

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4

As Engrossed: H3/13/15

A Bill

HOUSE BILL 1036

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 STATE BOARD OF
10 PHARMACY FOR THE FISCAL YEAR ENDING JUNE 30, 2016;
11 AND FOR OTHER PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE STATE BOARD OF PHARMACY
15 APPROPRIATION FOR THE 2015-2016 FISCAL
16 YEAR.
17
18
19

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

22 SECTION 1. REGULAR SALARIES. There is hereby established for the State
23 Board of Pharmacy for the 2015-2016 fiscal year, the following maximum number
24 of regular employees.
25

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2015-2016
30	(1) N001N	DIRECTOR OF PHARMACY BOARD	1	GRADE N918
31	(2) L015N	ASST PHARMACY DIRECTOR	1	GRADE N914
32	(3) L016N	REGISTERED PHARMACIST	3	GRADE N911
33	(4) G041N	ASPB GENERAL COUNSEL	1	GRADE N906
34	(5) A023C	PHARMACY BOARD CHIEF FISCAL OFFICER	1	GRADE C125
35	(6) C037C	ADMINISTRATIVE ANALYST	2	GRADE C115
36	(7) D087C	DATABASE COORD/BUSINESS LIC ANALYST	1	GRADE C113



1 (8) C056C ADMINISTRATIVE SPECIALIST III 1 GRADE C112
 2 MAX. NO. OF EMPLOYEES 11

3
 4 SECTION 2. EXTRA HELP. There is hereby authorized, for the State Board
 5 of Pharmacy for the 2015-2016 fiscal year, the following maximum number of
 6 part-time or temporary employees, to be known as "Extra Help", payable from
 7 funds appropriated herein for such purposes: four (4) temporary or part-time
 8 employees, when needed, at rates of pay not to exceed those provided in the
 9 Uniform Classification and Compensation Act, or its successor, or this act
 10 for the appropriate classification.

11
 12 SECTION 3. APPROPRIATION - CASH OPERATIONS. There is hereby
 13 appropriated, to the State Board of Pharmacy, to be payable from the cash
 14 fund deposited in the State Treasury as determined by the Chief Fiscal
 15 Officer of the State, for personal services and operating expenses of the
 16 State Board of Pharmacy for the fiscal year ending June 30, 2016, the
 17 following:

19 ITEM	FISCAL YEAR
20 <u>NO.</u>	<u>2015-2016</u>
21 (01) REGULAR SALARIES	\$868,678
22 (02) EXTRA HELP	16,000
23 (03) PERSONAL SERVICES MATCHING	248,546
24 (04) MAINT. & GEN. OPERATION	
25 (A) OPER. EXPENSE	486,985
26 (B) CONF. & TRAVEL	29,120
27 (C) PROF. FEES	25,000
28 (D) CAP. OUTLAY	0
29 (E) DATA PROC.	0
30 (05) REFUNDS/REIMBURSEMENTS	3,000
31 (06) IMPAIRED PHARMACIST PROGRAM	<u>50,000</u>
32 TOTAL AMOUNT APPROPRIATED	<u><u>\$1,727,329</u></u>

33
 34 SECTION 4. APPROPRIATION - PHARMACY STUDENT LOANS. There is hereby
 35 appropriated, to the State Board of Pharmacy, to be payable from the cash
 36 fund deposited in the State Treasury as determined by the Chief Fiscal

1 Officer of the State, for transfer by warrant to the cash fund as defined by
 2 Arkansas Code 19-4-801 of the University of Arkansas for Medical Sciences -
 3 College of Pharmacy for the fiscal year ending June 30, 2016, the following:

5 ITEM	FISCAL YEAR
6 <u>NO.</u>	<u>2015-2016</u>
7 (01) PHARMACY STUDENT LOANS	<u>\$50,000</u>

8
 9 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
 11 BY WARRANT. If, during the ~~2014-2015~~ 2015-2016 fiscal year, the need arises
 12 for additional funding for student loans and additional funds become
 13 available, the Director of the State Board of Pharmacy may request the Chief
 14 Fiscal Officer of the State to cause a transfer by warrant up to fifty
 15 thousand dollars (\$50,000) from the balance of cash funds deposited in the
 16 State Treasury for the State Board of Pharmacy to the cash fund as defined by
 17 the Arkansas Code 19-4-801 of the University of Arkansas for Medical
 18 Sciences, there to be used for the sole purpose of providing student loans to
 19 pharmacy students.

20 The provisions of this section shall be in effect only from July 1, ~~2014~~
 21 2015 through June 30, ~~2015~~ 2016.

22
 23 *SECTION 6. SPECIAL LANGUAGE. Amend Arkansas Code §17-92-208 concerning*
 24 *Pharmacy Board Employees:*

25
 26 *17-92-208. Employees.*

27 *(a) The Arkansas State Board of Pharmacy is authorized to make payment for*
 28 *services, salaries, and other purposes from the funds received by the board*
 29 *from issuance of licensed pharmacy permits, renewals, or certificates of*
 30 *licensure of licensed pharmacists, examinations, reciprocity fees, and from*
 31 *other moneys collected.*

32 *(b)(1) The board is authorized to employ an attorney to supervise and conduct*
 33 *its investigations and to institute and prosecute actions and charges for the*
 34 *violation of the provisions of the Arkansas Pharmacy Act, § 17-92-101 et seq.*

35 ~~*(2) The board may pay to the attorney a sum not to exceed three hundred*~~
 36 ~~*sixty-six dollars and sixty-five cents (\$366.65) per month from its general*~~

1 ~~operation funds.~~

2 ~~(3) (2) The attorney employed or retained by the board shall may make~~
3 ~~regular reports to the Attorney General of the actions instituted or~~
4 ~~prosecuted by him or her.~~

5 ~~(4) (3) Appeals from the circuit court to the Supreme Court in matters~~
6 ~~affecting the action of the board shall may be handled by the office of the~~
7 ~~Attorney General.~~

8 ~~(5) The attorney so employed shall not be considered a state employee~~
9 ~~and shall not be entitled to any of the benefits of retirement, insurance,~~
10 ~~workers' compensation, or other perquisites enjoyed by state employees.~~

11 (c) The board is authorized to make reimbursement of the necessary and
12 reasonable travel, board, and lodging expenses of the staff of the board
13 incurred in the performance of their duties.

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15 SECTION 7. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
16 authorized by this act shall be limited to the appropriation for such agency
17 and funds made available by law for the support of such appropriations; and
18 the restrictions of the State Procurement Law, the General Accounting and
19 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
20 Procedures and Restrictions Act, or their successors, and other fiscal
21 control laws of this State, where applicable, and regulations promulgated by
22 the Department of Finance and Administration, as authorized by law, shall be
23 strictly complied with in disbursement of said funds.

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25 SECTION 8. LEGISLATIVE INTENT. It is the intent of the General
26 Assembly that any funds disbursed under the authority of the appropriations
27 contained in this act shall be in compliance with the stated reasons for
28 which this act was adopted, as evidenced by the Agency Requests, Executive
29 Recommendations and Legislative Recommendations contained in the budget
30 manuals prepared by the Department of Finance and Administration, letters, or
31 summarized oral testimony in the official minutes of the Arkansas Legislative
32 Council or Joint Budget Committee which relate to its passage and adoption.

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34 SECTION 9. EMERGENCY CLAUSE. It is found and determined by the General
35 Assembly, that the Constitution of the State of Arkansas prohibits the
36 appropriation of funds for more than a one (1) year period; that the

1 effectiveness of this Act on July 1, 2015 is essential to the operation of
2 the agency for which the appropriations in this Act are provided, and that in
3 the event of an extension of the legislative session, the delay in the
4 effective date of this Act beyond July 1, 2015 could work irreparable harm
5 upon the proper administration and provision of essential governmental
6 programs. Therefore, an emergency is hereby declared to exist and this Act
7 being necessary for the immediate preservation of the public peace, health
8 and safety shall be in full force and effect from and after July 1, 2015.

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10 */s/Joint Budget Committee*
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