

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

As Engrossed: S3/27/23

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 HUMAN
10 SERVICES - DIVISION OF AGING, ADULT, AND BEHAVIORAL
11 HEALTH SERVICES FOR THE FISCAL YEAR ENDING JUNE 30,
12 2024; AND FOR OTHER PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE DEPARTMENT OF HUMAN
16 SERVICES - DIVISION OF AGING, ADULT, AND
17 BEHAVIORAL HEALTH SERVICES APPROPRIATION
18 FOR THE 2023-2024 FISCAL YEAR.
19
20
21

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

24 SECTION 1. REGULAR SALARIES - STATE OPERATIONS. There is hereby
25 established for the Department of Human Services - Division of Aging, Adult,
26 and Behavioral Health Services for the 2023-2024 fiscal year, the following
27 maximum number of regular employees.
28

Item	Class	No.	Code	Title	Maximum	No. of	Maximum Annual
							Employees
							Fiscal Year
							2023-2024
33	(1)	N221N		ARKANSAS STATE HOSPITAL COO	1		GRADE SE03
34	(2)	N249N		DHS DIVISION DIRECTOR	1		GRADE SE02
35	(3)	N027N		DHS DEPUTY DIRECTOR ADULT SERVICES	1		GRADE SE01
36	(4)	L011N		DENTIST	1		GRADE MP06



1	(5)	L009N DHS BEHAV HLTH GENERAL PHYSICIAN	4	GRADE MP06
2	(6)	L014N DIRECTOR OF PHARMACY	1	GRADE MP06
3	(7)	L013N GENERAL PHYSICIAN	1	GRADE MP06
4	(8)	L016N REGISTERED PHARMACIST	4	GRADE MP05
5	(9)	L105C AHC NURSING DIRECTOR	1	GRADE MP04
6	(10)	L001C PSYCHOLOGIST SUPERVISOR	1	GRADE MP04
7	(11)	L006C ASSOCIATE DIRECTOR OF NURSING	3	GRADE MP03
8	(12)	L009C NURSE MANAGER	10	GRADE MP03
9	(13)	L003C PSYCHOLOGIST	4	GRADE MP03
10	(14)	L015C CLINICAL SPEECH PATHOLOGIST	1	GRADE MP02
11	(15)	L036C NURSE INSTRUCTOR	1	GRADE MP02
12	(16)	L027C REGISTERED NURSE SUPERVISOR	30	GRADE MP02
13	(17)	L038C REGISTERED NURSE	121	GRADE MP01
14	(18)	L032C REGISTERED NURSE - HOSPITAL	28	GRADE MP01
15	(19)	G283C DHS CHIEF SECURITY & COMPLIANCE OFCR	1	GRADE GS15
16	(20)	N103N DHS MENTAL HEALTH CENTER DIRECTOR	1	GRADE GS14
17	(21)	N124N DHS/DYS ASSISTANT DIVISION DIRECTOR	1	GRADE GS14
18	(22)	M002C DHS BEHAV HLTH ASSOC DIR, AHC	1	GRADE GS13
19	(23)	G277C DHS PROCESS IMPROVEMENT DIRECTOR	1	GRADE GS13
20	(24)	N127N DHS/DBHS DIR ALCOHOL & DRUG ABUSE PROG	1	GRADE GS13
21	(25)	G004C MANAGING ATTORNEY	1	GRADE GS13
22	(26)	G101C DHS AREA MANAGER	1	GRADE GS12
23	(27)	N152N DHS/DBHS ASSISTANT DIR ADMIN SVCS	1	GRADE GS12
24	(28)	A014C FISCAL DIVISION MANAGER	1	GRADE GS12
25	(29)	G047C ATTORNEY SPECIALIST	1	GRADE GS11
26	(30)	L011C DHS ALCHL/DRUG ABUSE PREV ASST DEP DIR	2	GRADE GS11
27	(31)	G027N DHS RESEARCH ANALYSIS MANAGER	1	GRADE GS11
28	(32)	N153N DHS/DBHS CLINICAL DIRECTOR	1	GRADE GS11
29	(33)	G076C ADMINISTRATIVE SERVICES MANAGER	1	GRADE GS10
30	(34)	L010C DHS DMS MEDICAL ASSISTANCE MANAGER	1	GRADE GS10
31	(35)	L024C DHS BEHAV HLTH FACILITY ADMIN	1	GRADE GS09
32	(36)	G099C DHS PROGRAM ADMINISTRATOR	12	GRADE GS09
33	(37)	L040C DIETARY SERVICES DIRECTOR	1	GRADE GS09
34	(38)	G109C GRANTS MANAGER	4	GRADE GS09
35	(39)	M009C LICENSED CERTIFIED SOCIAL WORKER	27	GRADE GS09
36	(40)	L033C PSYCHOLOGICAL EXAMINER	1	GRADE GS09

1	(41)	E035C CERTIFIED MASTERS TEACHER	1	GRADE GS08
2	(42)	L050C CERTIFIED RESPIRATORY THERAPY TECH	4	GRADE GS08
3	(43)	T031C DHS BEHAV HLTH PUBLIC SAFETY DIR	1	GRADE GS08
4	(44)	M016C DHS FIELD MANAGER	4	GRADE GS08
5	(45)	G152C DHS PROGRAM MANAGER	10	GRADE GS08
6	(46)	G083C DHS/DAAS DIVISION MANAGER	1	GRADE GS08
7	(47)	E026C EDUCATION & INSTRUCTION COORDINATOR	1	GRADE GS08
8	(48)	M010C FAMILY SERVICE WORKER CLINICAL SPEC	1	GRADE GS08
9	(49)	S004C MAINTENANCE MANAGER	1	GRADE GS08
10	(50)	E023C TRAINING PROJECT MANAGER	1	GRADE GS08
11	(51)	S008C CAMPUS MAINTENANCE SUPERVISOR	2	GRADE GS07
12	(52)	G131C DHS BEHAV HLTH MED BUS PRACTICES ADM	1	GRADE GS07
13	(53)	G183C DHS PROGRAM COORDINATOR	23	GRADE GS07
14	(54)	G153C DHS/DAAS PROGRAM SUPERVISOR	2	GRADE GS07
15	(55)	L055C DIETICIAN	1	GRADE GS07
16	(56)	L062C LICENSED PRACTICAL NURSE SUPERVISOR	12	GRADE GS07
17	(57)	M026C LICENSED SOCIAL WORKER	5	GRADE GS07
18	(58)	P020C PRODUCTION ARTIST	1	GRADE GS07
19	(59)	M025C PROGRAM ELIGIBILITY COORDINATOR I	1	GRADE GS07
20	(60)	L052C REHAB FACILITY SUPERVISOR	2	GRADE GS07
21	(61)	A072C RESEARCH & STATISTICS MANAGER	1	GRADE GS07
22	(62)	A063C RESEARCH & STATISTICS SUPERVISOR	1	GRADE GS07
23	(63)	C037C ADMINISTRATIVE ANALYST	10	GRADE GS06
24	(64)	M045C ADULT PROTECTIVE SERVICES WORKER	39	GRADE GS06
25	(65)	E044C CERTIFIED BACHELORS TEACHER	3	GRADE GS06
26	(66)	L044C DHS BEHAV HLTH CASE REVIEW ANALYST	1	GRADE GS06
27	(67)	G184C DHS PROGRAM CONSULTANT	2	GRADE GS06
28	(68)	G210C DHS PROGRAM SPECIALIST	4	GRADE GS06
29	(69)	G198C DHS/DAAS PROGRAM SPECIALIST	3	GRADE GS06
30	(70)	T052C DHS/DBHS PUBLIC SAFETY SUPERVISOR	4	GRADE GS06
31	(71)	G180C GRANTS ANALYST	4	GRADE GS06
32	(72)	X101C INTERNAL AFFAIRS INVESTIGATOR	1	GRADE GS06
33	(73)	G179C LEGAL SERVICES SPECIALIST	2	GRADE GS06
34	(74)	L069C LICENSED PRACTICAL NURSE	98	GRADE GS06
35	(75)	S033C MAINTENANCE SUPERVISOR	2	GRADE GS06
36	(76)	G124C OMBUDSMAN	1	GRADE GS06

1	(77)	G178C	POLICY DEVELOPMENT COORDINATOR	1	GRADE GS06
2	(78)	M066C	PROGRAM ELIGIBILITY SPECIALIST	6	GRADE GS06
3	(79)	L103C	PSYCHOLOGICAL EVALUATOR	3	GRADE GS06
4	(80)	C026C	RECORDS/INTAKE SUPERVISOR	2	GRADE GS06
5	(81)	L051C	REHABILITATION COUNSELOR	2	GRADE GS06
6	(82)	B076C	RESEARCH PROJECT ANALYST	2	GRADE GS06
7	(83)	S022C	SKILLED TRADES SUPERVISOR	9	GRADE GS06
8	(84)	G202C	VOLUNTEER PROGRAM COORDINATOR	2	GRADE GS06
9	(85)	S021C	WATER FILTER/WASTE DISPOSAL PLNT SUPV	1	GRADE GS06
10	(86)	C036C	ADMINISTRATIVE REVIEW ANALYST	1	GRADE GS05
11	(87)	C050C	ADMINISTRATIVE SUPPORT SUPERVISOR	1	GRADE GS05
12	(88)	S041C	BOILER OPERATOR	4	GRADE GS05
13	(89)	A091C	FISCAL SUPPORT ANALYST	2	GRADE GS05
14	(90)	C030C	HEALTH RECORDS SPECIALIST	1	GRADE GS05
15	(91)	D077C	HELP DESK SPECIALIST	2	GRADE GS05
16	(92)	T055C	PUBLIC SAFETY OFFICER	20	GRADE GS05
17	(93)	M065C	RECREATIONAL ACTIVITY SUPERVISOR	3	GRADE GS05
18	(94)	L066C	REHABILITATION INSTRUCTOR	36	GRADE GS05
19	(95)	S031C	SKILLED TRADESMAN	25	GRADE GS05
20	(96)	V018C	WAREHOUSE MANAGER	1	GRADE GS05
21	(97)	S030C	WATER FILTER/WASTE DISPOSAL PLNT OPER	2	GRADE GS05
22	(98)	C056C	ADMINISTRATIVE SPECIALIST III	37	GRADE GS04
23	(99)	X167C	COMPLAINTS INVESTIGATOR	1	GRADE GS04
24	(100)	L102C	DIETETIC SPECIALIST	2	GRADE GS04
25	(101)	A098C	FISCAL SUPPORT SPECIALIST	2	GRADE GS04
26	(102)	S044C	FOOD PREPARATION MANAGER	1	GRADE GS04
27	(103)	V020C	INVENTORY CONTROL MANAGER	3	GRADE GS04
28	(104)	B111C	LABORATORY TECHNICIAN	3	GRADE GS04
29	(105)	S046C	MAINTENANCE TECHNICIAN	1	GRADE GS04
30	(106)	C043C	RECORDS MANAGEMENT ANALYST	4	GRADE GS04
31	(107)	T072C	SECURITY OFFICER SUPERVISOR	1	GRADE GS04
32	(108)	V023C	STOREROOM SUPERVISOR	1	GRADE GS04
33	(109)	L074C	THERAPY ASSISTANT	2	GRADE GS04
34	(110)	V025C	WAREHOUSE SPECIALIST	1	GRADE GS04
35	(111)	C073C	ADMINISTRATIVE SPECIALIST II	5	GRADE GS03
36	(112)	M084C	BEHAV HLTH AIDE	75	GRADE GS03

1	(113)	L082C CERTIFIED NURSING ASSISTANT	154	GRADE GS03
2	(114)	S056C FOOD PREPARATION SUPERVISOR	8	GRADE GS03
3	(115)	S067C HOUSEKEEPER SUPERVISOR	1	GRADE GS03
4	(116)	V027C INVENTORY CONTROL TECHNICIAN	5	GRADE GS03
5	(117)	C074C MEDICAL RECORDS ASSISTANT	1	GRADE GS03
6	(118)	T084C PUBLIC SAFETY SECURITY OFFICER	60	GRADE GS03
7	(119)	C087C ADMINISTRATIVE SPECIALIST I	5	GRADE GS02
8	(120)	S070C EQUIPMENT TECHNICIAN	4	GRADE GS02
9	(121)	S085C FOOD PREPARATION SPECIALIST	7	GRADE GS02
10	(122)	S084C INSTITUTIONAL SERVICES SUPERVISOR	4	GRADE GS02
11	(123)	S066C LANDSCAPE TECHNICIAN	2	GRADE GS02
12	(124)	M076C RECREATIONAL ACTIVITY LEADER II	22	GRADE GS02
13	(125)	V030C SHIPPING & RECEIVING CLERK	1	GRADE GS02
14	(126)	E056C TEACHER ASSISTANT	4	GRADE GS02
15	(127)	V028C WAREHOUSE WORKER	2	GRADE GS02
16	(128)	S089C FOOD PREPARATION TECHNICIAN	29	GRADE GS01
17	(129)	S087C INSTITUTIONAL SERVICES ASSISTANT	48	GRADE GS01
18	(130)	L086C PHARMACY ASSISTANT	2	GRADE GS01
19	(131)	M082C RECREATIONAL ACTIVITY LEADER I	<u>2</u>	GRADE GS01
20		MAX. NO. OF EMPLOYEES	1,154	

21

22 SECTION 2. EXTRA HELP - STATE OPERATIONS. There is hereby authorized,
 23 for the Department of Human Services - Division of Aging, Adult, and
 24 Behavioral Health Services for the 2023-2024 fiscal year, the following
 25 maximum number of part-time or temporary employees, to be known as "Extra
 26 Help", payable from funds appropriated herein for such purposes: three
 27 hundred forty-seven (347) temporary or part-time employees, when needed, at
 28 rates of pay not to exceed those provided in the Uniform Classification and
 29 Compensation Act, or its successor, or this act for the appropriate
 30 classification.

31

32 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby
 33 appropriated, to the Department of Human Services, to be payable from the
 34 paying account as determined by the Chief Fiscal Officer of the State, for
 35 personal services and operating expenses of the Department of Human Services
 36 - Division of Aging, Adult, and Behavioral Health Services for the fiscal

1 year ending June 30, 2024, the following:

2

3 ITEM	FISCAL YEAR
4 <u>NO.</u>	<u>2023-2024</u>
5 (01) REGULAR SALARIES	\$54,107,528
6 (02) EXTRA HELP	5,764,305
7 (03) PERSONAL SERVICES MATCHING	22,785,595
8 (04) OVERTIME	5,712,006
9 (05) MAINT. & GEN. OPERATION	
10 (A) OPER. EXPENSE	27,965,946
11 (B) CONF. & TRAVEL	159,913
12 (C) PROF. FEES	10,350,830
13 (D) CAP. OUTLAY	340,135
14 (E) DATA PROC.	<u>0</u>
15TOTAL AMOUNT APPROPRIATED	<u><u>\$127,186,258</u></u>

16

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

18 There is hereby appropriated, to the Department of Human Services, to be
 19 payable from the paying account as determined by the Chief Fiscal Officer of
 20 the State, for operating expenses, grants, and programs for aging and adult
 21 services of the Department of Human Services - Division of Aging, Adult, and
 22 Behavioral Health Services for the fiscal year ending June 30, 2024, the
 23 following:

24

25 ITEM	FISCAL YEAR
26 <u>NO.</u>	<u>2023-2024</u>
27 (01) NURSING HOME CARE ALTERNATIVES	\$4,802,025
28 (02) NUTRITION PROGRAMS	18,929,216
29 (03) OLDER WORKER PROGRAM	1,052,665
30 (04) PROJECT GRANTS	14,491,416
31 (05) RETIRED & SENIOR VOLUNTEER PROGRAM	75,000
32 (06) SENIOR CITIZEN CENTERS	<u>10,000,000</u>
33 TOTAL AMOUNT APPROPRIATED	<u><u>\$49,350,322</u></u>

34

35 SECTION 5. APPROPRIATION - COMMUNITY ALCOHOL SAFETY OPERATIONS. There
 36 is hereby appropriated, to the Department of Human Services, to be payable

1 from the Highway Safety Special Fund, for grant payments of the Department of
2 Human Services - Division of Aging, Adult, and Behavioral Health Services for
3 the fiscal year ending June 30, 2024, the following:

4	5 ITEM	6 FISCAL YEAR
7	8 <u>NO.</u>	9 <u>2023-2024</u>
10	11 (01) COMMUNITY ALCOHOL SAFETY GRANTS AND	
12	13 AID	14 <u>\$2,416,834</u>

15 SECTION 6. APPROPRIATION - PATIENT BENEFITS - CASH. There is hereby
16 appropriated, to the Department of Human Services, to be payable from the
17 cash fund deposited in the State Treasury as determined by the Chief Fiscal
18 Officer of the State, for benefits of the patients of the Department of Human
19 Services - Division of Aging, Adult, and Behavioral Health Services for the
20 fiscal year ending June 30, 2024, the following:

21	22 ITEM	23 FISCAL YEAR
24	25 <u>NO.</u>	26 <u>2023-2024</u>
27	28 (01) PATIENT BENEFIT FUND	29 <u>\$34,676</u>

30 SECTION 7. APPROPRIATION - MENTAL HEALTH GRANTS. There is hereby
31 appropriated, to the Department of Human Services, to be payable from the
32 paying account as determined by the Chief Fiscal Officer of the State, for
33 grant payments of the Department of Human Services - Division of Aging,
34 Adult, and Behavioral Health Services for the fiscal year ending June 30,
35 2024, the following:

36	37 ITEM	38 FISCAL YEAR
39	40 <u>NO.</u>	41 <u>2023-2024</u>
42	43 (01) MENTAL HEALTH GRANTS AND AID	44 <u>\$43,672,554</u>

45 SECTION 8. APPROPRIATION - ALCOHOL AND DRUG ABUSE PREVENTION. There is
46 hereby appropriated, to the Department of Human Services, to be payable from
47 the Drug Abuse Prevention and Treatment Fund, for education, drug abuse
48 prevention, and treatment services of the Department of Human Services -
49 Division of Aging, Adult, and Behavioral Health Services for the fiscal year

1 ending June 30, 2024, the following:

2

3 ITEM	FISCAL YEAR
4 <u>NO.</u>	<u>2023-2024</u>
5 (01) EDUCATION/PREVENTION/TREATMENT	<u>\$40,513,788</u>

6

7 SECTION 9. APPROPRIATION - COMMUNITY BASED CRISIS INTERVENTION. There
 8 is hereby appropriated, to the Department of Human Services, to be payable
 9 from the Behavioral Health Services Fund Account, for grants and operating
 10 expenses related to crisis intervention of the Department of Human Services -
 11 Division of Aging, Adult, and Behavioral Health Services for the fiscal year
 12 ending June 30, 2024, the following:

13

14 ITEM	FISCAL YEAR
15 <u>NO.</u>	<u>2023-2024</u>
16 (01) CRISIS INTERVENTION GRANTS AND AID	<u>\$5,000,000</u>

17

18 SECTION 10. APPROPRIATION - VETERANS MENTAL HEALTH GRANT PROGRAM.
 19 There is hereby appropriated, to the Department of Human Services, to be
 20 payable from the paying account as determined by the Chief Fiscal Officer of
 21 the State, for a grant program to veterans service organizations to support
 22 veterans and their families by the Department of Human Services - Division of
 23 Aging, Adult, and Behavioral Health Services for the fiscal year ending June
 24 30, 2024, the following:

25

26 ITEM	FISCAL YEAR
27 <u>NO.</u>	<u>2023-2024</u>
28 (01) VETERANS MENTAL HEALTH GRANT PROGRAM	<u>\$5,000,000</u>

29

30 SECTION 11. APPROPRIATION - MEALS ON WHEELS. There is hereby
 31 appropriated, to the Department of Human Services, to be payable from the
 32 Aging and Adult Services Fund Account, for the Meals on Wheels Program and
 33 transportation services for the elderly of the Department of Human Services -
 34 Division of Aging, Adult, and Behavioral Health Services for the fiscal year
 35 ending June 30, 2024, the following:

36

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2023-2024</u>
(01) TRANSPORTATION SERVICES	<u>\$2,400,000</u>

SECTION 12. APPROPRIATION - ARKANSAS SENIOR OLYMPICS. There is hereby appropriated, to the Department of Human Services, to be payable from the Behavioral Health Services Fund Account, for matching funds for the Arkansas Senior Olympics of the Department of Human Services - Division of Aging, Adult, and Behavioral Health Services for the fiscal year ending June 30, 2024, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2023-2024</u>
(01) STATE MATCH	<u>\$70,000</u>

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

- Class
- Code Title
- L005N Psychiatric Specialist
- L009N DHS Behavioral Health General Physician
- L001C Psychologist Supervisor

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

1 Committee.

2 The provisions of this section shall be in effect only from July 1, 2022
3 2023 through June 30, ~~2023~~ 2024.

4

5 SECTION 14. SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code Title 25,
6 Chapter 10, is amended to add an additional subchapter to read as follows:

7 Subchapter 5 – Division of Aging, Adult, and Behavioral Health Services

8

9 25-10-501. Vocational trainees.

10 (a) It is the intent of the General Assembly that the authorization of
11 certain vocational trainee positions shall facilitate the Department of Human
12 Services' ability to provide for residents who are not part of a regular
13 vocational training program.

14 (b)(1) The Division of Aging, Adult, and Behavioral Health Services of
15 the Department of Human Services may provide employment opportunities for
16 some of the working residents who are separate from the currently authorized
17 regular vocational trainee positions.

18 (2) The positions authorized in this subsection shall not be
19 incorporated into the present classification system but shall be provided for
20 by each community mental health center or the Arkansas State Hospital, on a
21 cash account basis.

22

23 25-10-502. Job share for nursing classifications.

24 The Division of Aging, Adult, and Behavioral Health Services of the
25 Department of Human Services may utilize job share for positions within the
26 nursing classification for up to twenty-four (24) hours per week per
27 individual to allow the division to offer weekend option shifts to nursing
28 personnel without increasing the number of positions.

29

30 25-10-503. Arkansas State Hospital contingency positions.

31 (a) If the Department of Human Services determines, after prior review
32 by the Legislative Council or, if the General Assembly is in session, the
33 Joint Budget Committee, that it is in the best interest of the state to
34 discontinue a management contract with a private provider and it is deemed
35 necessary to utilize department staff to provide the required services, the
36 Secretary of the Department of Human Services may request the Department of

1 Transformation and Shared Services to approve the establishment of one (1) or
2 more additional positions at salary rates not to exceed the maximum salaries
3 established for comparable positions in the Uniform Classification and
4 Compensation Act, § 21-5-201 et seq., the operative appropriation act of the
5 Department of Human Services, and the operative appropriation act of the
6 University of Arkansas for Medical Sciences.

7 (b) Upon approval by the Department of Transformation and Shared
8 Services and after review by the Legislative Council or, if the General
9 Assembly is in session, the Joint Budget Committee, the Division of Aging,
10 Adult, and Behavioral Health Services of the Department of Human Services may
11 establish positions described in subsection (a) of this section.

12 (c) If the division requests continuation of a position as established
13 in this section, the position shall be requested as a new position in the
14 division's budget request.

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

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

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

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

1 General Assembly maintain oversight by requiring prior approval of the
2 Legislative Council or Joint Budget Committee as provided by this section.
3 The requirement of approval by the Legislative Council or Joint Budget
4 Committee is not a severable part of this section. If the requirement of
5 approval by the Legislative Council or Joint Budget Committee is ruled
6 unconstitutional by a court of competent jurisdiction, this entire section is
7 void.

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

10
11 SECTION 16. SPECIAL LANGUAGE – CODE AMENDMENT. Arkansas Code Title 25,
12 Chapter 10, Subchapter 1, is amended to add additional sections to codify
13 special language in appropriation acts to read as follows:

14 25-10-146. Division of Aging, Adult, and Behavioral Health Services of
15 the Department of Human Services – Timber and hay sales.

16 (a) The Division of Aging, Adult, and Behavioral Health Services of
17 the Department of Human Services may use the administrative operating account
18 for:

19 (1) Capital improvements to the physical plant;

20 (2) The purchase of capital equipment; and

21 (3) The operations of the Arkansas Health Center.

22 (b)(1) The harvesting of timber and hay is authorized to provide funds
23 to finance the items listed in subsection (a) of this section.

24 (2) The division shall hold funds from timber and hay sales
25 separately from other division funds.

26 (3) All funds deposited from timber and hay sales and all expenses
27 paid through timber and hay sales shall be tracked separately from other
28 division deposits and payments.

29 (c) All expenditures of funds derived from the sale of timber and hay
30 shall be expended in accordance with relevant state purchasing laws.

31 (d)(1) The division shall report all income derived from the sale of
32 timber and hay to the Chief Fiscal Officer of the State and the Legislative
33 Council or, if the General Assembly is in session, the Joint Budget
34 Committee.

35 (2) A contract initiated for the harvesting of timber and hay shall
36 be submitted to the Review Subcommittee of the Legislative Council or, if the

1 General Assembly is in session, the Review/PEER Subcommittee of the Joint
2 Budget Committee for prior review.

3
4 25-10-147. Division of Aging, Adult, and Behavioral Health Services of
5 the Department of Human Services – Extra help positions – Limitations.

6 Employees in extra help positions in the Division of Aging, Adult, and
7 Behavioral Health Services of the Department of Human Services shall not, in
8 a fiscal year:

9 (1) Receive an amount exceeding eighty-five percent (85%) of the
10 maximum annual salary for a comparable position as authorized under the
11 Uniform Classification and Compensation Act, § 21-5-201 et seq.; or

12 (2) Be employed for a period of time exceeding one thousand
13 eight hundred (1,800) hours.

14
15 25-10-148. Division of Aging, Adult, and Behavioral Health Services of
16 the Department of Human Services – State and federal funds.

17 (a) The Secretary of the Department of Human Services may use state
18 funds to match federal funds available under Title III and Title V of the
19 Older Americans Act, 42 U.S.C. § 3001 et. seq., as they existed on January 1,
20 2023, the Social Services Block Grant, or other federal funds that become
21 available.

22 (b) All appropriations for state and federal funding for the Division
23 of Aging, Adult, and Behavioral Health Services that are distributed under
24 grant or contract methodologies may be disbursed by the Department of Human
25 Services in the same manner as authorized under federal regulations for the
26 disbursement of funds under Title III of the Older Americans Act, 42 U.S.C. §
27 3001 et. seq., as they existed on January 1, 2023.

28 (c) If federal funding is available for the division during a fiscal
29 year, the federal funding shall be used to conserve or reduce the expenditure
30 of general revenue except when prohibited by law.

31
32 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL
34 RATES OF PAY AND EMPLOYMENT WORK DAYS. For employees hired on or after July
35 1, 2013, at the Arkansas State Hospital in the classifications listed below,
36 the Division of Aging, Adult, and Behavioral Health Services Director shall

1 implement salary adjustments utilizing the approved pay grid for teachers
2 employed by the Arkansas Schools for the Blind and Deaf.

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

6	Classification	Title	Grade
7	E035C	Certified Masters Teacher	GS08
8	E044C	Certified Bachelors Teacher	GS06

9 Funding for the minimum compensation provided for in this section that
10 is supported in whole or in part from general revenues, shall, if required,
11 be provided by a transfer from the Performance Fund to the proper fund or
12 fund account and in such amounts as determined by the Chief Fiscal Officer of
13 the State. The Division of Aging, Adult, and Behavioral Health Services
14 shall in addition to the funds provided in this Act for Annual Career Service
15 Recognition Payments from the Performance Fund, make available any funding
16 generated from agency salary savings for such purposes from the funds or fund
17 accounts as provided by law.

18 For employees hired on or after July 1, 2013, at the Arkansas State
19 Hospital in the classifications listed above, the Division of Aging, Adult,
20 and Behavioral Health Services Director shall set the number of work days for
21 the employment year to equal the number of days worked by those employed in
22 the same classifications at the Arkansas Schools for the Blind and Deaf. The
23 accrual, use, and carryover of sick days, personal days, and holidays of the
24 employees at the Arkansas State Hospital that are hired on or after July 1,
25 2013, or current employees choosing to adopt this plan, shall be treated in
26 the same manner as those employed in the same classifications at the Arkansas
27 Schools for the Blind and Deaf.

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

33 Accrued annual and holiday leave, up to 240 hours, as of June 30,
34 2013, will be paid out to current employees choosing to adopt this plan. Any
35 additional accrued annual and holiday leave will be forfeited. Accrued sick
36 leave, as of June 30, 2013, shall be retained on file and shall be exhausted

1 before any newly accrued sick leave may be taken.

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

4 The provisions of this section shall be in effect only from July 1, ~~2022~~
5 2023 through June 30, ~~2023~~ 2024.

6
7 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
9 FORWARD - COMMUNITY BASED CRISIS INTERVENTION. Any unexpended balance of
10 funds allocated for Community Based Crisis Intervention in the Department of
11 Human Services - Division of Aging, Adult, and Behavioral Health Services
12 from the Behavioral Health Services Fund Account which remains at the close
13 of each state fiscal year shall be carried forward to the next state fiscal
14 year to be used for the same intent and purposes as set forth in law. Any
15 carry forward of unexpended balance of funding as authorized herein may be
16 carried forward under the following conditions:

17 (1) Prior to June 30, ~~2022~~ 2023, the Agency shall, by written
18 statement, set forth its reason(s) for the need to carry forward said funding
19 to the Department of Finance and Administration Office of Budget;

20 (2) The Department of Finance and Administration Office of Budget shall
21 report to the Arkansas Legislative Council all amounts carried forward by the
22 September Arkansas Legislative Council or Joint Budget Committee meeting
23 which report shall include the name of the Agency, Board, Commission, or
24 Institution and the amount of the funding carried forward, the program name
25 or line item, the funding source of that appropriation and a copy of the
26 written request set forth in (1) above;

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

35 (4) Thereupon, the Department of Finance and Administration shall
36 include all information obtained in item (3) above in the budget manuals

1 and/or a statement of non-compliance by the Agency, Board, Commission, or
2 Institution.

3 The provisions of this section shall be in effect only from July 1,
4 ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

5

6 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND
8 ADULT SERVICES - MATCHING FUNDS. The funds appropriated for state match for
9 the Arkansas Senior Olympics Program in this Act shall be paid on a two-to-
10 one state/local matching basis. The Senior Arkansas Sports Organization must
11 certify its portion of the match to the Division of Aging, Adult, and
12 Behavioral Health Services before any funds appropriated for state match for
13 the Arkansas Senior Olympics Program in this Act are disbursed.

14 The provisions of this section shall be in effect only from July 1, ~~2022~~
15 2023 through June 30, ~~2023~~ 2024.

16

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

25 The provisions of this section shall be in effect only from July 1, ~~2022~~
26 2023 through June 30, ~~2023~~ 2024.

27

28 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SENIOR
30 CITIZEN CENTERS. The appropriation in this act for Senior Citizen Centers
31 shall be distributed in the same manner as the funding formula requirements
32 set out in the federal Older Americans Act funding law. The additional
33 funding provided by this provision shall supplement and not supplant any
34 monies currently funding services for Senior Citizen Centers.

35 The requirements in this section shall only be implemented in accordance
36 with any necessary approval by the Centers for Medicare and Medicaid Services

1 and in the event that additional general revenue funding is provided by the
2 General Assembly for these purposes. Should additional funding provided for
3 these purposes be insufficient to provide for the increases in full, the
4 increases shall be provided to the extent that funding is made available.

5 The provisions of this section shall be in effect only from July 1, ~~2022~~
6 2023 through June 30, ~~2023~~ 2024.

7
8 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
10 FORWARD OF UNOBLIGATED GENERAL REVENUE FUNDS FOR SENIOR CITIZEN CENTERS. (a)
11 On June 30, 2019, or as soon as is practicable to determine funds available
12 as authorized in this Section, and each fiscal year thereafter the Chief
13 Fiscal Officer of the State shall cause to be transferred on his or her books
14 and those of the State Treasurer and Auditor of State the balance of
15 unobligated general revenue funds, excluding funds carried forward for other
16 purposes, remaining in the Fund or Fund Accounts and the corresponding paying
17 accounts as determined by the Chief Fiscal Officer of the State, as set out
18 in subsection (b) herein, to the Department of Human Services - Division of
19 Aging, Adult, and Behavioral Health Services paying account to be used
20 exclusively for the disbursement of funds for Senior Citizen Centers in the
21 amount of recouped and recovered general revenue not to exceed five hundred
22 thousand dollars (\$500,000).

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

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

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

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

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

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

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

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

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

34
35 SECTION 24. LEGISLATIVE INTENT. It is the intent of the General
36 Assembly that any funds disbursed under the authority of the appropriations

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

8 SECTION 25. EMERGENCY CLAUSE. It is found and determined by the
9 General Assembly, that the Constitution of the State of Arkansas prohibits
10 the appropriation of funds for more than a one (1) year period; that the
11 effectiveness of this Act on July 1, 2023 is essential to the operation of
12 the agency for which the appropriations in this Act are provided, and that in
13 the event of an extension of the legislative session, the delay in the
14 effective date of this Act beyond July 1, 2023 could work irreparable harm
15 upon the proper administration and provision of essential governmental
16 programs. Therefore, an emergency is hereby declared to exist and this Act
17 being necessary for the immediate preservation of the public peace, health
18 and safety shall be in full force and effect from and after July 1, 2023.
19

20 */s/Joint Budget Committee*
21
22

23 **APPROVED: 4/13/23**
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