

1 State of Arkansas
2 93rd General Assembly
3 Fiscal Session, 2022
4

A Bill

HOUSE BILL 1056

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 - SECRETARY'S OFFICE FOR THE FISCAL YEAR
11 ENDING JUNE 30, 2023; AND FOR OTHER PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE DEPARTMENT OF HUMAN
15 SERVICES - SECRETARY'S OFFICE
16 APPROPRIATION FOR THE 2022-2023 FISCAL
17 YEAR.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. REGULAR SALARIES - SECRETARY OF HUMAN SERVICES. There is
24 hereby established for the Department of Human Services - Secretary's Office
25 for the 2022-2023 fiscal year, the following maximum number of regular
26 employees.
27

Item	Class	Maximum	Maximum Annual
No.	Code	No. of	Salary Rate
		Employees	Fiscal Year
			2022-2023
(1)	SC008	SECRETARY OF HUMAN SERVICES	<u>1</u> GRADE SE05
		MAX. NO. OF EMPLOYEES	1

35 SECTION 2. APPROPRIATION - SECRETARY OF HUMAN SERVICES. There is
36 hereby appropriated, to the Department of Human Services, to be payable from



1 the paying account as determined by the Chief Fiscal Officer of the State,
 2 for personal services of the Department of Human Services - Secretary's
 3 Office for the fiscal year ending June 30, 2023, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2022-2023</u>
(01) REGULAR SALARIES	\$287,042
(02) PERSONAL SERVICES MATCHING	<u>61,282</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$348,324</u></u>

11 SECTION 3. REGULAR SALARIES - OPERATIONS. There is hereby established
 12 for the Department of Human Services - Secretary's Office for the 2022-2023
 13 fiscal year, the following maximum number of regular employees.

Item	Class	Maximum	Maximum Annual
<u>No.</u>	<u>Code Title</u>	<u>No. of</u>	<u>Salary Rate</u>
<u>No.</u>	<u>Code Title</u>	<u>Employees</u>	<u>Fiscal Year</u>
<u>No.</u>	<u>Code Title</u>	<u>Employees</u>	<u>2022-2023</u>
(1)	U133U DHS EXECUTIVE DIRECTOR	1	GRADE SE05
(2)	L023N DHS DEPUTY DIRECTOR	3	GRADE SE03
(3)	N011N DFA CHIEF INFORMATION OFFICER	1	GRADE SE02
(4)	N220N DHS CHIEF ATTORNEY	1	GRADE SE02
(5)	N040N DHS CHIEF INFORMATION OFFICER	1	GRADE SE02
(6)	N233N DHS CHIEF OF BUSINESS OPERATIONS	1	GRADE SE02
(7)	N232N DHS DEPUTY CHIEF INFORMATION OFFICER	1	GRADE SE02
(8)	A136C DHS MEDICAID CHIEF FINANCE OFFICER	1	GRADE SE02
(9)	N243N DHS DEPUTY FINANCE CHIEF	1	GRADE SE01
(10)	M093C DHS DIRECTOR OF LEGISLATIVE AFFAIRS	1	GRADE SE01
(11)	L009C NURSE MANAGER	1	GRADE MP03
(12)	L038C REGISTERED NURSE	1	GRADE MP01
(13)	D006N STATE SYSTEMS ARCHITECT	4	GRADE IT10
(14)	D025N DHS IT SENIOR ENGINEER	4	GRADE IT09
(15)	D022N IT SENIOR PROJECT MANAGER	3	GRADE IT09
(16)	D007C INFORMATION SYSTEMS MANAGER	8	GRADE IT08
(17)	D030C INFORMATION SYSTEMS COORDINATOR	3	GRADE IT07
(18)	D025C STATE IT SECURITY SPECIALIST	3	GRADE IT06

1	(19)	D054C	COMPUTER SUPPORT COORDINATOR	1	GRADE IT05
2	(20)	D063C	COMPUTER SUPPORT SPECIALIST	12	GRADE IT05
3	(21)	D061C	INFORMATION SYSTEMS COORDINATION SPEC	9	GRADE IT05
4	(22)	D057C	INFORMATION TECHNOLOGY MANAGER	2	GRADE IT05
5	(23)	D052C	SOFTWARE SUPPORT ANALYST	6	GRADE IT05
6	(24)	D044C	SYSTEMS ANALYST	1	GRADE IT05
7	(25)	D062C	DATABASE ANALYST	5	GRADE IT04
8	(26)	D064C	WEBSITE DEVELOPER	1	GRADE IT04
9	(27)	D071C	COMPUTER SUPPORT ANALYST	3	GRADE IT03
10	(28)	D075C	SOFTWARE SUPPORT SPECIALIST	4	GRADE IT03
11	(29)	D079C	COMPUTER SUPPORT TECHNICIAN	10	GRADE IT02
12	(30)	R048C	DHS CHIEF HUMAN RESOURCES OFFICER	1	GRADE GS15
13	(31)	N244N	DHS CHIEF OF COMMUNICATION	1	GRADE GS15
14	(32)	A131C	DHS CHIEF PROCUREMENT OFFICER	1	GRADE GS15
15	(33)	G283C	DHS CHIEF SECURITY & COMPLIANCE OFCR	1	GRADE GS15
16	(34)	N016N	DHS DEP DIR ADMINISTRATIVE SVCS	1	GRADE GS15
17	(35)	N231N	DHS DEPUTY CHIEF COUNSEL	2	GRADE GS15
18	(36)	P077C	DHS COMM & COMMUNITY ENGAGEMENT OFCR	1	GRADE GS14
19	(37)	N086N	DHS DDS DIR EVAL PLAN & MGMT SYSTEMS	1	GRADE GS14
20	(38)	N122N	DHS/DCC ASSISTANT DIR FINANCE & ADMN	1	GRADE GS14
21	(39)	N101N	DHS/DCO ASST DEP DIR PGM & ADMN SPT	1	GRADE GS14
22	(40)	N099N	DHS/DMS ADD - LONG TERM CARE	1	GRADE GS14
23	(41)	N100N	DHS/DMS ADD - MEDICAL SERVICES	5	GRADE GS14
24	(42)	N124N	DHS/DYS ASSISTANT DIVISION DIRECTOR	2	GRADE GS14
25	(43)	A010C	AGENCY CONTROLLER II	1	GRADE GS13
26	(44)	G290C	ASST DEPUTY DIR OF LEGISLATIVE AFRS	1	GRADE GS13
27	(45)	N111N	DHS ASST DEP DIR FOR MGR ACCOUNTING	1	GRADE GS13
28	(46)	N110N	DHS ASST DIR CONTRACT MONITORING UNIT	1	GRADE GS13
29	(47)	N128N	DHS ASST DIR QUALITY ASSURANCE	2	GRADE GS13
30	(48)	D026N	DHS ELIGIBILITY SYSTEM PROGRAM MGR	3	GRADE GS13
31	(49)	N108N	DHS/DCO ASST DEP DIR	1	GRADE GS13
32	(50)	N107N	DHS/OFA ASSISTANT DIR - ACCTNG OPS	3	GRADE GS13
33	(51)	N109N	DHS/OFA ASSISTANT DIRECTOR	1	GRADE GS13
34	(52)	G004C	MANAGING ATTORNEY	1	GRADE GS13
35	(53)	A021C	AGENCY CONTROLLER I	1	GRADE GS12
36	(54)	G025C	ATTORNEY SUPERVISOR	7	GRADE GS12

1	(55)	G024C DEPARTMENT ADMINISTRATIVE LAW JUDGE	3	GRADE GS12
2	(56)	G042C DHS ADMINISTRATIVE LAW JUDGE	6	GRADE GS12
3	(57)	G101C DHS AREA MANAGER	2	GRADE GS12
4	(58)	N143N DHS DDS DIVISION MANAGER	1	GRADE GS12
5	(59)	P004N DHS DIRECTOR OF PUBLIC RELATIONS	2	GRADE GS12
6	(60)	A016C DHS DMS BUSINESS OPERATIONS MANAGER	4	GRADE GS12
7	(61)	N167N DHS POLICY & RESEARCH DIRECTOR	1	GRADE GS12
8	(62)	G274C DHS VOLUNTEER SERVICES DEPUTY DIR	1	GRADE GS12
9	(63)	A014C FISCAL DIVISION MANAGER	2	GRADE GS12
10	(64)	R006C HUMAN RESOURCES ADMINISTRATOR	1	GRADE GS12
11	(65)	A031C ASSISTANT CONTROLLER	7	GRADE GS11
12	(66)	G047C ATTORNEY SPECIALIST	58	GRADE GS11
13	(67)	G022C DHS DIRECTOR OF EMERGENCY OPERATIONS	1	GRADE GS11
14	(68)	G027N DHS RESEARCH ANALYSIS MANAGER	1	GRADE GS11
15	(69)	G008C RISK MANAGEMENT ASSISTANT DIRECTOR	1	GRADE GS11
16	(70)	G076C ADMINISTRATIVE SERVICES MANAGER	4	GRADE GS10
17	(71)	G073C ATTORNEY	2	GRADE GS10
18	(72)	A044C AUDIT COORDINATOR	5	GRADE GS10
19	(73)	L010C DHS DMS MEDICAL ASSISTANCE MANAGER	3	GRADE GS10
20	(74)	R049C DHS EMPLOYEE RELATIONS COORD	1	GRADE GS10
21	(75)	A052C ACCOUNTING COORDINATOR	4	GRADE GS09
22	(76)	A050C AGENCY FISCAL MANAGER	1	GRADE GS09
23	(77)	G099C DHS PROGRAM ADMINISTRATOR	7	GRADE GS09
24	(78)	A038C FISCAL SUPPORT MANAGER	1	GRADE GS09
25	(79)	G109C GRANTS MANAGER	3	GRADE GS09
26	(80)	P004C PUBLIC INFORMATION MANAGER	1	GRADE GS09
27	(81)	A082C ACCOUNTANT II	2	GRADE GS08
28	(82)	R021C BUDGET ANALYST	3	GRADE GS08
29	(83)	A056C DHS FINANCIAL SECTION MANAGER	5	GRADE GS08
30	(84)	G152C DHS PROGRAM MANAGER	21	GRADE GS08
31	(85)	G129C DHS/DCO PROGRAM MANAGER	5	GRADE GS08
32	(86)	E031C EDUCATION PROGRAM COORDINATOR	1	GRADE GS08
33	(87)	A047C FINANCIAL ANALYST II	3	GRADE GS08
34	(88)	A066C INTERNAL AUDITOR	3	GRADE GS08
35	(89)	R014C PERSONNEL MANAGER	5	GRADE GS08
36	(90)	V007C PROCUREMENT COORDINATOR	5	GRADE GS08

1	(91)	V004C	PROCUREMENT MANAGER	5	GRADE GS08
2	(92)	A041C	PROGRAM FISCAL MANAGER	4	GRADE GS08
3	(93)	X062C	QUALITY ASSURANCE COORDINATOR	2	GRADE GS08
4	(94)	A060C	SENIOR AUDITOR	21	GRADE GS08
5	(95)	E023C	TRAINING PROJECT MANAGER	1	GRADE GS08
6	(96)	A089C	ACCOUNTANT I	10	GRADE GS07
7	(97)	R024C	ASSISTANT PERSONNEL MANAGER	8	GRADE GS07
8	(98)	A081C	AUDITOR	1	GRADE GS07
9	(99)	V008C	BUYER SUPERVISOR	1	GRADE GS07
10	(100)	G183C	DHS PROGRAM COORDINATOR	9	GRADE GS07
11	(101)	M042C	DHS STAFF SUPERVISOR	1	GRADE GS07
12	(102)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE GS07
13	(103)	M040C	FAMILY SERVICES PROGRAM COORDINATOR	1	GRADE GS07
14	(104)	A076C	FINANCE PROGRAM ANALYST	2	GRADE GS07
15	(105)	A075C	FINANCIAL ANALYST I	2	GRADE GS07
16	(106)	X125C	FRAUD INVESTIGATOR COORDINATOR	2	GRADE GS07
17	(107)	G147C	GRANTS COORDINATOR	2	GRADE GS07
18	(108)	S017C	MAINTENANCE COORDINATOR	1	GRADE GS07
19	(109)	A065C	PAYROLL SERVICES COORDINATOR	2	GRADE GS07
20	(110)	P013C	PUBLIC INFORMATION COORDINATOR	3	GRADE GS07
21	(111)	A063C	RESEARCH & STATISTICS SUPERVISOR	1	GRADE GS07
22	(112)	G265C	SENIOR TECHNICAL WRITER	1	GRADE GS07
23	(113)	E040C	STAFF DEVELOPMENT COORDINATOR	6	GRADE GS07
24	(114)	C037C	ADMINISTRATIVE ANALYST	14	GRADE GS06
25	(115)	M045C	ADULT PROTECTIVE SERVICES WORKER	2	GRADE GS06
26	(116)	R027C	BUDGET SPECIALIST	14	GRADE GS06
27	(117)	R026C	CIVIL RIGHTS/EMPLOYEE RELATIONS COORD	5	GRADE GS06
28	(118)	G170C	DHS ADMINISTRATIVE REVIEW OFFICER	6	GRADE GS06
29	(119)	G210C	DHS PROGRAM SPECIALIST	14	GRADE GS06
30	(120)	P021C	EDITOR	2	GRADE GS06
31	(121)	A074C	FISCAL SUPPORT SUPERVISOR	12	GRADE GS06
32	(122)	X156C	FRAUD INVESTIGATOR	6	GRADE GS06
33	(123)	G180C	GRANTS ANALYST	18	GRADE GS06
34	(124)	G214C	GRANTS SPECIALIST	1	GRADE GS06
35	(125)	P049C	GRAPHIC ARTIST	1	GRADE GS06
36	(126)	L053C	HEALTH PROGRAM SPECIALIST I	1	GRADE GS06

1	(127)	R025C HUMAN RESOURCES ANALYST	12	GRADE GS06
2	(128)	R029C HUMAN RESOURCES RECRUITER	5	GRADE GS06
3	(129)	X101C INTERNAL AFFAIRS INVESTIGATOR	2	GRADE GS06
4	(130)	G179C LEGAL SERVICES SPECIALIST	7	GRADE GS06
5	(131)	P031C MEDIA SPECIALIST	2	GRADE GS06
6	(132)	G178C POLICY DEVELOPMENT COORDINATOR	1	GRADE GS06
7	(133)	M066C PROGRAM ELIGIBILITY SPECIALIST	2	GRADE GS06
8	(134)	B076C RESEARCH PROJECT ANALYST	3	GRADE GS06
9	(135)	G202C VOLUNTEER PROGRAM COORDINATOR	3	GRADE GS06
10	(136)	C050C ADMINISTRATIVE SUPPORT SUPERVISOR	1	GRADE GS05
11	(137)	A088C ASSETS COORDINATOR	2	GRADE GS05
12	(138)	C022C BUSINESS OPERATIONS SPECIALIST	2	GRADE GS05
13	(139)	V013C CENTRAL WAREHOUSE OPERATIONS MGR	1	GRADE GS05
14	(140)	A091C FISCAL SUPPORT ANALYST	17	GRADE GS05
15	(141)	L070C HEALTH CARE ANALYST	2	GRADE GS05
16	(142)	D077C HELP DESK SPECIALIST	3	GRADE GS05
17	(143)	R032C HUMAN RESOURCES PROGRAM REP	5	GRADE GS05
18	(144)	C040C LEASING SPECIALIST	1	GRADE GS05
19	(145)	A090C PAYROLL SERVICES SPECIALIST	3	GRADE GS05
20	(146)	V015C PURCHASING SPECIALIST	9	GRADE GS05
21	(147)	V018C WAREHOUSE MANAGER	1	GRADE GS05
22	(148)	A101C ACCOUNTING TECHNICIAN	1	GRADE GS04
23	(149)	C056C ADMINISTRATIVE SPECIALIST III	19	GRADE GS04
24	(150)	A098C FISCAL SUPPORT SPECIALIST	28	GRADE GS04
25	(151)	R038C HUMAN RESOURCES ASSISTANT	1	GRADE GS04
26	(152)	R036C HUMAN RESOURCES SPECIALIST	1	GRADE GS04
27	(153)	V020C INVENTORY CONTROL MANAGER	1	GRADE GS04
28	(154)	C046C LEGAL SUPPORT SPECIALIST	37	GRADE GS04
29	(155)	A097C PAYROLL TECHNICIAN	2	GRADE GS04
30	(156)	V022C PURCHASING TECHNICIAN	1	GRADE GS04
31	(157)	C043C RECORDS MANAGEMENT ANALYST	3	GRADE GS04
32	(158)	V021C SURPLUS PROPERTY AGENT	1	GRADE GS04
33	(159)	V025C WAREHOUSE SPECIALIST	1	GRADE GS04
34	(160)	C073C ADMINISTRATIVE SPECIALIST II	9	GRADE GS03
35	(161)	V027C INVENTORY CONTROL TECHNICIAN	1	GRADE GS03
36	(162)	C062C LOCAL OFFICE ADMINISTRATIVE ASST	1	GRADE GS03

1	(163)	S054C PRINTER	2	GRADE GS03
2	(164)	C087C ADMINISTRATIVE SPECIALIST I	<u>1</u>	GRADE GS02
3		MAX. NO. OF EMPLOYEES	688	

4

5 SECTION 4. EXTRA HELP - OPERATIONS. There is hereby authorized, for
6 the Department of Human Services - Secretary's Office for the 2022-2023
7 fiscal year, the following maximum number of part-time or temporary
8 employees, to be known as "Extra Help", payable from funds appropriated
9 herein for such purposes: twenty-seven (27) temporary or part-time
10 employees, when needed, at rates of pay not to exceed those provided in the
11 Uniform Classification and Compensation Act, or its successor, or this act
12 for the appropriate classification.

13

14 SECTION 5. APPROPRIATION - OPERATIONS. There is hereby appropriated,
15 to the Department of Human Services, to be payable from the paying account as
16 determined by the Chief Fiscal Officer of the State, for personal services
17 and operating expenses of the Department of Human Services - Secretary's
18 Office for the fiscal year ending June 30, 2023, the following:

20	ITEM	FISCAL YEAR
21	<u>NO.</u>	<u>2022-2023</u>
22	(01) REGULAR SALARIES	\$36,456,698
23	(02) EXTRA HELP	298,556
24	(03) PERSONAL SERVICES MATCHING	12,458,963
25	(04) OVERTIME	8,383
26	(05) MAINT. & GEN. OPERATION	
27	(A) OPER. EXPENSE	5,571,873
28	(B) CONF. & TRAVEL	59,433
29	(C) PROF. FEES	9,661,800
30	(D) CAP. OUTLAY	0
31	(E) DATA PROC.	0
32	(06) DATA PROCESSING SERVICES	<u>2,016,710</u>
33	TOTAL AMOUNT APPROPRIATED	<u>\$66,532,416</u>

34

35 SECTION 6. APPROPRIATION - VARIOUS BUILDING CONSTRUCTION. There is
36 hereby appropriated, to the Department of Human Services, to be payable from

1 the Department of Human Services Renovation Fund, for construction,
 2 renovation, maintenance, equipment, and repairs for various buildings
 3 operated by the Department of Human Services - Secretary's Office for the
 4 fiscal year ending June 30, 2023, the following:

6 ITEM	FISCAL YEAR
7 <u>NO.</u>	<u>2022-2023</u>
8 (01) CONSTRUCTION	<u>\$15,914,729</u>

9
 10 SECTION 7. APPROPRIATION - CONSOLIDATED COST. There is hereby
 11 appropriated, to the Department of Human Services, to be payable from the DHS
 12 Consolidated Cost Revolving Fund, for operating expenses of the Department of
 13 Human Services - Secretary's Office - Consolidated Cost for the fiscal year
 14 ending June 30, 2023, the following:

16 ITEM	FISCAL YEAR
17 <u>NO.</u>	<u>2022-2023</u>
18 (01) MAINT. & GEN. OPERATION	
19 (A) OPER. EXPENSE	\$821,500
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>\$821,500</u>

25
 26 SECTION 8. APPROPRIATION - GRANTS PAYING. There is hereby
 27 appropriated, to the Department of Human Services, to be payable from the
 28 paying account as determined by the Chief Fiscal Officer of the State, for
 29 purchase of services of the Department of Human Services - Secretary's Office
 30 for the fiscal year ending June 30, 2023, the following:

32 ITEM	FISCAL YEAR
33 <u>NO.</u>	<u>2022-2023</u>
34 (01) PURCHASE OF SERVICES	<u>\$129,084</u>

35
 36 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
2 SECRETARY'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, ~~2021~~
13 2022 through June 30, ~~2022~~ 2023.

14
15 SECTION 10. 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 Aging, Adult, and Behavioral Health Services, and the Division of
29 Developmental Disabilities Services for the purposes of repairing,

30 renovating, equipping, acquiring and constructing Department of Human
31 Services facilities with an annual maximum of five million dollars

32 (\$5,000,000). The projects for which these transfers are authorized must be
33 projects which were unanticipated during the preceding regular session of the
34 Arkansas General Assembly and must be projects which, if not carried out in
35 the interim period between regular sessions of the Arkansas General Assembly
36 would cause greater harm to the facilities, clients or programs of the

1 Department of Human Services than to wait until the next 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 Secretary of the Department of Human
5 Services, and upon certification of the availability of such funds, the Chief
6 Fiscal Officer of the State shall initiate the necessary transfer documents
7 to 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 Secretary 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 or
13 Joint Budget Committee prior 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 or Joint Budget Committee
31 in the utilization of this transfer authority. Therefore, the requirement of
32 approval by the Legislative Council or Joint Budget Committee is not a
33 severable part of this section. If the requirement of approval by the
34 Legislative Council or Joint Budget Committee is ruled unconstitutional by a
35 court of competent jurisdiction, this entire section is void.

36 The provisions of this section shall be in effect only from July 1, ~~2021~~

1 2022 through June 30, ~~2022~~ 2023.

2

3 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
5 AUTHORITY. The Secretary of the Department of Human Services shall have
6 transfer authority provided by the following:

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

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

20 (c) REALLOCATION OF RESOURCES: (1) The Department of Human Services (DHS)
21 provides hundreds of different services to over 1 million Arkansans. The
22 specific mix of service needs and the funding and staffing required to
23 provide them can vary significantly based on many factors, including natural
24 disasters, changing federal mandates and funding sources, demographic shifts,
25 fluctuating court-ordered services, social trends, and job market variations
26 such as nursing shortages. The impact of these factors through the course of
27 any fiscal year make it very difficult for the Department to accurately
28 predict the exact needs for funding, appropriation and positions in each of
29 its over 100 different appropriations. To ensure that it can respond quickly
30 to changing client needs and make the most effective use of the resources
31 allocated to it, the Department of Human Services shall be authorized to
32 utilize the reallocation of resource authority to make the proper adjustments
33 to the budgets within the Department. Therefore, upon determination by the
34 Secretary of the Department of Human Services that a reallocation of
35 resources within the department is necessary for the efficient and effective
36 operation of the department, the Secretary, with approval of the Governor,

1 shall have the authority to request, from the Chief Fiscal Officer of the
2 State, a transfer of positions, appropriations, line item appropriations, and
3 funds within or between existing and newly created divisions, offices,
4 sections, or units of the department. Provided, however, that no transfer of
5 funds or appropriation that provides direct support or matching support for
6 the Arkansas Medicaid Program shall be made to any other fund account or
7 appropriation that does not directly support the Arkansas Medicaid Program.
8 Further, no positions, funds, or appropriation authorized during the budget
9 process for the Division of Children and Family Services' compliance with
10 initiatives established under the Angela R. consent decree shall be
11 transferred to any other division. Nothing in this provision is intended to
12 prevent the one-time transfers of savings in any other program to the
13 Arkansas Medicaid Program, with the exception of the provisions previously
14 cited for the Division of Children and Family Services – Angela R. consent
15 decree. The Division of Developmental Disabilities – Grants to Community
16 Providers line item of the Developmental Disabilities Services - Grants-in-
17 Aid appropriation may not be decreased. The appropriation, funding, and
18 positions provided for the five Human Development Centers shall remain at a
19 level sufficient to ensure quality care for the Centers' residents. The
20 exemptions provided in this subsection whereby certain DHS Programs and
21 Divisions are protected from appropriation, fund, or position transfers are
22 applicable only to the reallocation or transfer authority granted herein, and
23 not by any reductions which are applicable to all state programs.

24 The Secretary of the Department of Human Services shall submit any
25 requests for transfers to and must receive approval of the requests for
26 transfers from the Chief Fiscal Officer of the State, the Governor, and the
27 Arkansas Legislative Council or Joint Budget Committee prior to the effective
28 date of the transfers. Provided, however, that the Department of Human
29 Services shall be limited to submitting no more than four reallocation of
30 resources transfer requests during any fiscal year. In each Departmental
31 request no single division will request reallocation for more than one
32 purpose as listed in this section. Transfer authority for unforeseen purposes
33 shall further be limited to no more than 5% of the total appropriation,
34 funding, and positions authorized for the Department. Reallocation of
35 resources transfers may include multiple items but shall be limited to the
36 following purposes:

- 1 i) Medicaid Program;
- 2 ii) Facilities and institutions costs, including operational expenses and
- 3 construction/renovation/equipping expenses;
- 4 iii) Departmental grants and contracts;
- 5 iv) Court ordered settlements and payments;
- 6 v) Payment of administrative expenses, including but not limited to, overtime
- 7 and other costs of personnel for critical services or functions necessary to
- 8 carry out the mission of the agency;
- 9 vi) Restructuring efforts as deemed necessary to comply with new and/or
- 10 unanticipated federal or state mandates; and/or
- 11 vii) Redirecting internal resources, both direct and/or indirect, to meet
- 12 client needs and services.

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

29 (2) If it is determined that the requested reallocation of resources
30 transfers should be made, the Chief Fiscal Officer of the State shall then
31 initiate the necessary transfer documents to reflect the transfers upon the
32 fiscal records of the Treasurer of State, the Auditor of State, the Chief
33 Fiscal Officer of the State, and the Department of Human Services. In
34 addition, the Chief Fiscal Officer of the State, together with the Co-
35 Chairpersons of the Legislative Council or Joint Budget Committee, may
36 approve, on an emergency basis, requests for utilization of this Section

1 without prior approval of the Arkansas Legislative Council or Joint Budget
2 Committee, with any such actions reported at the next meeting of the Arkansas
3 Legislative Council or Joint Budget Committee.

4 The provisions of this section shall be in effect only from July 1, ~~2021~~
5 2022 through June 30, ~~2022~~ 2023.

6
7 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

9 NURSING/DIRECT CARE EDUCATION STIPEND PROGRAM. Special provision for a
10 Nursing/Direct Care Education Stipend Program for the Department of Human
11 Services is hereby authorized to be paid from the State and Federal Funds
12 appropriated in each Division's Act. This program is for eligible nursing
13 students who are attending accredited nursing institutions to become
14 Registered or Licensed Practical Nurses, as well as Certified Nursing
15 Assistants, Residential Care Assistants, Residential Care Technicians,
16 Residential Care Supervisors and Behavioral Health Aides.

17 The stipend is \$5,000 per person per year. Any student who is awarded and
18 accepts a stipend is under employment commitment to the respective DHS
19 Division and is required to work for that division, in a full-time employee
20 status effective immediately upon graduation. The student employment
21 commitment is equal to the number of years the stipend was awarded and
22 accepted. In the event of Employee/Student default of the employment
23 commitment, the Employee/Student will be considered in breach of contract and
24 repayment of the stipend will be required as specified in the Stipend
25 Contract.

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

28 The provisions of this section shall be in effect only from July 1, ~~2021~~
29 2022 through June 30, ~~2022~~ 2023.

30
31 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

33 NURSING/DIRECT CARE RECRUITMENT/RETENTION BONUSES. Special provision to
34 provide Nursing/Direct Care Recruitment and Retention Bonuses for the
35 Department of Human Services is hereby authorized to be paid from State and
36 Federal funds appropriated for each respective Division. Nursing/direct care

1 service recruitment/retention bonuses are in addition to the maximum annual
 2 amounts provided in the Regular Salaries Section of the respective Division's
 3 Act for Registered Nurse, Licensed Practical Nurse, Certified Nursing
 4 Assistant, Residential Care Assistant, Residential Care Technician,
 5 Residential Care Supervisor and Behavioral Health Aide. New hire nurses must
 6 be licensed by the Arkansas State Board of Nursing. The total
 7 recruitment/retention bonus payment commitment for eligible nurses shall not
 8 exceed \$4,000 per Registered Nurse and \$2,000 per Licensed Practical Nurse
 9 and \$1,000 per Certified Nursing Assistant, Residential Care Assistant,
 10 Residential Care Technician, Residential Care Supervisor and Behavioral
 11 Health Aide.

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

14

15 Registered Nurse Classifications

16 \$1,000 after completing 6 months probationary employment

17 \$1,500 after completing 1st year employment

18 \$1,500 after completing 2nd year employment

19

20 Licensed Practical Nurse Classifications

21 \$ 500 after completing 6 months probationary employment

22 \$ 500 after completing 1st year employment

23 \$1,000 after completing 2nd year employment

24

25 Certified Nursing Assistant/Residential Care Assistant/Residential Care
 26 Technician/Residential Care Supervisor/Behavioral Health Aide

27 Classifications

28 \$ 500 after completing 6 months probationary employment

29 \$ 500 after completing 1st year employment

30

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

36 The provisions of this section shall be in effect only from July 1, ~~2021~~

1 2022 through June 30, ~~2022~~ 2023.

2
 3 SECTION 14. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
 4 authorized by this act shall be limited to the appropriation for such agency
 5 and funds made available by law for the support of such appropriations; and
 6 the restrictions of the State Procurement Law, the General Accounting and
 7 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
 8 Procedures and Restrictions Act, or their successors, and other fiscal
 9 control laws of this State, where applicable, and regulations promulgated by
 10 the Department of Finance and Administration, as authorized by law, shall be
 11 strictly complied with in disbursement of said funds.

12
 13 SECTION 15. LEGISLATIVE INTENT. It is the intent of the General
 14 Assembly that any funds disbursed under the authority of the appropriations
 15 contained in this act shall be in compliance with the stated reasons for
 16 which this act was adopted, as evidenced by the Agency Requests, Executive
 17 Recommendations and Legislative Recommendations contained in the budget
 18 manuals prepared by the Department of Finance and Administration, letters, or
 19 summarized oral testimony in the official minutes of the Arkansas Legislative
 20 Council or Joint Budget Committee which relate to its passage and adoption.

21
 22 SECTION 16. EFFECTIVE DATE. This act is effective on and after July 1,
 23 2022.