

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 85th General Assembly
3 Regular Session, 2005
4

As Engrossed: S3/9/05 S4/5/05

A Bill

SENATE BILL 267

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 DEVELOPMENTAL DISABILITIES SERVICES FOR THE
13 BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR
14 OTHER PURPOSES.
15

Subtitle

16
17
18 AN ACT FOR THE DEPARTMENT OF HUMAN
19 SERVICES - DIVISION OF DEVELOPMENTAL
20 DISABILITIES SERVICES APPROPRIATION FOR
21 THE 2005-2007 BIENNIUM.
22
23

24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
25

26 SECTION 1. REGULAR SALARIES. There is hereby established for the
27 Department of Human Services - Division of Developmental Disabilities
28 Services for the 2005-2007 biennium, the following maximum number of regular
29 employees whose salaries shall be governed by the provisions of the Uniform
30 Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or
31 its successor, and all laws amendatory thereto. Provided, however, that any
32 position to which a specific maximum annual salary is set out herein in
33 dollars, shall be exempt from the provisions of said Uniform Classification
34 and Compensation Act. All persons occupying positions authorized herein are
35 hereby governed by the provisions of the Regular Salaries Procedures and
36 Restrictions Act (Arkansas Code §21-5-101), or its successor.



				Maximum	Maximum Annual	
				No. of	Salary Rate	
	Item	Class			Fiscal Years	
	No.	Code	Title	Employees	2005-2006	2006-2007
6	(1)	6603	GENERAL PHYSICIAN	7	\$119,887	\$122,595
7	(2)	6601	DENTIST	3	\$119,887	\$122,595
8	(3)	9972	DDS COMMISSIONER	1	\$98,316	\$100,700
9	(4)	8966	DHS DDS SUPT HDC/CONWAY	1	\$90,474	\$92,741
10	(5)	8949	DDS DIR EVAL, PLAN & MGMT SYSTEMS	1	\$81,859	\$83,964
11	(6)	8969	DHS DDS SUPT HDC	1	\$81,159	\$83,251
12	(7)	8970	DHS DDS SUPT HDC	1	\$81,156	\$83,247
13	(8)	8972	DHS DDS SUPT HDC	1	\$79,209	\$81,263
14	(9)	8968	DHS DDS SUPT HDC	1	\$78,527	\$80,569
15	(10)	8967	DHS DDS DIR CLIENT SERVICES	1	\$72,540	\$74,468
16	(11)	8948	DDS ASST DIR PROGRAM MANAGEMENT	1	\$69,501	\$71,371
17	(12)	8035	ASSISTANT DIRECTR CMS	1	\$69,476	\$71,346
18	(13)	8971	DHS DDS SUPT HDC	1	\$68,239	\$70,286
19	(14)	L014	DIRECTOR OF PHARMACY SERVICES	2	GRADE 26	
20	(15)	L012	PHARMACIST II	2	GRADE 25	
21	(16)	L124	PSYCHOLOGIST	2	GRADE 25	
22	(17)	L096	SR PHARMACIST	3	GRADE 24	
23	(18)	M178	DHS/DDS ASST SUPT - CONWAY	1	GRADE 23	
24	(19)	R184	NURSING SERVICES UNIT MANAGER	6	GRADE 23	
25	(20)	R058	DDS PERSONNEL MANAGER	1	GRADE 22	
26	(21)	X338	ENGINEER, PE	1	GRADE 22	
27	(22)	L078	NURSE SUPERVISOR	13	GRADE 22	
28	(23)	A032	AGENCY FISCAL MANAGER	1	GRADE 22	
29	(24)	809Z	DHS PLANNING & POLICY DEV COORD	1	GRADE 21	
30	(25)	892Z	DHS INSTITUTION BUSINESS MANAGER	6	GRADE 21	
31	(26)	697Z	DHS PRGM MANAGER	8	GRADE 21	
32	(27)	A008	ACCOUNTING SUPERVISOR II	2	GRADE 21	
33	(28)	A251	SR AUDITOR	1	GRADE 21	
34	(29)	E023	DHS/DDS LANGUAGE DEVELOP SUPV	1	GRADE 21	
35	(30)	E104	DHS/DDS ED & TRNG CONSULTANT	2	GRADE 21	
36	(31)	L082	NURSING SERVICES SPECIALIST	3	GRADE 21	

1	(32)	L090	OCCUPATIONAL THERAPY SUPERVISOR	1	GRADE 21
2	(33)	L122	PSYCHOLOGICAL EXAMINER II	17	GRADE 21
3	(34)	L030	DIETARY SERVICES DIRECTOR	1	GRADE 21
4	(35)	L019	NUTRITIONIST CONSULTANT	1	GRADE 21
5	(36)	M112	COTTAGE LIFE PROGRAM DIRECTOR	5	GRADE 21
6	(37)	L142	SPEECH PATHOLOGIST SUPV	3	GRADE 21
7	(38)	M046	DHS/DDS TEAM LEADER-CONWAY	5	GRADE 21
8	(39)	R326	QUALITY ASSURANCE COORDINATOR	5	GRADE 21
9	(40)	R488	GRANTS ADMIN SUPV	2	GRADE 21
10	(41)	R266	MANAGEMENT PROJECT ANALYST II	5	GRADE 20
11	(42)	R145	DHS PROGRAM COORDINATOR	4	GRADE 20
12	(43)	X311	DHS/DDS PRGM EVALUATOR SUPV	1	GRADE 20
13	(44)	Y116	MAINTENANCE SYSTEMS SUPV	1	GRADE 20
14	(45)	L140	SPEECH PATHOLOGIST II	15	GRADE 20
15	(46)	M013	DEVELOPMENTAL DISABILITIES SPEC II	44	GRADE 20
16	(47)	M016	SR CHAPLAIN	1	GRADE 20
17	(48)	M116	UTILIZATION REVIEW NURSE	2	GRADE 20
18	(49)	M128	DHS/DDS PRGM COORDINATOR	41	GRADE 20
19	(50)	M140	DHS/DDS TEAM LEADER	3	GRADE 20
20	(51)	M088	SOCIAL WORKER II	5	GRADE 20
21	(52)	L008	SR AUDIOLOGIST	1	GRADE 20
22	(53)	L070	NURSE II	34	GRADE 20
23	(54)	L088	OCCUPATIONAL THERAPIST II	2	GRADE 20
24	(55)	E114	STAFF DEVELOPMENT COORDINATOR	6	GRADE 20
25	(56)	E038	NURSE INSTRUCTOR	2	GRADE 20
26	(57)	G120	PLANT MAINTENANCE COORDINATOR	1	GRADE 20
27	(58)	E026	INSTITUTIONAL INSTRUCTOR SUPERVISOR	2	GRADE 20
28	(59)	B060	MEDICAL TECHNOLOGIST SUPERVISOR	1	GRADE 19
29	(60)	L028	DIETICIAN	2	GRADE 19
30	(61)	L120	PSYCHOLOGICAL EXAMINER I	2	GRADE 19
31	(62)	M086	SOCIAL WORKER I	6	GRADE 19
32	(63)	M154	DHS FIELD REPRESENTATIVE	2	GRADE 19
33	(64)	M044	DHS PRGM CONSULTANT	1	GRADE 19
34	(65)	M057	DHS/DDS FOSTER GRANDPARENT ADMR	1	GRADE 19
35	(66)	R168	GRANTS COORDINATOR II	8	GRADE 19
36	(67)	R030	ASST PERSONNEL MANAGER	1	GRADE 19

1	(68)	W012	MEDICAL RECORDS ADMINISTRATOR	1	GRADE 19
2	(69)	X309	DHS/DDS PRGM EVALUATOR	2	GRADE 19
3	(70)	V040	PURCHASE AGENT II/PURCHASE AGENT	5	GRADE 18
4	(71)	R264	MANAGEMENT PROJECT ANALYST I	3	GRADE 18
5	(72)	M050	RECREATIONAL ACTIVITY LEADER SUPV	3	GRADE 18
6	(73)	L138	SPEECH PATHOLOGIST I	1	GRADE 18
7	(74)	M082	SOCIAL SERVICE WORKER III	19	GRADE 18
8	(75)	M076	SOCIAL SERVICE REPRESENTATIVE III	1	GRADE 18
9	(76)	M078	DHS/DEMS SUPERVISOR	2	GRADE 18
10	(77)	M099	COTTAGE LIFE PROGRAM SUPERVISOR	18	GRADE 18
11	(78)	E037	LIBRARIAN II	2	GRADE 18
12	(79)	E024	INSTITUTIONAL INSTRUCTOR II	23	GRADE 18
13	(80)	H032	FOOD PRODUCTION MANAGER	6	GRADE 18
14	(81)	E050	STAFF DEVELOPMENT SPECIALIST II	2	GRADE 18
15	(82)	E072	TRAINING INSTRUCTOR	1	GRADE 18
16	(83)	E082	VOCATIONAL INSTRUCTOR II	1	GRADE 18
17	(84)	G028	BLDG PLANT MAINTENANCE SUPV II	5	GRADE 18
18	(85)	E086	HABILITATION/REHAB INSTRUCTOR II	135	GRADE 17
19	(86)	E022	INSTITUTIONAL INSTRUCTOR I	1	GRADE 17
20	(87)	B052	MEDICAL TECHNOLOGIST	2	GRADE 17
21	(88)	M102	VOCATIONAL PLAC & EVAL PROG COORD	1	GRADE 17
22	(89)	M095	VOLUNTEER PROGRAM DEVELOPER I	2	GRADE 17
23	(90)	M080	SOCIAL SERVICE WORKER II/SOC SVC WK	4	GRADE 17
24	(91)	R010	ADMINISTRATIVE ASSISTANT II	18	GRADE 17
25	(92)	R190	PERSONNEL OFFICER II	5	GRADE 17
26	(93)	Y107	WELDER	1	GRADE 17
27	(94)	X352	HLTH CARE ANALYST II	2	GRADE 17
28	(95)	Y053	JOURNEYMAN CARPENTER	9	GRADE 17
29	(96)	Y055	JOURNEYMAN ELECTRICIAN	6	GRADE 17
30	(97)	Y057	JOURNEYMAN PAINTER	6	GRADE 17
31	(98)	Y061	JOURNEYMAN PLUMBER	4	GRADE 17
32	(99)	Y065	JOURNEYMAN LOCKSMITH	1	GRADE 17
33	(100)	Y003	AUTO/DIESEL MECHANIC	3	GRADE 17
34	(101)	Y021	STATIONARY ENGINEER	9	GRADE 17
35	(102)	Y039	HEATING & A/C MECHANIC	5	GRADE 17
36	(103)	M141	DHS/DDS TEAM SHIFT COORDINATOR	18	GRADE 16

1	(104)	L153	X-RAY TECH SUPV/X-RAY TECH II	1	GRADE 16
2	(105)	L026	DENTAL HYGIENIST	1	GRADE 16
3	(106)	A053	INSURANCE SPECIALIST II	1	GRADE 16
4	(107)	A063	PAYROLL OFFICER	1	GRADE 15
5	(108)	A108	ACCOUNTING TECHNICIAN II	8	GRADE 15
6	(109)	A155	ICF COORDINATOR	6	GRADE 15
7	(110)	K011	ADMINISTRATIVE OFFICE SUPERVISOR	12	GRADE 15
8	(111)	L115	LPN II/LPTN II	132	GRADE 15
9	(112)	L061	LIFE SKILLS TRAINER SUPERVISOR	62	GRADE 15
10	(113)	L183	OCCUPATIONAL THERAPY ASSISTANT	2	GRADE 15
11	(114)	M048	RECREATIONAL ACTIVITY LEADER II	27	GRADE 15
12	(115)	R009	ADMINISTRATIVE ASSISTANT I	3	GRADE 15
13	(116)	V051	STOREROOM SUPV/STORE SUPV	4	GRADE 15
14	(117)	X350	HLTH CARE ANALYST I	1	GRADE 15
15	(118)	V039	PURCHASE AGENT I/ASST PURCHASE AGEN	4	GRADE 15
16	(119)	L184	DIETETIC TECHNICIAN	1	GRADE 14
17	(120)	M036	FOSTER GRANDPARENT SUPERVISOR	1	GRADE 14
18	(121)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	11	GRADE 14
19	(122)	K117	MEDICAL OR LEGAL SECRETARY	29	GRADE 14
20	(123)	G014	CHDC LAUNDRY OPERATIONS MANAGER	1	GRADE 14
21	(124)	H023	COMMISSARY MANAGER	1	GRADE 14
22	(125)	G139	WATER FILTER/WASTE DISPOS PLNT OPER	3	GRADE 13
23	(126)	H049	SUPERVISOR OF COOKING	5	GRADE 13
24	(127)	G115	NURSERY ASST & GROUNDSKEEPER SUPV	1	GRADE 13
25	(128)	E027	INSTITUTIONAL TEACHER ASSISTANT	88	GRADE 13
26	(129)	E017	INSTITUTION ASSISTANT LIBRARIAN	1	GRADE 13
27	(130)	K153	SECRETARY II	70	GRADE 13
28	(131)	L059	LIFE SKILLS TRAINER II	806	GRADE 13
29	(132)	L091	OCCUPATIONAL THERAPY WORKER	6	GRADE 13
30	(133)	L093	ORTHOTIST AIDE	5	GRADE 13
31	(134)	M067	SOCIAL SERVICE AIDE II	3	GRADE 13
32	(135)	M047	RECREATIONAL ACTIVITY LEADER I	1	GRADE 13
33	(136)	R125	PERSONNEL OFFICER	4	GRADE 13
34	(137)	K089	PERSONNEL ASSISTANT	2	GRADE 12
35	(138)	K039	DOCUMENT EXAMINER II	13	GRADE 12
36	(139)	C013	SWITCHBOARD OPERATOR SUPERVISOR	1	GRADE 12

1	(140)	H047	MEAT CUTTER II/BUTCHER II	1	GRADE 11
2	(141)	L025	DENTAL ASSISTANT	1	GRADE 11
3	(142)	L057	LIFE SKILLS TRAINER I	278	GRADE 11
4	(143)	K155	SECRETARY I	23	GRADE 11
5	(144)	Y001	APPRENTICE TRADESMAN	6	GRADE 11
6	(145)	V029	INVENTORY CONTROL CLERK	1	GRADE 10
7	(146)	K023	CLERICAL ASSISTANT	3	GRADE 10
8	(147)	K037	DOCUMENT EXAMINER I	4	GRADE 10
9	(148)	L097	PHARMACY ASST	2	GRADE 10
10	(149)	H027	COOK II	40	GRADE 10
11	(150)	H005	BAKER II	6	GRADE 10
12	(151)	G013	WAREHOUSE WORKER	3	GRADE 10
13	(152)	G006	MOTOR VEHICLE OPERATOR	5	GRADE 10
14	(153)	C011	SWITCHBOARD OPERATOR II	12	GRADE 09
15	(154)	L105	PHYSICAL THERAPY AIDE	5	GRADE 09
16	(155)	L089	OCCUPATIONAL THERAPY AIDE	1	GRADE 09
17	(156)	Y045	INSTITUTIONAL BEAUTICIAN	3	GRADE 09
18	(157)	L063	LIFE SKILLS TRAINER TRAINEE	8	GRADE 08
19	(158)	G010	LAUNDRY SUPERVISOR	5	GRADE 08
20	(159)	G039	CUSTODIAL SUPV II	4	GRADE 08
21	(160)	G045	EQUIPMENT OPERATOR	11	GRADE 08
22	(161)	G109	BLDG/EQUIP MAINT REPAIRMAN II	21	GRADE 08
23	(162)	H019	CANTEEN SUPERVISOR	2	GRADE 08
24	(163)	H025	COOK I	1	GRADE 08
25	(164)	H053	FOOD SERVICE WORKER III	10	GRADE 08
26	(165)	G177	MAINTENANCE WORKER SUPERVISOR	1	GRADE 07
27	(166)	G191	CLOTHING SHOP OPERATOR	1	GRADE 07
28	(167)	C009	SWITCHBOARD OPERATOR I	4	GRADE 07
29	(168)	K015	OFFICE CLERK	3	GRADE 07
30	(169)	H043	FOOD SERVICE WORKER II	41	GRADE 05
31	(170)	G175	MAINTENANCE WORKER II	6	GRADE 05
32	(171)	Y095	SEAMSTRESS II	1	GRADE 05
33	(172)	V049	STOCK CLERK II	6	GRADE 05
34	(173)	G035	CUSTODIAL WRKR II	81	GRADE 04
35	(174)	G008	LAUNDRY WORKER	27	GRADE 04
36	(175)	H039	FOOD SERVICE WORKER I	5	GRADE 03

1 (176) G171 CUSTODIAL WRKR I 3 GRADE 03
 2 MAX. NO. OF EMPLOYEES 2,591
 3

4 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of
 5 Human Services - Division of Developmental Disabilities Services for the
 6 2005-2007 biennium, the following maximum number of part-time or temporary
 7 employees, to be known as "Extra Help", payable from funds appropriated
 8 herein for such purposes: two hundred eighty-nine (289) temporary or part-
 9 time employees, when needed, at rates of pay not to exceed those provided in
 10 the Uniform Classification and Compensation Act, or its successor, or this
 11 act for the appropriate classification.
 12

13 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA
 15 HELP - DEVELOPMENTAL DISABILITIES SERVICES. It is hereby authorized for the
 16 Department of Human Services - Division of Developmental Disabilities
 17 Services for the ~~2003-2005~~ 2005-2007 biennium, that of the extra help
 18 positions authorized herein for the Department of Human Services - Division
 19 of Developmental Disabilities Services, 89 of those positions, when utilized
 20 in a manner which is reimbursable under Title XIX or other federal funds, are
 21 specifically exempt from limitation of hours, either by Act or Regulation.
 22

23 The provisions of this section shall be in effect only from July 1, ~~2003~~
 24 2005 through June 30, ~~2005~~ 2007.

25 SECTION 4. APPROPRIATION - SPECIAL OLYMPICS. There is hereby appropriated,
 26 to the Department of Human Services - Division of Developmental Disabilities
 27 Services, to be payable from the Developmental Disabilities Services Fund
 28 Account, for grants to the Arkansas Special Olympics for the biennial period
 29 ending June 30, 2007, the following:
 30

31 ITEM	FISCAL YEARS	
32 <u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
33 (01) GRANTS-SPECIAL OLYMPICS	\$ <u>94,459</u>	\$ <u>94,459</u>

35 SECTION 5. APPROPRIATION - OPERATIONS. There is hereby appropriated, to
 36 the Department of Human Services - Division of Developmental Disabilities

1 Services, to be payable from the paying account as determined by the Chief
 2 Fiscal Officer of the State, for personal services and operating expenses of
 3 the Department of Human Services - Division of Developmental Disabilities
 4 Services for the biennial period ending June 30, 2007, the following:

5		6 FISCAL YEARS	
7	ITEM	2005-2006	2006-2007
	NO.		
8	(01) REGULAR SALARIES	\$ 66,819,841	\$ 68,875,812
9	(02) EXTRA HELP	4,178,972	4,178,972
10	(03) PERSONAL SERVICES MATCHING	23,498,539	23,903,031
11	(04) OVERTIME	202,360	202,360
12	(05) EXTRA SALARIES	9,000	9,000
13	(06) MAINT. & GEN. OPERATION		
14	(A) OPER. EXPENSE	17,097,871	17,097,871
15	(B) CONF. & TRAVEL	80,000	80,000
16	(C) PROF. FEES	298,698	298,698
17	(D) CAP. OUTLAY	900,000	900,000
18	(E) DATA PROC.	0	0
19	(07) GRANTS/PATIENT SERVICES	11,391,169	11,391,169
20	(08) FOSTER GRANDPARENTS STIPENDS	402,000	402,000
21	(09) DATA PURCHASE SERVICES	850,159	850,159
22	(10) VOCATIONAL TRAINEES	177,368	177,368
23	(11) CHILDREN AND ADOLESCENT SERVICES	67,529	67,529
24	(12) PURCHASE OF SERVICES	<u>6,651,453</u>	<u>6,651,453</u>
25	TOTAL AMOUNT APPROPRIATED	<u>\$ 132,624,959</u>	<u>\$ 135,085,422</u>

26

27 SECTION 6. APPROPRIATION - COMMUNITY PROGRAMS. There is hereby
 28 appropriated, to the Department of Human Services - Division of Developmental
 29 Disabilities Services, to be payable from the Developmental Disabilities
 30 Services-Dog Track Special Revenue Fund, for expenses of the private non-
 31 profit community based programs licensed by the Department of Human Services
 32 - Division of Developmental Disabilities Services for the biennial period
 33 ending June 30, 2007, the following:

34

35	ITEM	FISCAL YEARS	
36	NO.	2005-2006	2006-2007

1 (01) COMMUNITY PROGRAMS \$ 50,000 \$ 50,000

2

3 SECTION 7. APPROPRIATION - GRANTS-IN-AID. There is hereby appropriated, to
 4 the Department of Human Services - Division of Developmental Disabilities
 5 Services, to be payable from the Developmental Disabilities Services Fund
 6 Account, for grants-in-aid to the community providers of services to the
 7 developmentally disabled of the Department of Human Services - Division of
 8 Developmental Disabilities Services for the biennial period ending June 30,
 9 2007, the following:

10

11 ITEM	FISCAL YEARS	
12 <u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
13 (01) GRANTS TO COMMUNITY PROVIDERS	<u>\$ 15,446,362</u>	<u>\$ 15,909,753</u>

14

15 SECTION 8. APPROPRIATION - INTER-DIVISIONAL PROGRAMS. There is hereby
 16 appropriated, to the Department of Human Services - Division of Developmental
 17 Disabilities Services, to be payable from the Developmental Disabilities
 18 Services Fund Account, for integrated services and programs developed by the
 19 various divisions, for services and programs developed in conjunction with
 20 other state agencies and for the development and implementation of an
 21 integrated case management system for the Department of Human Services for
 22 the biennial period ending June 30, 2007, the following:

23

24 ITEM	FISCAL YEARS	
25 <u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
26 (01) INTER-DIVISIONAL PROGRAMS	<u>\$ 441,469</u>	<u>\$ 441,469</u>

27

28 SECTION 9. APPROPRIATION - GRANTS - STATE. There is hereby appropriated,
 29 to the Department of Human Services - Division of Developmental Disabilities
 30 Services, to be payable from the Department of Human Services Grants Fund
 31 Account, for grant payments of the Department of Human Services - Division of
 32 Developmental Disabilities Services for the biennial period ending June 30,
 33 2007, the following:

34

35 ITEM	FISCAL YEARS	
36 <u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>

1 (01) CHILDREN'S MEDICAL SERVICES \$ 1,729,279 \$ 1,729,279

2

3 SECTION 10. APPROPRIATION - GRANTS - FEDERAL. There is hereby
4 appropriated, to the Department of Human Services - Division of Developmental
5 Disabilities Services, to be payable from the federal funds as designated by
6 the Chief Fiscal Officer of the State, for federally funded grants of the
7 Department of Human Services - Division of Developmental Disabilities
8 Services for the biennial period ending June 30, 2007, the following:

9

ITEM	FISCAL YEARS	
	2005-2006	2006-2007
11 NO.		
12 (01) CHILDREN'S MEDICAL SERVICES-FEDERAL	\$ 1,377,338	\$ 1,377,338

13

14 SECTION 11. APPROPRIATION - BOONEVILLE HUMAN DEVELOPMENT CENTER. There is
15 hereby appropriated, to the Department of Human Services - Division of
16 Developmental Disabilities Services, to be payable from the General
17 Improvement Fund or its successor fund or fund accounts, the following:

18 (A) For improvements to the Booneville Human Development Center, the sum
19 of\$100,000.

20

21 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
23 DEVELOPMENTAL DISABILITIES - GRANTS TO COMMUNITY BASED PROVIDERS. Funds
24 allocated under the appropriation for community-based services, for Grants to
25 Community Providers, in the Developmental Disabilities Services - Grants-in-
26 Aid appropriation in this act shall be used only to provide services through
27 private community based services licensed or certified by the Arkansas
28 Division of Developmental Disabilities Services (DDS). Non-profit community-
29 based programs licensed by the Division of Developmental Disabilities
30 Services are quasi-governmental instrumentalities of the state which provide
31 supports and services to individuals who have a developmental disability or
32 delay, who would otherwise require supports and services through state-
33 operated programs and facilities owned by the State of Arkansas. When DDS
34 licensed providers are involved in delivering services which are Medicaid
35 reimbursable, they must enroll as a provider with the Arkansas Medicaid
36 Program and must bill the Arkansas Medicaid Program for all covered services

1 for eligible individuals.

2 Services which are covered by the Arkansas State Medicaid Program or under
3 the Alternative Community Services Waiver Program (ACS) will be utilized to
4 the maximum extent possible for any individual who is eligible for Medicaid
5 coverage. It is the intent of this section that DDS, as a general policy,
6 maximize the use of Medicaid funding available for appropriate services.

7 The State shall require each provider funded from this Appropriation for
8 community based services, including funding from the Grants/Patient Services
9 Line, in the Developmental Disabilities Services - Operations appropriation,
10 ~~the Early Intervention Line, in the Developmental Disabilities Services -~~
11 ~~Operations appropriation,~~ or from the Grants to Community Providers Line, in
12 the Developmental Disabilities Services - Grants-in-Aid appropriation, to
13 screen each individual to whom services are provided for a determination of
14 eligibility or ineligibility for Medicaid coverage within thirty days of the
15 first date that services are provided. It is the intent of this section to
16 insure that wherever possible and appropriate, Medicaid funds are utilized
17 for covered or waived services to individuals who are eligible for coverage
18 under the Arkansas Medicaid Program or the ACS Waiver.

19 Nothing in this Act shall prevent the Division or any provider from
20 extending emergency services when appropriate measures have been taken in a
21 timely manner to secure Medicaid eligibility.

22 *In the event that components of community-based services now funded*
23 *from state and/or federal funds are extended to unserved or underserved areas*
24 *of the state, or in the event that new services categories/codes are made*
25 *available, to be funded from state and/or federal funds all non-profit*
26 *community programs licensed by the Division of Developmental Disabilities*
27 *Services shall be granted an opportunity to make application to expand their*
28 *service base to unserved or underserved areas or shall be granted an*
29 *opportunity to make application to offer new services that the State intends*
30 *to offer. When the Division of Developmental Disabilities Services*
31 *determines that state and/or federal funding for new or expanded services are*
32 *to be available, it shall ~~develop a Request for Proposal (RFP) process which~~*
33 *~~includes a provision to provide~~ written notice by certified mail of its*
34 *intent to existing licensed providers who are already providing services.*
35 *~~and to the general public.~~ If no existing licensed providers respond in*
36 *writing to Division of Developmental Disabilities Services within thirty days*

1 that they will provide the new or expanded services, Division of
2 Developmental Disabilities Services shall provide notice to the general
3 public that a new entity will be allowed to develop services and obtain
4 licensure to provide the new or expanded services. Nothing in this Act shall
5 restrict the Division's discretion to award new or expanded services to the
6 existing community based service licensed providers making application for
7 the same pursuant to this section. The intent of this section is to avoid
8 unnecessary duplication of administrative costs and services in the extension
9 or expansion of services.

10 The provisions of this section shall be in effect only from July 1, ~~2003~~
11 2005 through June 30, ~~2005~~ 2007.

12
13 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

15 DEVELOPMENTAL DISABILITIES - VOCATIONAL TRAINEES. The Division of
16 Developmental Disabilities Services of the Department of Human Services is
17 hereby authorized for the ~~2003-2005~~ 2005-2007 biennium to provide employment
18 opportunities for people with developmental disabilities residing at the
19 Human Development Centers who work less than a competitive employment level.

20 The provisions of this section shall be in effect only from July 1, ~~2003~~
21 2005 through June 30, ~~2005~~ 2007.

22
23 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

25 DEVELOPMENTAL DISABILITIES - CARRY FORWARD. The unexpended balances in
26 appropriations made from federal funds, for Developmental Disabilities, as
27 provided for in this Act on June 30, ~~2004~~ 2006 shall be carried forward and
28 made available for expenditures for the same purpose for the fiscal year
29 ending June 30, ~~2005~~ 2007.

30 The provisions of this section shall be in effect only from July 1, ~~2003~~
31 2005 through June 30, ~~2005~~ 2007.

32
33 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GRANTS IN
35 AID-CONDITIONS FOR RECEIVING FUNDS. Private nonprofit community based
36 programs licensed by the Department of Human Services, Developmental

1 Disabilities Services, are eligible to receive funds appropriated for Grants
2 to Community Providers in the Developmental Disabilities Services - Grants-
3 in-Aid appropriation of this Act, and as a condition of receiving such funds
4 they shall:

5 1. Meet minimum standards of performance in the delivery of services to
6 people with disabilities as defined by the Department of Human Services,
7 Developmental Disabilities Services.

8 2. Supply statistical and financial data to the Department of Human
9 Services, Developmental Disabilities Services.

10 3. Establish and maintain a sound financial management system in
11 accordance with guidelines as set forth by the Department of Human Services.

12 4. Establish and maintain community support programs designed to provide
13 coordinated care and treatment to ensure ongoing involvement and
14 individualized services for persons with disabilities. Every community
15 support program shall provide services for persons with disabilities who
16 reside within the respective area of the program.

17 The provisions of this section shall be in effect only from July 1, 2003
18 2005 through June 30, ~~2005~~ 2007.

19

20 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
22 DEVELOPMENTAL DISABILITIES – TIMBER AND LAND SALES PROCEEDS - CAPITAL
23 IMPROVEMENTS AND EQUIPMENT. The Division of Developmental Disabilities
24 Services is authorized to have cash fund accounts for capital improvements to
25 physical plants and for the purchase of capital equipment, and for the
26 operation of the six human development centers operated by the Department of
27 Human Services, Division of Developmental Disabilities Services. The cash
28 funds shall be held by the Department of Human Services, Division of
29 Developmental Disabilities Services from the proceeds of the sale of land and
30 the sale of timber that may be harvested from land owned by the Division of
31 Developmental Disabilities Services. The sale of land and the harvesting of
32 timber is specifically authorized to provide funds to finance capital
33 improvements to the physical plants, for the purchase of major capital
34 equipment, and for the operation of any of the six human development centers
35 from which the land or timber is sold.

36 The Division of Developmental Disabilities Services shall report all income

1 derived from the sale of land and timber management to the Chief Fiscal
2 Officer of the State and the Arkansas Legislative Council. Any contracts
3 initiated for the sale of land or the harvesting of timber shall be submitted
4 to the Review Subcommittee of the Arkansas Legislative Council for prior
5 review. All expenditures of funds derived from the sale of land and the sale
6 of timber will be expended in accordance with relevant state purchasing laws.

7 The provisions of this section shall be in effect only from July 1, ~~2003~~
8 2005 through June 30, ~~2005~~ 2007.

9
10 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HUMAN
12 DEVELOPMENT CENTERS AND COMMUNITY PROVIDERS.

13 (A) The Developmental Disabilities Services Board or the Department of Human
14 Services shall not close any of the state administered Human Development
15 Centers that provide therapy and residential services.

16 (B) The Department of Human Services shall continue to accept clients for
17 whom it has determined that therapy and residential services are needed at
18 state administered Human Development Centers and Community Programs licensed
19 by DDS shall continue to accept clients for whom it has been determined in
20 accordance with federal law that are in need of services in the community.

21 (C) Except for use as federal matching funds, no funds for community based
22 services licensed by DDS shall be transferred from Grants to Community
23 Providers line item of the Developmental Disabilities Services - Grants-in-
24 Aid appropriation unless the transfer(s) directly benefits community based
25 services for persons with developmental disabilities or from the
26 appropriation for the Human Development Centers unless the transfer(s)
27 directly benefits the Human Development Centers.

28 (D) Nor shall any general revenue funding as of March 1, ~~2003~~ 2005 from the
29 Grants to Community Providers line item of the Developmental Disabilities
30 Services - Grants-in-Aid appropriation for persons with developmental
31 disabilities or from any other general revenues as of March 1, ~~2003~~ 2005,
32 applied as federal matching funds for community based services licensed by
33 DDS on March 1, ~~2003~~ 2005 be reduced below the approved funding level on
34 March 1, ~~2003~~ 2005; nor shall the general revenues applied as federal
35 matching funds for the Human Development Centers be reduced below the
36 approved funding level on March 1, ~~2003~~ 2005.

1
2 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GRANTS TO
4 COMMUNITY PROVIDERS. (a) Of the total amount appropriated each fiscal year
5 for Grants to Community Providers by Section 7 of this Act, five million
6 dollars (\$5,000,000) in fiscal year 2005-2006 and five million four hundred
7 sixty three thousand three hundred ninety one dollars (\$5,463,391) in fiscal
8 year 2006-2007 shall first be used for Medicaid match for rate increases, for
9 adult developmental day treatment clinic services and pre-school for
10 individuals being served in community-based programs licensed by the Division
11 of Developmental Disabilities Services of the Department of Human Services.

12
13 (b) Of the amounts specified in subsection (a) of this section each fiscal
14 year, any unexpended balance of funds that may remain after complying with
15 the provisions of subsection (a) shall be used for matching funds for rate
16 increases for developmental day treatment clinic services transportation
17 provided by developmental day treatment clinic services licensed by the
18 Division of Developmental Disabilities Services, and for matching funds for
19 rate increases for Developmental Disabilities Services Home and Community
20 Services, Group Home and Apartment Conversion Waiver Beds.

21
22 The legislative intent of this section is to enable the Department of Human
23 Services - Division of Disabilities Services to provide a rate increase
24 during the 2005-06 fiscal year of not less than ten percent (10%) of the
25 current rates, and to provide an additional three percent (3%) rate increase
26 during the 2006-2007 fiscal year for adult developmental day treatment clinic
27 services and preschool developmental day treatment clinic services provided
28 by community-based programs licensed by the Division of Developmental
29 Disabilities Division of the Department of Human Services which function as
30 governmental instrumentalities of the state to provide individuals with
31 developmental disabilities a viable option to institutional care.

32
33 Further, if funds remain after complying with (a) herein, it is the
34 legislative intent of this section to ensure that the rate for developmental
35 day treatment clinic service transportation is increased above the current
36 rate established in 2001, and to increase the Home and Community Based

1 Services Group and Apartment Conversion Waiver Bed rates set in 1995.

2
3 Any funds not applied for matching Medicaid rate increases are to be
4 disbursed to community-based programs as supplemental funds to the Grants to
5 Community Provider contracts. The additional funding provided by this
6 provision shall supplement and not supplant any monies currently funding
7 services in community based programs.

8
9 The requirements in this section shall only be implemented in accordance
10 with any necessary approval by the Centers for Medicare and Medicaid
11 Services, and in the event that additional general revenue funding is
12 provided by the General Assembly for these purposes. Should additional
13 funding provided for these purposes be insufficient to provide for the
14 increases in full, the increases shall be provided to the extent that funding
15 is made available.

16
17 The provisions of this section shall be in effect only from July 1, 2005
18 through June 30, 2007.

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

29
30 SECTION 20. LEGISLATIVE INTENT. It is the intent of the General Assembly
31 that any funds disbursed under the authority of the appropriations contained
32 in this act shall be in compliance with the stated reasons for which this act
33 was adopted, as evidenced by the Agency Requests, Executive Recommendations
34 and Legislative Recommendations contained in the budget manuals prepared by
35 the Department of Finance and Administration, letters, or summarized oral
36 testimony in the official minutes of the Arkansas Legislative Council or

1 Joint Budget Committee which relate to its passage and adoption.

2
3 SECTION 21. EMERGENCY CLAUSE. It is found and determined by the General
4 Assembly, that the Constitution of the State of Arkansas prohibits the
5 appropriation of funds for more than a two (2) year period; that the
6 effectiveness of this Act on July 1, 2005 is essential to the operation of
7 the agency for which the appropriations in this Act are provided, and that in
8 the event of an extension of the Regular Session, the delay in the effective
9 date of this Act beyond July 1, 2005 could work irreparable harm upon the
10 proper administration and provision of essential governmental programs.
11 Therefore, an emergency is hereby declared to exist and this Act being
12 necessary for the immediate preservation of the public peace, health and
13 safety shall be in full force and effect from and after July 1, 2005.

14
15 */s/ Joint Budget Committee*
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