  | 2,950                   |
| 8  | (D) CAP. OUTLAY                 | 0                       |
| 9  | (E) DATA PROC.                  | 0                       |
| 10 | (04) LOANS                      | <u>55,000</u>           |
| 11 | TOTAL AMOUNT APPROPRIATED       | <u><u>\$566,639</u></u> |

12

13           SECTION 5. APPROPRIATION - FRAUD INVESTIGATION UNIT. There is hereby  
 14 appropriated, to the Department of Commerce, to be payable from the State  
 15 Insurance Department Trust Fund, for personal services of the Department of  
 16 Commerce - State Insurance Department - Fraud Investigation Unit for the  
 17 fiscal year ending June 30, 2022, the following:

18

| 19 | ITEM                            | FISCAL YEAR             |
|----|---------------------------------|-------------------------|
| 20 | <u>NO.</u>                      | <u>2021-2022</u>        |
| 21 | (01) REGULAR SALARIES           | \$651,200               |
| 22 | (02) PERSONAL SERVICES MATCHING | <u>210,153</u>          |
| 23 | TOTAL AMOUNT APPROPRIATED       | <u><u>\$861,353</u></u> |

24

25           SECTION 6. APPROPRIATION - INSURANCE FRAUD INVESTIGATION DIVISION.  
 26 There is hereby appropriated, to the Department of Commerce, to be payable  
 27 from the Insurance Fraud Investigation Division Trust Fund, for personal  
 28 services and operating expenses of the Department of Commerce - State  
 29 Insurance Department - Insurance Fraud Investigation Division for the fiscal  
 30 year ending June 30, 2022, the following:

31

| 32 | ITEM                            | FISCAL YEAR      |
|----|---------------------------------|------------------|
| 33 | <u>NO.</u>                      | <u>2021-2022</u> |
| 34 | (01) REGULAR SALARIES           | \$235,540        |
| 35 | (02) PERSONAL SERVICES MATCHING | 70,728           |
| 36 | (03) MAINT. & GEN. OPERATION    |                  |

|   |                           |                         |
|---|---------------------------|-------------------------|
| 1 | (A) OPER. EXPENSE         | 220,635                 |
| 2 | (B) CONF. & TRAVEL        | 35,000                  |
| 3 | (C) PROF. FEES            | 4,000                   |
| 4 | (D) CAP. OUTLAY           | 60,000                  |
| 5 | (E) DATA PROC.            | <u>0</u>                |
| 6 | TOTAL AMOUNT APPROPRIATED | <u><u>\$625,903</u></u> |

7

8 SECTION 7. APPROPRIATION - PREPAID FUNERAL BENEFITS DIVISION. There is

9 hereby appropriated, to the Department of Commerce, to be payable from the

10 State Insurance Department Prepaid Trust Fund, for personal services and

11 operating expenses of the Department of Commerce - State Insurance Department

12 - Prepaid Funeral Benefits Division for the fiscal year ending June 30, 2022,

13 the following:

| 15 | ITEM                            | FISCAL YEAR             |
|----|---------------------------------|-------------------------|
| 16 | <u>NO.</u>                      | <u>2021-2022</u>        |
| 17 | (01) REGULAR SALARIES           | \$250,258               |
| 18 | (02) PERSONAL SERVICES MATCHING | 85,586                  |
| 19 | (03) MAINT. & GEN. OPERATION    |                         |
| 20 | (A) OPER. EXPENSE               | 36,700                  |
| 21 | (B) CONF. & TRAVEL              | 4,000                   |
| 22 | (C) PROF. FEES                  | 0                       |
| 23 | (D) CAP. OUTLAY                 | 30,000                  |
| 24 | (E) DATA PROC.                  | <u>0</u>                |
| 25 | TOTAL AMOUNT APPROPRIATED       | <u><u>\$406,544</u></u> |

26

27 SECTION 8. APPROPRIATION - PREPAID FUNERAL CONTRACTS RECOVERY PROGRAM.

28 There is hereby appropriated, to the Department of Commerce, to be payable

29 from the Prepaid Funeral Contracts Recovery Program Fund, for the expenses

30 and payment of claims by the Department of Commerce - State Insurance

31 Department - Prepaid Contracts Recovery Program for the fiscal year ending

32 June 30, 2022, the following:

| 34 | ITEM                                 | FISCAL YEAR      |
|----|--------------------------------------|------------------|
| 35 | <u>NO.</u>                           | <u>2021-2022</u> |
| 36 | (01) EXPENSES AND CLAIMS FOR PREPAID |                  |

1 FUNERAL CONTRACTS RECOVERY PROGRAM \$500,000

2

3 SECTION 9. APPROPRIATION - REFUNDS OF OVERPAYMENTS. There is hereby  
 4 appropriated, to the Department of Commerce, to be payable from the  
 5 Miscellaneous Revolving Fund, for payments of miscellaneous tax and fee  
 6 refunds by the Department of Commerce - State Insurance Department - Refunds  
 7 of Overpayments for the fiscal year ending June 30, 2022, the following:

8

| 9 ITEM                         | FISCAL YEAR         |
|--------------------------------|---------------------|
| 10 <u>NO.</u>                  | <u>2021-2022</u>    |
| 11 (01) REFUNDS/REIMBURSEMENTS | <u>\$11,000,000</u> |

12

13 SECTION 10. APPROPRIATION - CONTINUING EDUCATION PROGRAM. There is  
 14 hereby appropriated, to the Department of Commerce, to be payable from the  
 15 Insurance Continuing Education Trust Fund, for personal services of the  
 16 Department of Commerce - State Insurance Department - Continuing Education  
 17 Program for the fiscal year ending June 30, 2022, the following:

18

| 19 ITEM                            | FISCAL YEAR      |
|------------------------------------|------------------|
| 20 <u>NO.</u>                      | <u>2021-2022</u> |
| 21 (01) REGULAR SALARIES           | \$25,268         |
| 22 (02) PERSONAL SERVICES MATCHING | <u>5,916</u>     |
| 23 TOTAL AMOUNT APPROPRIATED       | <u>\$31,184</u>  |

24

25 SECTION 11. APPROPRIATION - HEALTH INFORMATION COUNSELING. There is  
 26 hereby appropriated, to the Department of Commerce, to be payable from the  
 27 federal funds as designated by the Chief Fiscal Officer of the State, for  
 28 personal services and operating expenses of the Department of Commerce -  
 29 State Insurance Department - Health Information Counseling for the fiscal  
 30 year ending June 30, 2022, the following:

31

| 32 ITEM                            | FISCAL YEAR      |
|------------------------------------|------------------|
| 33 <u>NO.</u>                      | <u>2021-2022</u> |
| 34 (01) REGULAR SALARIES           | \$265,684        |
| 35 (02) PERSONAL SERVICES MATCHING | 99,307           |
| 36 (03) MAINT. & GEN. OPERATION    |                  |

|   |                           |                    |
|---|---------------------------|--------------------|
| 1 | (A) OPER. EXPENSE         | 217,407            |
| 2 | (B) CONF. & TRAVEL        | 10,000             |
| 3 | (C) PROF. FEES            | 601,552            |
| 4 | (D) CAP. OUTLAY           | 30,000             |
| 5 | (E) DATA PROC.            | 0                  |
| 6 | (04) PROMOTIONAL ITEMS    | <u>35,000</u>      |
| 7 | TOTAL AMOUNT APPROPRIATED | <u>\$1,258,950</u> |

8

9 SECTION 12. APPROPRIATION - CONSUMER INFORMATION SYSTEM - CASH. There  
 10 is hereby appropriated, to the Department of Commerce, to be payable from the  
 11 cash fund deposited in the State Treasury as determined by the Chief Fiscal  
 12 Officer of the State, for operating expenses of the Department of Commerce -  
 13 State Insurance Department - Consumer Information System - Cash for the  
 14 fiscal year ending June 30, 2022, the following:

15

| 16 | ITEM                         | FISCAL YEAR      |
|----|------------------------------|------------------|
| 17 | <u>NO.</u>                   | <u>2021-2022</u> |
| 18 | (01) MAINT. & GEN. OPERATION |                  |
| 19 | (A) OPER. EXPENSE            | \$28,005         |
| 20 | (B) CONF. & TRAVEL           | 0                |
| 21 | (C) PROF. FEES               | 0                |
| 22 | (D) CAP. OUTLAY              | 0                |
| 23 | (E) DATA PROC.               | <u>0</u>         |
| 24 | TOTAL AMOUNT APPROPRIATED    | <u>\$28,005</u>  |

25

26 SECTION 13. APPROPRIATION - TRAVEL AND SUBSISTENCE - CASH. There is  
 27 hereby appropriated, to the Department of Commerce, to be payable from the  
 28 cash fund deposited in the State Treasury as determined by the Chief Fiscal  
 29 Officer of the State, for travel and subsistence expenses of the Department  
 30 of Commerce - State Insurance Department - Travel and Subsistence for the  
 31 fiscal year ending June 30, 2022, the following:

32

| 33 | ITEM                               | FISCAL YEAR      |
|----|------------------------------------|------------------|
| 34 | <u>NO.</u>                         | <u>2021-2022</u> |
| 35 | (01) TRAVEL & SUBSISTENCE EXPENSES | <u>\$100,000</u> |

36



SECTION 14. APPROPRIATION - PUBLIC EMPLOYEE CLAIMS SECTION. There is hereby appropriated, to the Department of Commerce, to be payable from the Miscellaneous Agencies Fund Account, for personal services and operating expenses of the Department of Commerce - State Insurance Department - Public Employee Claims Section for the fiscal year ending June 30, 2022, the following:

| ITEM                            | FISCAL YEAR               |
|---------------------------------|---------------------------|
| <u>NO.</u>                      | <u>2021-2022</u>          |
| (01) REGULAR SALARIES           | \$1,079,850               |
| (02) PERSONAL SERVICES MATCHING | 374,186                   |
| (03) MAINT. & GEN. OPERATION    |                           |
| (A) OPER. EXPENSE               | 498,631                   |
| (B) CONF. & TRAVEL              | 24,300                    |
| (C) PROF. FEES                  | 0                         |
| (D) CAP. OUTLAY                 | 0                         |
| (E) DATA PROC.                  | <u>0</u>                  |
| TOTAL AMOUNT APPROPRIATED       | <u><u>\$1,976,967</u></u> |

SECTION 15. APPROPRIATION - STATE EMPLOYEE CLAIMS. There is hereby appropriated, to the Department of Commerce, to be payable from the Workers' Compensation Revolving Fund, for payment of state employee claims by the Department of Commerce - State Insurance Department - State Employee Claims for the fiscal year ending June 30, 2022, the following:

| ITEM                       | FISCAL YEAR                |
|----------------------------|----------------------------|
| <u>NO.</u>                 | <u>2021-2022</u>           |
| (01) STATE EMPLOYEE CLAIMS | <u><u>\$16,500,000</u></u> |

SECTION 16. APPROPRIATION - PUBLIC SCHOOL EMPLOYEE CLAIMS. There is hereby appropriated, to the Department of Commerce, to be payable from the Miscellaneous Revolving Fund, for payment of public school employee claims by the Department of Commerce - State Insurance Department - Public School Employee Claims for the fiscal year ending June 30, 2022, the following:

| ITEM | FISCAL YEAR |
|------|-------------|
|------|-------------|

|   |                                    |                  |
|---|------------------------------------|------------------|
| 1 | <u>NO.</u>                         | <u>2021-2022</u> |
| 2 | (01) PUBLIC SCHOOL EMPLOYEE CLAIMS | <u>\$400,000</u> |

3  
 4 SECTION 17. APPROPRIATION - COUNTY EMPLOYEE CLAIMS. There is hereby  
 5 appropriated, to the Department of Commerce, to be payable from the  
 6 Miscellaneous Revolving Fund, for payment of county employee claims by the  
 7 Department of Commerce - State Insurance Department - County Employee Claims  
 8 for the fiscal year ending June 30, 2022, the following:

|    |                             |                  |
|----|-----------------------------|------------------|
| 10 | ITEM                        | FISCAL YEAR      |
| 11 | <u>NO.</u>                  | <u>2021-2022</u> |
| 12 | (01) COUNTY EMPLOYEE CLAIMS | <u>\$200,000</u> |

13  
 14 SECTION 18. APPROPRIATION - CITY EMPLOYEE CLAIMS. There is hereby  
 15 appropriated, to the Department of Commerce, to be payable from the  
 16 Miscellaneous Revolving Fund, for payment of city employee claims by the  
 17 Department of Commerce - State Insurance Department - City Employee Claims  
 18 for the fiscal year ending June 30, 2022, the following:

|    |                           |                  |
|----|---------------------------|------------------|
| 20 | ITEM                      | FISCAL YEAR      |
| 21 | <u>NO.</u>                | <u>2021-2022</u> |
| 22 | (01) CITY EMPLOYEE CLAIMS | <u>\$400,000</u> |

23  
 24 SECTION 19. APPROPRIATION - GOVERNMENTAL BONDING BOARD. There is  
 25 hereby appropriated, to the Department of Commerce, to be payable from the  
 26 Fidelity Bond Trust Fund, for operating expenses, refunds, reimbursements,  
 27 claims, and professional services of the Department of Commerce - State  
 28 Insurance Department - Governmental Bonding Board for the fiscal year ending  
 29 June 30, 2022, the following:

|    |                              |                  |
|----|------------------------------|------------------|
| 31 | ITEM                         | FISCAL YEAR      |
| 32 | <u>NO.</u>                   | <u>2021-2022</u> |
| 33 | (01) MAINT. & GEN. OPERATION |                  |
| 34 | (A) OPER. EXPENSE            | \$5,000          |
| 35 | (B) CONF. & TRAVEL           | 0                |
| 36 | (C) PROF. FEES               | 0                |

|   |                             |                           |
|---|-----------------------------|---------------------------|
| 1 | (D) CAP. OUTLAY             | 0                         |
| 2 | (E) DATA PROC.              | 0                         |
| 3 | (02) REFUNDS/REIMBURSEMENTS | 150,000                   |
| 4 | (03) CLAIMS                 | 2,800,000                 |
| 5 | (04) PROFESSIONAL SERVICES  | <u>50,000</u>             |
| 6 | TOTAL AMOUNT APPROPRIATED   | <u><u>\$3,005,000</u></u> |

7

8 SECTION 20. APPROPRIATION - ARKANSAS MULTI-AGENCY INSURANCE TRUST FUND.

9 There is hereby appropriated, to the Department of Commerce, to be payable  
 10 from the Arkansas Multi-Agency Insurance Trust Fund, for expenses and payment  
 11 of claims by the Department of Commerce - State Insurance Department -  
 12 Arkansas Multi-Agency Insurance Trust Fund for the fiscal year ending June  
 13 30, 2022, the following:

14

|    |  |                            |
|----|--|----------------------------|
| 15 | ITEM   | FISCAL YEAR                |
| 16 | <u>NO.</u>                                   | <u>2021-2022</u>           |
| 17 | (01) FOR EXPENSES AND CLAIMS FROM AMAIT FUND | <u><u>\$20,000,000</u></u> |

18

19 SECTION 21. APPROPRIATION - PUBLIC SCHOOL INSURANCE PROGRAM. There is  
 20 hereby appropriated, to the Department of Commerce, to be payable from the  
 21 Public School Insurance Trust Fund, for expenses and payment of claims by the  
 22 Department of Commerce - State Insurance Department - Public School Insurance  
 23 Program for the fiscal year ending June 30, 2022, the following:

24

|    |                          |                            |
|----|--------------------------|----------------------------|
| 25 | ITEM                     | FISCAL YEAR                |
| 26 | <u>NO.</u>               | <u>2021-2022</u>           |
| 27 | (01) EXPENSES AND CLAIMS | <u><u>\$20,000,000</u></u> |

28

29 SECTION 22. APPROPRIATION - CRIMINAL BACKGROUND CHECKS - CASH. There  
 30 is hereby appropriated, to the Department of Commerce, to be payable from the  
 31 cash fund deposited in the State Treasury as determined by the Chief Fiscal  
 32 Officer of the State, for operating expenses of the Department of Commerce -  
 33 State Insurance Department - Criminal Background Checks - Cash for the fiscal  
 34 year ending June 30, 2022, the following:

35

|    |      |             |
|----|------|-------------|
| 36 | ITEM | FISCAL YEAR |
|----|------|-------------|

|   |                              |                         |
|---|------------------------------|-------------------------|
| 1 | <u>NO.</u>                   | <u>2021-2022</u>        |
| 2 | (01) MAINT. & GEN. OPERATION |                         |
| 3 | (A) OPER. EXPENSE            | \$125,000               |
| 4 | (B) CONF. & TRAVEL           | 0                       |
| 5 | (C) PROF. FEES               | 0                       |
| 6 | (D) CAP. OUTLAY              | 0                       |
| 7 | (E) DATA PROC.               | <u>0</u>                |
| 8 | TOTAL AMOUNT APPROPRIATED    | <u><u>\$125,000</u></u> |

9

10 SECTION 23. APPROPRIATION - ARKANSAS HEALTHCARE TRANSPARENCY INITIATIVE  
 11 DATABASE. There is hereby appropriated, to the Department of Commerce, to be  
 12 payable from the Arkansas Healthcare Transparency Initiative Fund, for the  
 13 Arkansas Healthcare Transparency Initiative Database, maintenance and  
 14 operations, data collection and management, and data request fulfillment of  
 15 the Department of Commerce - State Insurance Department for the fiscal year  
 16 ending June 30, 2022, the following:

17

|    |   |                           |
|----|---|---------------------------|
| 18 | ITEM                                    | FISCAL YEAR               |
| 19 | <u>NO.</u>                              | <u>2021-2022</u>          |
| 20 | (01) HEALTHCARE TRANSPARENCY INITIATIVE |                           |
| 21 | DATABASE EXPENSES                       | <u><u>\$3,200,000</u></u> |

22

23 SECTION 24. APPROPRIATION - FIREFIGHTER CANCER RELIEF. There is hereby  
 24 appropriated, to the Department of Commerce - State Insurance Department, to  
 25 be payable from the Arkansas Firefighter Cancer Relief Network Trust Fund,  
 26 for relief to firefighters who are diagnosed with cancer and participating in  
 27 a firefighter cancer relief network for the fiscal year ending June 30, 2022,  
 28 the following:

29

|    |                                |                         |
|----|--------------------------------|-------------------------|
| 30 | ITEM                           | FISCAL YEAR             |
| 31 | <u>NO.</u>                     | <u>2021-2022</u>        |
| 32 | (01) FIREFIGHTER CANCER RELIEF | <u><u>\$250,000</u></u> |

33

34 SECTION 25. APPROPRIATION - MEDICARE IMPROVEMENTS FOR PATIENTS AND  
 35 PROVIDERS ACT (MIPPA-3). There is hereby appropriated, to the Department of  
 36 Commerce, to be payable from the federal funds as designated by the Chief

1 Fiscal Officer of the State, for personal services and operating expenses of  
 2 the Department of Commerce - State Insurance Department - MIPPA-3 for the  
 3 fiscal year ending June 30, 2022, the following:

| 5 ITEM                            | FISCAL YEAR             |
|-----------------------------------|-------------------------|
| 6 <u>NO.</u>                      | <u>2021-2022</u>        |
| 7 (01) REGULAR SALARIES           | \$20,000                |
| 8 (02) PERSONAL SERVICES MATCHING | 8,000                   |
| 9 (03) MAINT. & GEN. OPERATION    |                         |
| 10 (A) OPER. EXPENSE              | 150,000                 |
| 11 (B) CONF. & TRAVEL             | 10,000                  |
| 12 (C) PROF. FEES                 | 250,000                 |
| 13 (D) CAP. OUTLAY                | 30,000                  |
| 14 (E) DATA PROC.                 | 0                       |
| 15 (04) PROMOTIONAL ITEMS         | <u>50,000</u>           |
| 16 TOTAL AMOUNT APPROPRIATED      | <u><u>\$518,000</u></u> |

17  
 18 SECTION 26. APPROPRIATION - MARKET STABILIZATION GRANT. There is  
 19 hereby appropriated, to the Department of Commerce, to be payable from the  
 20 federal funds as designated by the Chief Fiscal Officer of the State, for  
 21 personal services and operating expenses of the Department of Commerce -  
 22 State Insurance Department - Market Stabilization Grant for the fiscal year  
 23 ending June 30, 2022, the following:

| 25 ITEM                            | FISCAL YEAR             |
|------------------------------------|-------------------------|
| 26 <u>NO.</u>                      | <u>2021-2022</u>        |
| 27 (01) REGULAR SALARIES           | \$72,500                |
| 28 (02) PERSONAL SERVICES MATCHING | 24,000                  |
| 29 (03) MAINT. & GEN. OPERATION    |                         |
| 30 (A) OPER. EXPENSE               | 8,000                   |
| 31 (B) CONF. & TRAVEL              | 3,000                   |
| 32 (C) PROF. FEES                  | 100,000                 |
| 33 (D) CAP. OUTLAY                 | 0                       |
| 34 (E) DATA PROC.                  | 0                       |
| 35 (04) PROMOTIONAL ITEMS          | <u>25,000</u>           |
| 36 TOTAL AMOUNT APPROPRIATED       | <u><u>\$232,500</u></u> |

1  
2 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
4 PROVISION. In the event the State Insurance Department is unable to maintain  
5 a full roster of examination personnel, and upon approval of the Chief Fiscal  
6 Officer of the State, the resulting unused appropriations in Regular  
7 Salaries, Extra Help, and Personal Services Matching may be transferred to  
8 the Professional Services special line item for the purpose of contracting  
9 with qualified individuals or firms for examination assistance.

10 The provisions of this section shall be in effect only from July 1, ~~2020~~  
11 2021 through June 30, ~~2021~~ 2022.

12  
13 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS  
15 WORKS AND ARKANSAS HEALTH INSURANCE MARKETPLACE RESTRICTIONS. (a) As used in  
16 this section, "Arkansas Works" means Arkansas Works established under the  
17 Arkansas Works Act of 2016, Arkansas Code § 23-61-1001 et seq.

18 (b)(1) Determining the maximum number of employees, the maximum amount  
19 of appropriation, for what purposes an appropriation is authorized, and  
20 general revenue funding for a state agency each fiscal year is the  
21 prerogative of the General Assembly.

22 (2) The purposes of subdivision (b)(1) of this section are  
23 typically accomplished by:

24 (A) Identifying the purpose in the appropriation act;

25 (B) Delineating such maximums in the appropriation act for  
26 a state agency; and

27 (C) Delineating the general revenue allocations authorized  
28 for each fund and fund account by amendment to the Revenue Stabilization Law,  
29 Arkansas Code § 19-5-101 et seq.

30 (3) It is both necessary and appropriate that the General  
31 Assembly restrict the use of appropriations authorized in this act.

32 (c)(1) Except as provided in this subsection, the State Insurance  
33 Department shall conduct outreach and education activities that meet the  
34 standards of 45 C.F.R. § 155.200(c), as existing on January 1, 2019, to  
35 educate consumers about the Arkansas Health Insurance Marketplace and  
36 insurance affordability programs to encourage participation, including

1 without limitation the use of navigators, guides, certified application  
 2 counselors, and certified licensed producers under the Arkansas Health  
 3 Insurance Marketplace Navigator, Guide, and Certified Application Counselors  
 4 Act, § 23-64-601 et seq.

5 (2) The department shall not advertise, promote, or engage in  
 6 other activities designed to promote or encourage enrollment in the Arkansas  
 7 Works Program established by the Arkansas Works Act of 2016, § 23-61-1001 et  
 8 seq., including without limitation:

9 (A) Unsolicited communications mailed to potential  
 10 recipients;

11 (B) Television, radio, or online commercials;

12 (C) Billboard or mobile billboard advertising;

13 (D) Advertisements in newspapers, magazines, or other  
 14 print media; and

15 (E) Advertisements on websites or other electronic media.

16 (3) Subdivision (c)(2) of this section does not prohibit the  
 17 department from:

18 (A) Engaging in direct communications with:

19 (i) Licensed insurance agents; and

20 (ii) Persons licensed by the department;

21 (B) Engaging in solicited communications with potential  
 22 recipients;

23 (C)(i) Responding to an inquiry regarding the coverage for  
 24 which a potential recipient might be eligible, including without limitation  
 25 providing educational materials or information regarding any coverage for  
 26 which the potential recipient might qualify.

27 (ii) Educational materials and information  
 28 distributed under subdivision (c)(3)(C)(i) of this section shall contain only  
 29 factual information and shall not contain subjective statements regarding the  
 30 coverage for which the potential recipient might be eligible; and

31 (D) Using a website for the exclusive purpose of enrolling  
 32 individuals in the program.

33 (d) The department shall not apply for or accept any funds, including  
 34 without limitation federal funds, for the purpose of advertisement,  
 35 promotion, or other activities designed to promote or encourage enrollment in  
 36 the Arkansas Health Insurance Marketplace or the program.

1 (e)(1) Biannually, the department shall report to the Legislative  
2 Council regarding the use of navigators, guides, certified application  
3 counselors, and certified licensed producers under the Arkansas Health  
4 Insurance Marketplace Navigator, Guide, and Certified Application Counselors  
5 Act, § 23-64-601 et seq.

6 (2) The report shall include without limitation:

7 (A) The number of navigators, guides, certified  
8 application counselors, and certified licensed producers;

9 (B) The number of recipients assisted by the navigators,  
10 guides, certified application counselors, and certified licensed producers to  
11 obtain coverage; and

12 (C) The number of recipients assisted by the navigators,  
13 guides, certified application counselors, and certified licensed producers to  
14 obtain coverage and who obtained coverage through the program.

15 (f) This section expires on June 30, ~~2021~~ 2022.

16  
17 SECTION 29. 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 30. 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 31. 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, 2021 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, 2021 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, 2021.

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