

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

As Engrossed: S3/20/03
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.
20
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22

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.
36



Item	Class		Maximum	Maximum Annual	
No.	Code	Title	No. of	Salary Rate	Fiscal Years
			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.

24

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:

16

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. APPROPRIATION - EMPLOYER SPONSORED INSURANCE. There is hereby appropriated, to the Department of Human Services - Division of Medical Services, to be payable from the paying account as determined by the Chief Fiscal Officer of the State, for grant payments 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

1 (01) EMPLOYER SPONSORED INSURANCE \$ 22,000,000 \$ 30,000,000

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4 SECTION 9. APPROPRIATION - SUPPLEMENTAL - HOSPITAL AND MEDICAL SERVICES.
5 There is hereby appropriated, to the Department of Human Services - Divison
6 of Medical Services, to be payable from the paying account as determined by
7 the Chief Fiscal Officer of the State, for grant payments of the Department
8 of Human Services - Division of Medical Services for the fiscal year ending
9 June 30, 2003, the sum of.....\$80,000,000.

10

11 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MEDICAL
13 SERVICES AND COUNTY OPERATIONS - USE OF LOCAL FUNDS. To the extent allowed
14 by Federal requirements, including waiver, demonstration and pilot project
15 options, the Division of Medical Services and the Division of County
16 Operations shall use local and donated funds to obtain federal matching funds
17 to enhance federal agency programs.

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

20

21 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

- 27 (i) Children's Medical Services;
- 28 (ii) Food Stamp Employment and Training Program;
- 29 (iii) Aid to the Aged, Blind, and Disabled;
- 30 (iv) Transitional Employment Assistance Program;
- 31 (v) Private nursing home care;
- 32 (vi) Infant Infirmary - nursing home care;
- 33 (vii) Public Nursing Home Care;
- 34 (viii) Prescription Drugs;
- 35 (ix) Hospital and Medical Services;
- 36 (x) Child and Family Life Institute;

- 1 (xi) Community Services Block Grant;
 2 (xii) ARKIDSFIRST;
 3 (xiii) Child Health Management Services;
 4 (xiv) Child Care Grant; and
 5 (xv) Prescription Drug Elderly”

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

8

9 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MEDICAL
 11 SERVICES AND ~~COUNTY OPERATIONS~~-- CARRY FORWARD. The unexpended balances in
 12 appropriations made from federal funds, for Medical Services ~~and County~~
 13 ~~Operations~~, as provided for in this Act on ~~June 30, 2002~~ June 30, 2004 shall
 14 be carried forward and made available for expenditures for the same purpose
 15 for the fiscal year ending ~~June 30, 2003~~ June 30, 2005.

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

18

19 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MEDICAL
 21 SERVICES - CHILD AND FAMILY LIFE INSTITUTE. The Child Health and Family Life
 22 Institute shall be administered under the direction of Arkansas Children’s
 23 Hospital. Arkansas Children’s Hospital shall enter into a cooperative
 24 agreement and/or contract with the University of Arkansas for Medical
 25 Sciences - Department of Pediatrics for services required in delivering the
 26 programs of the Child Health and Family Life Institute. The KIDS FIRST
 27 Program, a component of the Child Health and Family Life Institute, shall
 28 receive priority consideration above all other programs of the Institute when
 29 funding decisions are made by Arkansas Children’s Hospital. Arkansas
 30 Children’s Hospital shall make quarterly reports to the Arkansas Legislative
 31 Council on matters of funding, existing programs and any new programs and/or
 32 services offered through the Child Health and Family Life Institute.

33 The Chancellor of the University of Arkansas for Medical Sciences shall
 34 designate an individual from the Department of Pediatrics who shall provide
 35 administrative oversight of the cooperative agreements and/or contracts with
 36 Arkansas Children’s Hospital in delivering the programs of the Child Health

1 and Family Life Institute. The designated administrator from the University
2 of Arkansas for Medical Sciences-Department of Pediatrics shall make
3 quarterly reports to the Chancellor of the University of Arkansas for Medical
4 Sciences and the Arkansas Legislative Council on all matters of funding,
5 existing programs and services offered through the Child Health and Family
6 Life Institute. Further, the Department of Pediatrics shall make every
7 effort to advance the KIDS FIRST Program statewide.

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

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11 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MEDICAL
13 SERVICES - PHARMACEUTICAL DISPENSING FEE SURVEY. No more than two years prior
14 to making any changes to the current pharmaceutical dispensing fee, the State
15 shall conduct an independent survey utilizing generally accepted accounting
16 principles, to determine the cost of dispensing a prescription by pharmacists
17 in Arkansas. Only factors relative to the cost of dispensing shall be
18 surveyed. These factors shall not include actual acquisition costs or
19 average profit or any combination of actual acquisition costs or average
20 profit. The survey results shall be the basis for establishing the
21 dispensing fee paid to participating pharmacies in the Medicaid prescription
22 drug program in accordance with Federal requirements. The dispensing fee
23 shall be no lower than the cost of dispensing as determined by the survey.
24 Nothing in this section shall be construed to prohibit the State from
25 increasing the dispensing fee at any time.

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

28
29 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MEDICAL
31 SERVICES GENERAL MEDICAID RATE METHODOLOGY PROVISIONS. (a) Rates established
32 by the Division of Medical Services for the services or programs covered by
33 this Act shall be calculated by the methodologies approved by the ~~Health Care~~
34 Financing Administration Centers for Medicare and Medicaid Services (CMS).
35 The Division of Medical Services shall have the authority to reduce or
36 increase rates based on the approved methodology. Further, the Division of

1 Medical Services shall have the authority to increase or decrease rates for
 2 good cause including, but not limited to: (1) identification of provider(s)
 3 who can render needed services of equal quality at rates less than
 4 traditionally charged and who meet the applicable federal and state laws,
 5 rules and regulations pertaining to the provision of a particular service,
 6 (2) identification that a provider or group of providers has consistently
 7 charged rates to the Arkansas Medicaid Program greater than to other
 8 purchasers of medical services of similar size, (3) the Division determines
 9 that there has been significant changes in the technology or process by which
 10 services are provided by a provider or group of providers which has affected
 11 the costs of providing services, or (4) a severe economic downturn in the
 12 Arkansas economy which has affected the overall state budget of the Division
 13 of Medical Services.

14 The Division of Medical Services shall make available to requesting
 15 providers, the ~~Health Care Financing Administration's~~ CMS's inflationary
 16 forecasts (~~HCFA-CMS~~ Market Basket Index). Rates established with cost of
 17 living increases based on the ~~HCFA-CMS~~ Market Basket Index or other indices
 18 will be adjusted annually except when the state budget does not provide
 19 sufficient appropriation and funding to affect the change or portion thereof.
 20 (b) Any rate methodology changes proposed by the Division of Medical Services
 21 both of a general and specific nature, shall be subject to prior review by
 22 the Legislative Council or Joint Budget Committee.

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 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MEDICAL
 28 SERVICES - STATE MEDICAID PROGRAM/PERSONAL CARE PROGRAM. It is the
 29 Legislative intent that the Department of Human Services in its
 30 administration of the Arkansas Medicaid Program set forth Medicaid provider
 31 participation requirements for "personal care providers" that will insure
 32 sufficient available providers to meet the required needs of all eligible
 33 recipients, to include insuring available in-home services twenty-four hours
 34 a day and seven days a week for personal care. For the purposes of this
 35 section, "private care agencies" are defined as those providers licensed by
 36 the Department of Labor as of January 1, 1999, certified as ElderChoices

1 Providers as of January 1, 1999 and who furnish in-home staffing services for
 2 respite, chore services, and homemaker services, and carrying liability
 3 insurance of not less than one million dollars (\$1,000,000.00) covering their
 4 employees and independent contractors while they are engaged in providing
 5 services, such as personal care, respite, chore services, and homemaker
 6 services. The purpose of this section is to allow the private care agencies
 7 defined herein to be eligible to provide Medicaid reimbursed personal care
 8 services on Saturdays and Sundays only, and does not supercede Department of
 9 Human Services rules establishing monthly benefit limits and prior
 10 authorization requirements. The availability of providers shall not require
 11 the Department of Human Services to reimburse for 24 hours per day of
 12 personal care services. The Arkansas Department of Human Services, Medical
 13 Services Division shall take such action as required by the ~~Health Care~~
 14 ~~Financing Administration Centers for Medicare and Medicaid Services~~ to amend
 15 the Arkansas Medicaid manual to include, private care agencies defined
 16 herein, as qualified entities to provide Medicaid reimbursed personal care
 17 services. The private care agencies defined herein shall comply with rules
 18 and regulations promulgated by the Arkansas Department of Health which shall
 19 establish a separate licensure category for the private care agencies defined
 20 herein for the provision of Medicaid reimbursable personal care services on
 21 weekends. The Arkansas Department of Health shall supervise the conduct of
 22 the private care agencies defined herein. The purpose of this section is to
 23 insure the care provided by the private care agencies defined herein, is
 24 consistent with the rules and regulations of the Arkansas Department of
 25 Health.

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

28

29 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MEDICAL
 31 SERVICES - BORDER CITY DDTCS PROVIDERS. Approved Arkansas Medicaid providers
 32 of Developmental Day Treatment Clinic Services (DDTCS), or its successor
 33 program, who have out-of-state border city facilities may be reimbursed for
 34 Medicaid eligible services delivered to Arkansas residents who are Medicaid
 35 eligible.

36 The provisions of this section shall be in effect only from ~~July 1, 2001~~

1 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

2
3 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CRITICAL
5 ACCESS HOSPITAL PROGRAM. Subject to the ~~Health Care Financing Administration~~
6 Centers for Medicare and Medicaid Services approval, the Arkansas Department
7 of Human Services shall fund the optional "Critical Access Hospital" Program
8 as defined at 42 U.S.C. §1395i - 4(e) as it existed January 1, 2001 effective
9 ~~July 1, 2001~~ July 1, 2003 or at the earliest date thereafter.

10
11 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MEDICAL
13 SERVICES - PERSONAL CARE AND ELDERCHOICES REIMBURSEMENT. The Medicaid
14 reimbursement rate for personal care and Elderchoices homemaker, respite, and
15 chore services shall be increased from the current rate of \$12.35 per hour to
16 \$13.86 per hour if funds are available, or increased for such portion thereof
17 as funds are available.

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20 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
22 USAGE AUTHORIZED. The Arkansas Children's Hospital may request the
23 Department of Human Services - Division of Medical Services to retain in the
24 Department of Human Services Grant Fund account an amount not to exceed
25 \$2,100,000 each fiscal year from funds made available by this Act for the
26 Child and Family Life Institute, Section ~~5~~ 4, item number 06 to be used to
27 match federal funds used for supplemental Medicaid payments to Arkansas
28 Children's Hospital. These retained funds shall not be recovered for transfer
29 to the General Revenue Allotment Reserve Fund.

30
31 SECTION 21. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
32 by this act shall be limited to the appropriation for such agency and funds
33 made available by law for the support of such appropriations; and the
34 restrictions of the State Purchasing Law, the General Accounting and
35 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
36 Procedures and Restrictions Act, or their successors, and other fiscal

1 control laws of this State, where applicable, and regulations promulgated by
2 the Department of Finance and Administration, as authorized by law, shall be
3 strictly complied with in disbursement of said funds.

4
5 SECTION 22. LEGISLATIVE INTENT. It is the intent of the General Assembly
6 that any funds disbursed under the authority of the appropriations contained
7 in this act shall be in compliance with the stated reasons for which this act
8 was adopted, as evidenced by the Agency Requests, Executive Recommendations
9 and Legislative Recommendations contained in the budget manuals prepared by
10 the Department of Finance and Administration, letters, or summarized oral
11 testimony in the official minutes of the Arkansas Legislative Council or
12 Joint Budget Committee which relate to its passage and adoption.

13
14 SECTION 23. EMERGENCY CLAUSE. It is found and determined by the General
15 Assembly, that the Constitution of the State of Arkansas prohibits the
16 appropriation of funds for more than a two (2) year period; that the
17 effectiveness of this Act on July 1, 2003 is essential to the operation of
18 the agency for which the appropriations in this Act are provided, and that in
19 the event of an extension of the Regular Session, the delay in the effective
20 date of this Act beyond July 1, 2003 could work irreparable harm upon the
21 proper administration and provision of essential governmental programs.
22 Therefore, an emergency is hereby declared to exist and this Act being
23 necessary for the immediate preservation of the public peace, health and
24 safety shall be in full force and effect from and after July 1, 2003, except
25 for Section 9 which shall be in full force and effect from and after the date
26 of passage and approval of this Act.

27
28 /s/ Joint Budget Committee
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