

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

A Bill

SENATE BILL 189

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE
11 DEPARTMENT OF HUMAN SERVICES - DIVISION OF
12 MEDICAL SERVICES FOR THE BIENNIAL PERIOD ENDING
13 JUNE 30, 2005; AND FOR OTHER PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE DEPARTMENT OF HUMAN
17 SERVICES - DIVISION OF MEDICAL SERVICES
18 APPROPRIATION FOR THE 2003-2005
19 BIENNIUM.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
24

25 SECTION 1. REGULAR SALARIES. There is hereby established for the
26 Department of Human Services - Division of Medical Services for the 2003-2005
27 biennium, the following maximum number of regular employees whose salaries
28 shall be governed by the provisions of the Uniform Classification and
29 Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and
30 all laws amendatory thereto. Provided, however, that any position to which a
31 specific maximum annual salary is set out herein in dollars, shall be exempt
32 from the provisions of said Uniform Classification and Compensation Act. All
33 persons occupying positions authorized herein are hereby governed by the
34 provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas
35 Code §21-5-101), or its successor.
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Item	Class		Maximum	Maximum Annual	
No.	Code	Title	No. of	Salary Rate	
			Employees	2003-2004	2004-2005
5	(1) 9985	DHS DEP DIR MEDICAL SERVICES	1	\$93,803	\$95,966
6	(2) 8965	DHS/DMS ADD - MEDICAL SERVICES	1	\$77,912	\$79,792
7	(3) 8936	DHS/DMS ADD PROG & ADMIN SUPPORT	1	\$77,912	\$79,792
8	(4) 8938	DHS/DMS ASST DEP DIR LONG TRM CARE	1	\$76,397	\$78,249
9	(5) 022Z	DHS/DCO CHIEF PROGRAM ADMR	4	GRADE 26	
10	(6) L014	DIRECTOR OF PHARMACY SERVICES	1	GRADE 26	
11	(7) 023Z	DHS/DCO ASST CHIEF PROGRAM ADMR	4	GRADE 25	
12	(8) 118Z	DHS NURSING SERVICES ADMINISTRATOR	1	GRADE 25	
13	(9) L012	PHARMACIST II	4	GRADE 25	
14	(10) L096	SR PHARMACIST	1	GRADE 24	
15	(11) 923Z	DHS PRGM ADMINISTRATOR	9	GRADE 23	
16	(12) D124	LEAD PROGRAMMER/ANALYST	1	GRADE 22	
17	(13) L078	NURSE SUPERVISOR	1	GRADE 22	
18	(14) X338	ENGINEER, PE	2	GRADE 22	
19	(15) 697Z	DHS PRGM MANAGER	11	GRADE 21	
20	(16) A251	SR AUDITOR	7	GRADE 21	
21	(17) D036	SR PROGRAMMER/ANALYST	1	GRADE 21	
22	(18) L030	DIETARY SERVICES DIRECTOR	1	GRADE 21	
23	(19) L082	NURSING SERVICES SPECIALIST	12	GRADE 21	
24	(20) A250	JR AUDITOR	1	GRADE 20	
25	(21) L070	NURSE II	10	GRADE 20	
26	(22) M027	DHS/DCO COUNTY SUPV II	1	GRADE 20	
27	(23) M088	SOCIAL WORKER II	3	GRADE 20	
28	(24) M116	UTILIZATION REVIEW NURSE	59	GRADE 20	
29	(25) Q046	MEDICARE/MEDICAID SURVEY SPECIALIST	20	GRADE 20	
30	(26) R145	DHS PROGRAM COORDINATOR	5	GRADE 20	
31	(27) R266	MANAGEMENT PROJECT ANALYST II	10	GRADE 20	
32	(28) L028	DIETICIAN	3	GRADE 19	
33	(29) M154	DHS FIELD REPRESENTATIVE	8	GRADE 19	
34	(30) R084	DHS STAFF SUPERVISOR	4	GRADE 19	
35	(31) R332	DHS POLICY DEVELOPMENT COORD	5	GRADE 19	
36	(32) X358	HLTH FACILITY SURVEYOR	2	GRADE 19	

1	(33)	D129	DP COORDINATOR	1	GRADE 18
2	(34)	M078	DHS/DEMS SUPERVISOR	2	GRADE 18
3	(35)	R010	ADMINISTRATIVE ASSISTANT II	16	GRADE 17
4	(36)	R110	MEDICAL PROGRAM REPRESENTATIVE	4	GRADE 17
5	(37)	R162	STATISTICIAN/STATISTICIAN II	1	GRADE 17
6	(38)	X352	HLTH CARE ANALYST II	22	GRADE 17
7	(39)	A108	ACCOUNTING TECHNICIAN II	3	GRADE 15
8	(40)	D005	COMPUTER OPERATOR II	1	GRADE 15
9	(41)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	7	GRADE 14
10	(42)	K117	MEDICAL OR LEGAL SECRETARY	6	GRADE 14
11	(43)	K153	SECRETARY II	10	GRADE 13
12	(44)	M067	SOCIAL SERVICE AIDE II	1	GRADE 13
13	(45)	K039	DOCUMENT EXAMINER II	21	GRADE 12
14	(46)	K155	SECRETARY I	<u>1</u>	GRADE 11
15			MAX. NO. OF EMPLOYEES	291	

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17 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of
 18 Human Services - Division of Medical Services for the 2003-2005 biennium, the
 19 following maximum number of part-time or temporary employees, to be known as
 20 "Extra Help", payable from funds appropriated herein for such purposes:
 21 seven (7) temporary or part-time employees, when needed, at rates of pay not
 22 to exceed those provided in the Uniform Classification and Compensation Act,
 23 or its successor, or this act for the appropriate classification.

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25 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated, to
 26 the Department of Human Services - Division of Medical Services, to be
 27 payable from the paying account as determined by the Chief Fiscal Officer of
 28 the State, for personal services and operating expenses of the Department of
 29 Human Services - Division of Medical Services for the biennial period ending
 30 June 30, 2005, the following:

31

32	ITEM	FISCAL YEARS	
33	<u>NO.</u>	<u>2003-2004</u>	<u>2004-2005</u>
34	(01) REGULAR SALARIES	\$ 10,202,447	\$ 10,202,447
35	(02) EXTRA HELP	126,892	126,892
36	(03) PERSONAL SERV MATCH	2,707,772	2,707,772

1	(04) OVERTIME	5,000	5,000
2	(05) MAINT. & GEN. OPERATION		
3	(A) OPER. EXPENSE	3,129,077	3,129,077
4	(B) CONF. & TRAVEL	235,840	235,840
5	(C) PROF. FEES	355,132	355,132
6	(D) CAP. OUTLAY	12,000	12,000
7	(E) DATA PROC.	0	0
8	(06) DATA PROCESSING SERVICES	<u>89,800</u>	<u>89,800</u>
9	TOTAL AMOUNT APPROPRIATED	<u>\$ 16,863,960</u>	<u>\$ 16,863,960</u>

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11 SECTION 4. APPROPRIATION - GRANTS. There is hereby appropriated, to the
 12 Department of Human Services - Division of Medical Services, to be payable
 13 from the paying account as determined by the Chief Fiscal Officer of the
 14 State, for grant payments of the Department of Human Services - Division of
 15 Medical Services for the biennial period ending June 30, 2005, the following:

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17	ITEM	FISCAL YEARS	
18	<u>NO.</u>	<u>2003-2004</u>	<u>2004-2005</u>
19	(01) PRIVATE NURSING HOME CARE	\$ 448,291,161	\$ 448,291,161
20	(02) INFANT INFIRMARY	16,962,608	16,962,608
21	(03) PUBLIC NURSING HOME CARE	128,747,757	128,747,757
22	(04) PRESCRIPTION DRUGS	284,733,310	284,733,310
23	(05) HOSPITAL AND MEDICAL SERVICES	1,400,554,808	1,400,554,808
24	(06) CHILD AND FAMILY LIFE INSTITUTE	2,100,000	2,100,000
25	(07) PRESCRIPTION DRUG WAIVER FOR THE		
26	ELDERLY	<u>3,952,384</u>	<u>3,952,384</u>
27	TOTAL AMOUNT APPROPRIATED	<u>\$2,285,342,028</u>	<u>\$2,285,342,028</u>

28

29 SECTION 5. APPROPRIATION - ARKIDS B PROGRAM. There is hereby appropriated,
 30 to the Department of Human Services - Division of Medical Services, to be
 31 payable from the paying account as determined by the Chief Fiscal Officer of
 32 the State, for grant payments of the Department of Human Services - Division
 33 of Medical Services for the biennial period ending June 30, 2005, the
 34 following:

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36	ITEM	FISCAL YEARS	
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NO.	2003-2004	2004-2005
(01) ARKIDS B PROGRAM	\$ 42,980,759	\$ 42,980,759

SECTION 6. APPROPRIATION - NURSING HOME CLOSURE COSTS. There is hereby appropriated, to the Department of Human Services - Division of Medical Services, to be payable from the Long-Term Care Trust Fund, for the payment of relocation costs of residents in long-term care facilities, maintenance and operation of a facility pending correction of deficiencies or closure, and reimbursement of residents for personal funds lost for the biennial period ending June 30, 2005, the following:

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) EXPENSES	\$ 50,000	\$ 50,000

SECTION 7. APPROPRIATION - LONG TERM CARE FACILITY RECEIVERSHIP. There is hereby appropriated, to the Department of Human Services - Division of Medical Services, to be payable from the Long Term Care Facility Receivership Fund Account, for the payment of expenses of long-term care facility receivers as authorized by law of the Department of Human Services - Division of Medical Services for the biennial period ending June 30, 2005, the following:

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) EXPENSES	\$ 100,000	\$ 100,000

SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MEDICAL SERVICES ~~AND COUNTY OPERATIONS~~ - USE OF LOCAL FUNDS. To the extent allowed by Federal requirements, including waiver, demonstration and pilot project options, the Division of Medical Services ~~and the Division of County Operations~~ shall use local and donated funds to obtain federal matching funds to enhance federal agency programs.

The provisions of this section shall be in effect only from ~~July 1, 2001~~ July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

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2 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

4 "(10)(A) Department of Human Services Grants Fund Account. The Department
5 of Human Services Grants Fund Account shall be used for the following grant
6 programs to consist of general revenues and any other nonfederal funds, as
7 may be appropriated by the General Assembly:

- 8 (i) Children’s Medical Services;
- 9 (ii) Food Stamp Employment and Training Program;
- 10 (iii) Aid to the Aged, Blind, and Disabled;
- 11 (iv) Transitional Employment Assistance Program;
- 12 (v) Private nursing home care;
- 13 (vi) Infant Infirmary - nursing home care;
- 14 (vii) Public Nursing Home Care;
- 15 (viii) Prescription Drugs;
- 16 (ix) Hospital and Medical Services;
- 17 (x) Child and Family Life Institute;
- 18 (xi) Community Services Block Grant;
- 19 (xii) ARKIDSFIRST;
- 20 (xiii) Child Health Management Services;
- 21 (xiv) Child Care Grant; and
- 22 (xv) Prescription Drug Elderly”

23 The provisions of this section shall be in effect only from ~~July 1, 2001~~
24 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

25
26 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MEDICAL
28 SERVICES AND COUNTY OPERATIONS-- CARRY FORWARD. The unexpended balances in
29 appropriations made from federal funds, for Medical Services ~~and County~~
30 ~~Operations~~, as provided for in this Act on ~~June 30, 2002~~ June 30, 2004 shall
31 be carried forward and made available for expenditures for the same purpose
32 for the fiscal year ending ~~June 30, 2003~~ June 30, 2005.

33 The provisions of this section shall be in effect only from ~~July 1, 2001~~
34 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

35
36 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MEDICAL
 2 SERVICES - CHILD AND FAMILY LIFE INSTITUTE. The Child Health and Family Life
 3 Institute shall be administered under the direction of Arkansas Children's
 4 Hospital. Arkansas Children's Hospital shall enter into a cooperative
 5 agreement and/or contract with the University of Arkansas for Medical
 6 Sciences - Department of Pediatrics for services required in delivering the
 7 programs of the Child Health and Family Life Institute. The KIDS FIRST
 8 Program, a component of the Child Health and Family Life Institute, shall
 9 receive priority consideration above all other programs of the Institute when
 10 funding decisions are made by Arkansas Children's Hospital. Arkansas
 11 Children's Hospital shall make quarterly reports to the Arkansas Legislative
 12 Council on matters of funding, existing programs and any new programs and/or
 13 services offered through the Child Health and Family Life Institute.

14 The Chancellor of the University of Arkansas for Medical Sciences shall
 15 designate an individual from the Department of Pediatrics who shall provide
 16 administrative oversight of the cooperative agreements and/or contracts with
 17 Arkansas Children's Hospital in delivering the programs of the Child Health
 18 and Family Life Institute. The designated administrator from the University
 19 of Arkansas for Medical Sciences-Department of Pediatrics shall make
 20 quarterly reports to the Chancellor of the University of Arkansas for Medical
 21 Sciences and the Arkansas Legislative Council on all matters of funding,
 22 existing programs and services offered through the Child Health and Family
 23 Life Institute. Further, the Department of Pediatrics shall make every
 24 effort to advance the KIDS FIRST Program statewide.

25 The provisions of this section shall be in effect only from ~~July 1, 2001~~
 26 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

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28 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MEDICAL
 30 SERVICES - PHARMACEUTICAL DISPENSING FEE SURVEY. No more than two years prior
 31 to making any changes to the current pharmaceutical dispensing fee, the State
 32 shall conduct an independent survey utilizing generally accepted accounting
 33 principles, to determine the cost of dispensing a prescription by pharmacists
 34 in Arkansas. Only factors relative to the cost of dispensing shall be
 35 surveyed. These factors shall not include actual acquisition costs or
 36 average profit or any combination of actual acquisition costs or average

1 profit. The survey results shall be the basis for establishing the
 2 dispensing fee paid to participating pharmacies in the Medicaid prescription
 3 drug program in accordance with Federal requirements. The dispensing fee
 4 shall be no lower than the cost of dispensing as determined by the survey.
 5 Nothing in this section shall be construed to prohibit the State from
 6 increasing the dispensing fee at any time.

7 The provisions of this section shall be in effect only from ~~July 1, 2001~~
 8 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

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 10 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MEDICAL
 12 SERVICES GENERAL MEDICAID RATE METHODOLOGY PROVISIONS. (a) Rates established
 13 by the Division of Medical Services for the services or programs covered by
 14 this Act shall be calculated by the methodologies approved by the ~~Health Care~~
 15 Financing Administration Centers for Medicare and Medicaid Services (CMS).

16 The Division of Medical Services shall have the authority to reduce or
 17 increase rates based on the approved methodology. Further, the Division of
 18 Medical Services shall have the authority to increase or decrease rates for
 19 good cause including, but not limited to: (1) identification of provider(s)
 20 who can render needed services of equal quality at rates less than
 21 traditionally charged and who meet the applicable federal and state laws,
 22 rules and regulations pertaining to the provision of a particular service,
 23 (2) identification that a provider or group of providers has consistently
 24 charged rates to the Arkansas Medicaid Program greater than to other
 25 purchasers of medical services of similar size, (3) the Division determines
 26 that there has been significant changes in the technology or process by which
 27 services are provided by a provider or group of providers which has affected
 28 the costs of providing services, or (4) a severe economic downturn in the
 29 Arkansas economy which has affected the overall state budget of the Division
 30 of Medical Services.

31 The Division of Medical Services shall make available to requesting
 32 providers, the ~~Health Care Financing Administration's CMS's~~ CMS's inflationary
 33 forecasts (~~HCFA-CMS~~ Market Basket Index). Rates established with cost of
 34 living increases based on the ~~HCFA-CMS~~ Market Basket Index or other indices
 35 will be adjusted annually except when the state budget does not provide
 36 sufficient appropriation and funding to affect the change or portion thereof.

1 (b) Any rate methodology changes proposed by the Division of Medical Services
 2 both of a general and specific nature, shall be subject to prior review by
 3 the Legislative Council or Joint Budget Committee.

4 The provisions of this section shall be in effect only from ~~July 1, 2001~~
 5 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

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 7 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MEDICAL
 9 SERVICES - STATE MEDICAID PROGRAM/PERSONAL CARE PROGRAM. It is the
 10 Legislative intent that the Department of Human Services in its
 11 administration of the Arkansas Medicaid Program set forth Medicaid provider
 12 participation requirements for "personal care providers" that will insure
 13 sufficient available providers to meet the required needs of all eligible
 14 recipients, to include insuring available in-home services twenty-four hours
 15 a day and seven days a week for personal care. For the purposes of this
 16 section, "private care agencies" are defined as those providers licensed by
 17 the Department of Labor as of January 1, 1999, certified as ElderChoices
 18 Providers as of January 1, 1999 and who furnish in-home staffing services for
 19 respite, chore services, and homemaker services, and carrying liability
 20 insurance of not less than one million dollars (\$1,000,000.00) covering their
 21 employees and independent contractors while they are engaged in providing
 22 services, such as personal care, respite, chore services, and homemaker
 23 services. The purpose of this section is to allow the private care agencies
 24 defined herein to be eligible to provide Medicaid reimbursed personal care
 25 services on Saturdays and Sundays only, and does not supercede Department of
 26 Human Services rules establishing monthly benefit limits and prior
 27 authorization requirements. The availability of providers shall not require
 28 the Department of Human Services to reimburse for 24 hours per day of
 29 personal care services. The Arkansas Department of Human Services, Medical
 30 Services Division shall take such action as required by the ~~Health Care~~
 31 Financing Administration Centers for Medicare and Medicaid Services to amend
 32 the Arkansas Medicaid manual to include, private care agencies defined
 33 herein, as qualified entities to provide Medicaid reimbursed personal care
 34 services. The private care agencies defined herein shall comply with rules
 35 and regulations promulgated by the Arkansas Department of Health which shall
 36 establish a separate licensure category for the private care agencies defined

1 herein for the provision of Medicaid reimbursable personal care services on
 2 weekends. The Arkansas Department of Health shall supervise the conduct of
 3 the private care agencies defined herein. The purpose of this section is to
 4 insure the care provided by the private care agencies defined herein, is
 5 consistent with the rules and regulations of the Arkansas Department of
 6 Health.

7 The provisions of this section shall be in effect only from ~~July 1, 2001~~
 8 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

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 10 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MEDICAL
 12 SERVICES - BORDER CITY DDTCS PROVIDERS. Approved Arkansas Medicaid providers
 13 of Developmental Day Treatment Clinic Services (DDTCS), or its successor
 14 program, who have out-of-state border city facilities may be reimbursed for
 15 Medicaid eligible services delivered to Arkansas residents who are Medicaid
 16 eligible.

17 The provisions of this section shall be in effect only from ~~July 1, 2001~~
 18 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

19
 20 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CRITICAL
 22 ACCESS HOSPITAL PROGRAM. Subject to the ~~Health Care Financing Administration~~
 23 Centers for Medicare and Medicaid Services approval, the Arkansas Department
 24 of Human Services shall fund the optional "Critical Access Hospital" Program
 25 as defined at 42 U.S.C. §1395i - 4(e) as it existed January 1, 2001 effective
 26 ~~July 1, 2001~~ July 1, 2003 or at the earliest date thereafter.

27
 28 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MEDICAL
 30 SERVICES - PERSONAL CARE AND ELDERCHOICES REIMBURSEMENT. The Medicaid
 31 reimbursement rate for personal care and Elderchoices homemaker, respite, and
 32 chore services shall be increased from the current rate of \$12.35 per hour to
 33 \$13.86 per hour if funds are available, or increased for such portion thereof
 34 as funds are available.

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1 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
 3 USAGE AUTHORIZED. The Arkansas Children's Hospital may request the
 4 Department of Human Services - Division of Medical Services to retain in the
 5 Department of Human Services Grant Fund account an amount not to exceed
 6 \$2,100,000 each fiscal year from funds made available by this Act for the
 7 Child and Family Life Institute, Section-~~5~~4, item number 06 to be used to
 8 match federal funds used for supplemental Medicaid payments to Arkansas
 9 Children's Hospital. These retained funds shall not be recovered for transfer
 10 to the General Revenue Allotment Reserve Fund.

11
 12 SECTION 19. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
 13 by this act shall be limited to the appropriation for such agency and funds
 14 made available by law for the support of such appropriations; and the
 15 restrictions of the State Purchasing Law, the General Accounting and
 16 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
 17 Procedures and Restrictions Act, or their successors, and other fiscal
 18 control laws of this State, where applicable, and regulations promulgated by
 19 the Department of Finance and Administration, as authorized by law, shall be
 20 strictly complied with in disbursement of said funds.

21
 22 SECTION 20. LEGISLATIVE INTENT. It is the intent of the General Assembly
 23 that any funds disbursed under the authority of the appropriations contained
 24 in this act shall be in compliance with the stated reasons for which this act
 25 was adopted, as evidenced by the Agency Requests, Executive Recommendations
 26 and Legislative Recommendations contained in the budget manuals prepared by
 27 the Department of Finance and Administration, letters, or summarized oral
 28 testimony in the official minutes of the Arkansas Legislative Council or
 29 Joint Budget Committee which relate to its passage and adoption.

30
 31 SECTION 21. EMERGENCY CLAUSE. It is found and determined by the General
 32 Assembly, that the Constitution of the State of Arkansas prohibits the
 33 appropriation of funds for more than a two (2) year period; that the
 34 effectiveness of this Act on July 1, 2003 is essential to the operation of
 35 the agency for which the appropriations in this Act are provided, and that in
 36 the event of an extension of the Regular Session, the delay in the effective

1 date of this Act beyond July 1, 2003 could work irreparable harm upon the
2 proper administration and provision of essential governmental programs.
3 Therefore, an emergency is hereby declared to exist and this Act being
4 necessary for the immediate preservation of the public peace, health and
5 safety shall be in full force and effect from and after July 1, 2003.

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