

Stricken language will be deleted and underlined language will be added.

1 State of Arkansas As Engrossed: H4/24/24 H4/30/24

2 94th General Assembly

# A Bill

3 Fiscal Session, 2024

HOUSE BILL 1074

4

5 By: Joint Budget Committee

6

7

## 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, 2025; AND FOR OTHER PURPOSES.

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13

14

## Subtitle

15

AN ACT FOR THE DEPARTMENT OF HUMAN

16

SERVICES - SECRETARY'S OFFICE

17

APPROPRIATION FOR THE 2024-2025 FISCAL

18

YEAR.

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

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SECTION 1. REGULAR SALARIES - SECRETARY OF HUMAN SERVICES. There is hereby established for the Department of Human Services - Secretary's Office for the 2024-2025 fiscal year, the following maximum number of regular employees.

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Maximum Annual

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Maximum

Salary Rate

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Item Class

No. of

Fiscal Year

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No. Code Title

Employees

2024-2025

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(1) SC008 SECRETARY OF HUMAN SERVICES

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GRADE SE05

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MAX. NO. OF EMPLOYEES

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

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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, 2025, the following:

5	ITEM	FISCAL YEAR
6	<u>NO.</u>	<u>2024-2025</u>
7	(01) REGULAR SALARIES	\$287,042
8	(02) PERSONAL SERVICES MATCHING	<u>62,811</u>
9	TOTAL AMOUNT APPROPRIATED	<u><u>\$349,853</u></u>

11 SECTION 3. REGULAR SALARIES - OPERATIONS. There is hereby established  
 12 for the Department of Human Services - Secretary's Office for the 2024-2025  
 13 fiscal year, the following maximum number of regular employees.

15				Maximum Annual
16				Salary Rate
17	Item	Class	Maximum	Fiscal Year
18	<u>No.</u>	<u>Code Title</u>	<u>No. of</u>	<u>2024-2025</u>
			<u>Employees</u>	
19	(1)	N255N DHS CHIEF DEPUTY DIRECTOR	2	GRADE SE04
20	(2)	L023N DHS DEPUTY DIRECTOR	2	GRADE SE03
21	<del>(3)</del>	<del>N220N DHS CHIEF ATTORNEY</del>	<del>1</del>	<del>GRADE SE02</del>
22	(4)	N040N DHS CHIEF INFORMATION OFFICER	2	GRADE SE02
23	(5)	N233N DHS CHIEF OF BUSINESS OPERATIONS	1	GRADE SE02
24	(6)	N232N DHS DEPUTY CHIEF INFORMATION OFFICER	1	GRADE SE02
25	(7)	A136C DHS MEDICAID CHIEF FINANCE OFFICER	1	GRADE SE02
26	(8)	G029N DHS DIRECTOR OF POLICY AND LEGAL	2	GRADE SE01
27	(8.1)	N027N DHS DEPUTY DIRECTOR ADULT SERVICES	1	GRADE SE01
28	(8.2)	L009N DHS BEHAV HLTH GENERAL PHYSICIAN	1	GRADE MP06
29	(9)	L009C NURSE MANAGER	1	GRADE MP03
30	(10)	D006N STATE SYSTEMS ARCHITECT	3	GRADE IT10
31	(11)	D025N DHS IT SENIOR ENGINEER	4	GRADE IT09
32	(12)	D022N IT SENIOR PROJECT MANAGER	3	GRADE IT09
33	(13)	D007C INFORMATION SYSTEMS MANAGER	9	GRADE IT08
34	(13.1)	D123C DB ADMINISTRATOR	1	GRADE IT08
35	(14)	D030C INFORMATION SYSTEMS COORDINATOR	3	GRADE IT07
36	(15)	D025C STATE IT SECURITY SPECIALIST	3	GRADE IT06

1	(16)	D054C	COMPUTER SUPPORT COORDINATOR	1	GRADE	IT05
2	(17)	D063C	COMPUTER SUPPORT SPECIALIST	12	GRADE	IT05
3	(18)	D061C	INFORMATION SYSTEMS COORDINATION SPEC	7	GRADE	IT05
4	(19)	D057C	INFORMATION TECHNOLOGY MANAGER	1	GRADE	IT05
5	(20)	D052C	SOFTWARE SUPPORT ANALYST	7	GRADE	IT05
6	(21)	D044C	SYSTEMS ANALYST	1	GRADE	IT05
7	(22)	D062C	DATABASE ANALYST	4	GRADE	IT04
8	(23)	D068C	INFORMATION SYSTEMS ANALYST	1	GRADE	IT04
9	(24)	D064C	WEBSITE DEVELOPER	1	GRADE	IT04
10	(25)	D071C	COMPUTER SUPPORT ANALYST	2	GRADE	IT03
11	(26)	D075C	SOFTWARE SUPPORT SPECIALIST	3	GRADE	IT03
12	(27)	D079C	COMPUTER SUPPORT TECHNICIAN	10	GRADE	IT02
13	(28)	R048C	DHS CHIEF HUMAN RESOURCES OFFICER	1	GRADE	GS15
14	(29)	N244N	DHS CHIEF OF COMMUNICATION	1	GRADE	GS15
15	(30)	A131C	DHS CHIEF PROCUREMENT OFFICER	1	GRADE	GS15
16	(31)	N016N	DHS DEP DIR ADMINISTRATIVE SVCS	1	GRADE	GS15
17	(32)	N231N	DHS DEPUTY CHIEF COUNSEL	1	GRADE	GS15
18	<del>(33)</del>	<del>G286C</del>	<del>DMS DEPUTY DIRECTOR</del>	<del>1</del>	<del>GRADE</del>	<del>GS15</del>
19	(34)	N086N	DHS DDS DIR EVAL PLAN & MGMT SYSTEMS	1	GRADE	GS14
20	(35)	N142N	DHS/DAAS DEPUTY DIRECTOR	1	GRADE	GS14
21	(36)	N102N	DHS/DCO ASSISTANT DIRECTOR	1	GRADE	GS14
22	(37)	N101N	DHS/DCO ASST DEP DIR PGM & ADMN SPT	1	GRADE	GS14
23	(38)	N099N	DHS/DMS ADD - LONG TERM CARE	1	GRADE	GS14
24	(39)	N100N	DHS/DMS ADD - MEDICAL SERVICES	4	GRADE	GS14
25	(40)	N124N	DHS/DYS ASSISTANT DIVISION DIRECTOR	2	GRADE	GS14
26	(40.1)	N080N	DHS/DMS ASSISTANT DIRECTOR - FISCAL	1	GRADE	GS14
27	(41)	A010C	AGENCY CONTROLLER II	1	GRADE	GS13
28	(42)	G290C	ASST DEPUTY DIR OF LEGISLATIVE AFRS	1	GRADE	GS13
29	<del>(43)</del>	<del>N111N</del>	<del>DHS ASST DEP DIR FOR MGR ACCOUNTING</del>	<del>1</del>	<del>GRADE</del>	<del>GS13</del>
30	(44)	N128N	DHS ASST DIR QUALITY ASSURANCE	2	GRADE	GS13
31	(45)	D026N	DHS ELIGIBILITY SYSTEM PROGRAM MGR	3	GRADE	GS13
32	(46)	G054N	DHS GENERAL COUNSEL	1	GRADE	GS13
33	(47)	N108N	DHS/DCO ASST DEP DIR	1	GRADE	GS13
34	(48)	N107N	DHS/OFA ASSISTANT DIR - ACCTNG OPS	3	GRADE	GS13
35	(49)	N109N	DHS/OFA ASSISTANT DIRECTOR	1	GRADE	GS13
36	(50)	G019C	GENERAL COUNSEL	1	GRADE	GS13

1	(51)	G004C MANAGING ATTORNEY	2	GRADE GS13
2	(52)	A021C AGENCY CONTROLLER I	2	GRADE GS12
3	(53)	G025C ATTORNEY SUPERVISOR	7	GRADE GS12
4	(54)	G024C DEPARTMENT ADMINISTRATIVE LAW JUDGE	2	GRADE GS12
5	(55)	G042C DHS ADMINISTRATIVE LAW JUDGE	6	GRADE GS12
6	(56)	G101C DHS AREA MANAGER	1	GRADE GS12
7	(57)	P004N DHS DIRECTOR OF PUBLIC RELATIONS	3	GRADE GS12
8	(58)	A016C DHS DMS BUSINESS OPERATIONS MANAGER	4	GRADE GS12
9	(59)	G274C DHS VOLUNTEER SERVICES DEPUTY DIR	1	GRADE GS12
10	(60)	A014C FISCAL DIVISION MANAGER	5	GRADE GS12
11	(61)	R006C HUMAN RESOURCES ADMINISTRATOR	1	GRADE GS12
12	(62)	A031C ASSISTANT CONTROLLER	7	GRADE GS11
13	(63)	G047C ATTORNEY SPECIALIST	58	GRADE GS11
14	(64)	G022C DHS DIRECTOR OF EMERGENCY OPERATIONS	1	GRADE GS11
15	(65)	A024C DHS DIVISION CHIEF FISCAL OFFICER	1	GRADE GS11
16	(66)	G027N DHS RESEARCH ANALYSIS MANAGER	1	GRADE GS11
17	<del>(67)</del>	<del>G008C RISK MANAGEMENT ASSISTANT DIRECTOR</del>	<del>1</del>	<del>GRADE GS11</del>
18	(68)	G076C ADMINISTRATIVE SERVICES MANAGER	5	GRADE GS10
19	(69)	G073C ATTORNEY	1	GRADE GS10
20	(70)	A044C AUDIT COORDINATOR	6	GRADE GS10
21	(71)	L010C DHS DMS MEDICAL ASSISTANCE MANAGER	3	GRADE GS10
22	(72)	A052C ACCOUNTING COORDINATOR	4	GRADE GS09
23	(73)	A050C AGENCY FISCAL MANAGER	2	GRADE GS09
24	(74)	G099C DHS PROGRAM ADMINISTRATOR	7	GRADE GS09
25	(75)	A038C FISCAL SUPPORT MANAGER	1	GRADE GS09
26	(76)	G109C GRANTS MANAGER	3	GRADE GS09
27	(77)	P004C PUBLIC INFORMATION MANAGER	1	GRADE GS09
28	(78)	A082C ACCOUNTANT II	2	GRADE GS08
29	(79)	R021C BUDGET ANALYST	3	GRADE GS08
30	(80)	A056C DHS FINANCIAL SECTION MANAGER	6	GRADE GS08
31	(81)	G152C DHS PROGRAM MANAGER	19	GRADE GS08
32	(82)	G129C DHS/DCO PROGRAM MANAGER	3	GRADE GS08
33	(83)	E031C EDUCATION PROGRAM COORDINATOR	1	GRADE GS08
34	(84)	A047C FINANCIAL ANALYST II	3	GRADE GS08
35	(85)	A066C INTERNAL AUDITOR	2	GRADE GS08
36	(86)	R014C PERSONNEL MANAGER	6	GRADE GS08

1	(87)	V007C	PROCUREMENT COORDINATOR	5	GRADE GS08
2	(88)	V004C	PROCUREMENT MANAGER	5	GRADE GS08
3	(89)	A041C	PROGRAM FISCAL MANAGER	3	GRADE GS08
4	(90)	X062C	QUALITY ASSURANCE COORDINATOR	2	GRADE GS08
5	(91)	A060C	SENIOR AUDITOR	22	GRADE GS08
6	(92)	E023C	TRAINING PROJECT MANAGER	2	GRADE GS08
7	(93)	A089C	ACCOUNTANT I	9	GRADE GS07
8	(94)	R024C	ASSISTANT PERSONNEL MANAGER	10	GRADE GS07
9	(95)	A081C	AUDITOR	2	GRADE GS07
10	(96)	V008C	BUYER SUPERVISOR	1	GRADE GS07
11	(97)	G183C	DHS PROGRAM COORDINATOR	7	GRADE GS07
12	(98)	M042C	DHS STAFF SUPERVISOR	1	GRADE GS07
13	(99)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE GS07
14	(100)	M040C	FAMILY SERVICES PROGRAM COORDINATOR	1	GRADE GS07
15	(101)	A076C	FINANCE PROGRAM ANALYST	2	GRADE GS07
16	(102)	A075C	FINANCIAL ANALYST I	2	GRADE GS07
17	(103)	X125C	FRAUD INVESTIGATOR COORDINATOR	2	GRADE GS07
18	(104)	G147C	GRANTS COORDINATOR	3	GRADE GS07
19	(105)	S017C	MAINTENANCE COORDINATOR	1	GRADE GS07
20	(106)	A065C	PAYROLL SERVICES COORDINATOR	1	GRADE GS07
21	(107)	P020C	PRODUCTION ARTIST	1	GRADE GS07
22	(108)	P013C	PUBLIC INFORMATION COORDINATOR	3	GRADE GS07
23	(109)	A063C	RESEARCH & STATISTICS SUPERVISOR	1	GRADE GS07
24	(110)	G265C	SENIOR TECHNICAL WRITER	1	GRADE GS07
25	(111)	E040C	STAFF DEVELOPMENT COORDINATOR	5	GRADE GS07
26	(111.1)	G181C	ACOM DWS PROGRAM MONITOR	2	GRADE GS07
27	(111.2)	G138C	AGENCY ADMINISTRATIVE REVIEW OFFICER	2	GRADE GS07
28	(112)	C037C	ADMINISTRATIVE ANALYST	11	GRADE GS06
29	(113)	M045C	ADULT PROTECTIVE SERVICES WORKER	3	GRADE GS06
30	(114)	R027C	BUDGET SPECIALIST	15	GRADE GS06
31	(115)	R026C	CIVIL RIGHTS/EMPLOYEE RELATIONS COORD	2	GRADE GS06
32	(116)	G170C	DHS ADMINISTRATIVE REVIEW OFFICER	6	GRADE GS06
33	(117)	G210C	DHS PROGRAM SPECIALIST	12	GRADE GS06
34	(118)	P021C	EDITOR	1	GRADE GS06
35	(119)	A074C	FISCAL SUPPORT SUPERVISOR	12	GRADE GS06
36	(120)	X156C	FRAUD INVESTIGATOR	6	GRADE GS06

1	(121)	G180C GRANTS ANALYST	14	GRADE GS06
2	(122)	G214C GRANTS SPECIALIST	1	GRADE GS06
3	(123)	P049C GRAPHIC ARTIST	1	GRADE GS06
4	(124)	L053C HEALTH PROGRAM SPECIALIST I	1	GRADE GS06
5	(125)	R025C HUMAN RESOURCES ANALYST	13	GRADE GS06
6	(126)	R029C HUMAN RESOURCES RECRUITER	5	GRADE GS06
7	(127)	X101C INTERNAL AFFAIRS INVESTIGATOR	2	GRADE GS06
8	(128)	G179C LEGAL SERVICES SPECIALIST	7	GRADE GS06
9	(129)	P031C MEDIA SPECIALIST	2	GRADE GS06
10	(130)	G178C POLICY DEVELOPMENT COORDINATOR	1	GRADE GS06
11	(131)	X136C QUALITY ASSURANCE REVIEWER	2	GRADE GS06
12	(132)	B076C RESEARCH PROJECT ANALYST	4	GRADE GS06
13	(133)	G202C VOLUNTEER PROGRAM COORDINATOR	1	GRADE GS06
14	(133.1)	A084C PROGRAM/FIELD AUDIT SPECIALIST	3	GRADE GS06
15	(134)	C050C ADMINISTRATIVE SUPPORT SUPERVISOR	1	GRADE GS05
16	(135)	A088C ASSETS COORDINATOR	1	GRADE GS05
17	(136)	C022C BUSINESS OPERATIONS SPECIALIST	1	GRADE GS05
18	(137)	A091C FISCAL SUPPORT ANALYST	18	GRADE GS05
19	(138)	L070C HEALTH CARE ANALYST	3	GRADE GS05
20	(139)	D077C HELP DESK SPECIALIST	3	GRADE GS05
21	(140)	R032C HUMAN RESOURCES PROGRAM REP	5	GRADE GS05
22	(141)	C040C LEASING SPECIALIST	1	GRADE GS05
23	(142)	A090C PAYROLL SERVICES SPECIALIST	5	GRADE GS05
24	(143)	V015C PURCHASING SPECIALIST	7	GRADE GS05
25	(144)	V018C WAREHOUSE MANAGER	1	GRADE GS05
26	(144.1)	V014C BUYER	1	GRADE GS05
27	(144.2)	V015C PURCHASING SPECIALIST	1	GRADE GS05
28	(145)	A101C ACCOUNTING TECHNICIAN	1	GRADE GS04
29	(146)	C056C ADMINISTRATIVE SPECIALIST III	15	GRADE GS04
30	(147)	A098C FISCAL SUPPORT SPECIALIST	23	GRADE GS04
31	(148)	R036C HUMAN RESOURCES SPECIALIST	1	GRADE GS04
32	(149)	V020C INVENTORY CONTROL MANAGER	1	GRADE GS04
33	(150)	C046C LEGAL SUPPORT SPECIALIST	35	GRADE GS04
34	(151)	C044C MEDICAL BILLING SPECIALIST	2	GRADE GS04
35	(152)	A097C PAYROLL TECHNICIAN	2	GRADE GS04
36	(153)	C043C RECORDS MANAGEMENT ANALYST	3	GRADE GS04

1	(154)	V021C SURPLUS PROPERTY AGENT	1	GRADE GS04
2	(155)	V025C WAREHOUSE SPECIALIST	1	GRADE GS04
3	(156)	C073C ADMINISTRATIVE SPECIALIST II	8	GRADE GS03
4	(157)	V027C INVENTORY CONTROL TECHNICIAN	2	GRADE GS03
5	(158)	C062C LOCAL OFFICE ADMINISTRATIVE ASST	1	GRADE GS03
6	(159)	S054C PRINTER	1	GRADE GS03
7	(160)	C087C ADMINISTRATIVE SPECIALIST I	<u>1</u>	GRADE GS02
8		MAX. NO. OF EMPLOYEES	669	

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10 SECTION 4. EXTRA HELP - OPERATIONS. There is hereby authorized, for  
 11 the Department of Human Services - Secretary's Office for the 2024-2025  
 12 fiscal year, the following maximum number of part-time or temporary  
 13 employees, to be known as "Extra Help", payable from funds appropriated  
 14 herein for such purposes: *twenty-eight (28)* temporary or part-time  
 15 employees, when needed, at rates of pay not to exceed those provided in the  
 16 Uniform Classification and Compensation Act, or its successor, or this act  
 17 for the appropriate classification.

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19 SECTION 5. APPROPRIATION - OPERATIONS. There is hereby appropriated,  
 20 to the Department of Human Services, to be payable from the paying account as  
 21 determined by the Chief Fiscal Officer of the State, for personal services  
 22 and operating expenses of the Department of Human Services - Secretary's  
 23 Office for the fiscal year ending June 30, 2025, the following:

24

25	ITEM	FISCAL YEAR
26	<u>NO.</u>	<u>2024-2025</u>
27	(01) REGULAR SALARIES	\$37,494,684
28	(02) EXTRA HELP	298,556
29	(03) PERSONAL SERVICES MATCHING	14,067,346
30	(04) OVERTIME	8,383
31	(05) MAINT. & GEN. OPERATION	
32	(A) OPER. EXPENSE	5,571,873
33	(B) CONF. & TRAVEL	59,433
34	(C) PROF. FEES	9,261,800
35	(D) CAP. OUTLAY	400,000
36	(E) DATA PROC.	0

1	(06) DATA PROCESSING SERVICES	<u>2,016,710</u>
2	TOTAL AMOUNT APPROPRIATED	<u><u>\$69,178,785</u></u>

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 4 SECTION 6. APPROPRIATION - VARIOUS BUILDING CONSTRUCTION. There is  
 5 hereby appropriated, to the Department of Human Services, to be payable from  
 6 the Department of Human Services Renovation Fund, for construction,  
 7 renovation, maintenance, equipment, and repairs for various buildings  
 8 operated by the Department of Human Services - Secretary's Office for the  
 9 fiscal year ending June 30, 2025, the following:

10	ITEM	FISCAL YEAR
11		
12	<u>NO.</u>	<u>2024-2025</u>
13	(01) CONSTRUCTION	<u><u>\$15,914,729</u></u>

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 15 SECTION 7. APPROPRIATION - CONSOLIDATED COST. There is hereby  
 16 appropriated, to the Department of Human Services, to be payable from the DHS  
 17 Consolidated Cost Revolving Fund, for operating expenses of the Department of  
 18 Human Services - Secretary's Office - Consolidated Cost for the fiscal year  
 19 ending June 30, 2025, the following:

20	ITEM	FISCAL YEAR
21		
22	<u>NO.</u>	<u>2024-2025</u>
23	(01) MAINT. & GEN. OPERATION	
24	(A) OPER. EXPENSE	\$800,000
25	(B) CONF. & TRAVEL	0
26	(C) PROF. FEES	0
27	(D) CAP. OUTLAY	21,500
28	(E) DATA PROC.	<u>0</u>
29	TOTAL AMOUNT APPROPRIATED	<u><u>\$821,500</u></u>

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 31 SECTION 8. APPROPRIATION - GRANTS PAYING. There is hereby  
 32 appropriated, to the Department of Human Services, to be payable from the  
 33 paying account as determined by the Chief Fiscal Officer of the State, for  
 34 purchase of services of the Department of Human Services - Secretary's Office  
 35 for the fiscal year ending June 30, 2025, the following:

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1	ITEM	FISCAL YEAR
2	<u>NO.</u>	<u>2024-2025</u>
3	(01) PURCHASE OF SERVICES	<u>\$129,084</u>

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SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SECRETARY'S OFFICE/OFFICE OF CHIEF COUNSEL - PURCHASE OF EVIDENCE. Upon approval by the Chief Fiscal Officer of the State, the Chief Counsel for the Department of Human Services may transfer an amount up to but not to exceed \$12,000 and deposit same in a bank account for the purpose of purchasing evidence in the course of investigating the illegal use of food stamps/Electronic Benefit Transfer (EBT) cards. The funds so transferred shall be subject to accounting in a manner substantially similar to that employed by the Arkansas State Police for such transactions; provided however, that information tending to identify participants in such transactions shall be exempt from the Arkansas Freedom of Information Act.

The provisions of this section shall be in effect only from July 1, ~~2023~~ 2024 through June 30, ~~2024~~ 2025.

SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HUMAN SERVICES RENOVATION FUND. Department of Human Services Renovation Fund.

(a) There is established on the books of the Treasurer of State, Auditor of State, and the Chief Fiscal Officer of the State a fund to be known as the Department of Human Services Renovation Fund.

(b) This fund shall be used for constructing, acquiring, renovating, maintaining, repairing, and equipping facilities of the Department of Human Services and for paying disallowances by the federal government.

(c) The fund shall consist of:

- (1) Federal reimbursement received by the Department of Human Services and deposited in the various fund accounts of the department; and
- (2) General revenues transferred from the Division of Youth Services, the Division of Aging, Adult, and Behavioral Health Services, and the Division of Developmental Disabilities Services for the purposes of repairing, renovating, equipping, acquiring and constructing Department of Human Services facilities with an annual maximum of five million dollars

1 (\$5,000,000). The projects for which these transfers are authorized must be  
2 projects which were unanticipated during the preceding regular session of the  
3 Arkansas General Assembly and must be projects which, if not carried out in  
4 the interim period between regular sessions of the Arkansas General Assembly  
5 would cause greater harm to the facilities, clients or programs of the  
6 Department of Human Services than to wait until the next regular session.

7 (3) Other non-general revenue funds as may be available within the Department  
8 of Human Services that can be used for the purposes of this fund.

9 (d)(1) At the request of the Secretary of the Department of Human  
10 Services, and upon certification of the availability of such funds, the Chief  
11 Fiscal Officer of the State shall initiate the necessary transfer documents  
12 to reflect the transfer on the books of record of the Treasurer of State, the  
13 Auditor of State, the Chief Fiscal Officer of the State, and the Department  
14 of Human Services.

15 (2) The Secretary of the Department of Human Services shall submit any  
16 transfer plan to and must receive approval of the plan from the Chief Fiscal  
17 Officer of the State, the Governor and the Arkansas Legislative Council or  
18 Joint Budget Committee prior to the effective date of the transfer.

19 (e) Provided, that any non-general revenue funding that may remain in the  
20 fund at the end of any fiscal year shall be carried over into the next fiscal  
21 year and all obligated general revenue funding that may remain in the fund at  
22 the end of any fiscal year shall be carried over into the next fiscal year to  
23 satisfy such legal and contractual obligations that have been entered into  
24 prior to the end of the fiscal year.

25 (f) Determining the amount of funds appropriated to a state agency is the  
26 prerogative of the General Assembly and is usually accomplished by  
27 delineating specific line items and by identifying the appropriation and  
28 funding attached to that line item. The General Assembly has determined that  
29 the Department of Human Services could be operated more efficiently if some  
30 flexibility is given to that agency. That flexibility is being accomplished  
31 by providing transfer authority in subsection (d) of this section, and since  
32 the General Assembly has granted the agency broad powers under the transfer  
33 authority concept, it is both necessary and appropriate that the General  
34 Assembly maintain oversight of the utilization of the transfer authority by  
35 requiring prior approval of the Legislative Council or Joint Budget Committee  
36 in the utilization of this transfer authority. Therefore, the requirement of

1 approval by the Legislative Council or Joint Budget Committee is not a  
2 severable part of this section. If the requirement of approval by the  
3 Legislative Council or Joint Budget Committee is ruled unconstitutional by a  
4 court of competent jurisdiction, this entire section is void.

5 The provisions of this section shall be in effect only from July 1, ~~2023~~  
6 2024 through June 30, ~~2024~~ 2025.

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

10 TRANSFER AUTHORITY. The Secretary of the Department of Human Services shall  
11 have transfer authority provided by the following:

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

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

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

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

29 The Secretary of the Department of Human Services shall submit any  
30 requests for transfers to and must receive approval of the requests for  
31 transfers from the Chief Fiscal Officer of the State, the Governor, and the  
32 Arkansas Legislative Council or Joint Budget Committee prior to the effective  
33 date of the transfers. Provided, however, that the Department of Human  
34 Services shall be limited to submitting no more than four reallocation of  
35 resources transfer requests during any fiscal year. In each Departmental  
36 request no single division will request reallocation for more than one

1 purpose as listed in this section. Transfer authority for unforeseen purposes  
2 shall further be limited to no more than 5% of the total appropriation,  
3 funding, and positions authorized for the Department. Reallocation of  
4 resources transfers may include multiple items but shall be limited to the  
5 following purposes:

6 i) Medicaid Program;

7 ii) Facilities and institutions costs, including operational expenses and  
8 construction/renovation/equipping expenses;

9 iii) Departmental grants and contracts;

10 iv) Court ordered settlements and payments;

11 v) Payment of administrative expenses, including but not limited to, overtime  
12 and other costs of personnel for critical services or functions necessary to  
13 carry out the mission of the agency;

14 vi) Restructuring efforts as deemed necessary to comply with new and/or  
15 unanticipated federal or state mandates; and/or

16 vii) Redirecting internal resources, both direct and/or indirect, to meet  
17 client needs and services.

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

34 (2) If it is determined that the requested reallocation of resources  
35 transfers should be made, the Chief Fiscal Officer of the State shall then  
36 initiate the necessary transfer documents to reflect the transfers upon the

1 fiscal records of the Treasurer of State, the Auditor of State, the Chief  
2 Fiscal Officer of the State, and the Department of Human Services. In  
3 addition, the Chief Fiscal Officer of the State, together with the Co-  
4 Chairpersons of the Legislative Council or Joint Budget Committee, may  
5 approve, on an emergency basis, requests for utilization of this Section  
6 without prior approval of the Arkansas Legislative Council or Joint Budget  
7 Committee, with any such actions reported at the next meeting of the Arkansas  
8 Legislative Council or Joint Budget Committee.

9 The provisions of this section shall be in effect only from July 1, ~~2023~~  
10 2024 through June 30, ~~2024~~ 2025.

11  
12 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
14 EMPLOYEE SURVEY.

15 (a) The Department of Human Services will develop and implement a plan  
16 for measuring and improving employee engagement among employees of the  
17 State's Human Development Centers for the purpose of:

18 (1) Receiving and acting on employee feedback on areas including  
19 without limitation:

20 (A) Employee engagement;

21 (B) Supervision;

22 (C) Strategy;

23 (D) Workplace community and climate;

24 (E) Information systems;

25 (F) Pay;

26 (G) Benefits;

27 (H) Employee development; and

28 (I) Job satisfaction;

29 (2) Assessing and systematically identifying problematic areas;

30 (3) Identifying areas to be improved;

31 (4) Developing improvement strategies and recommending changes to  
32 problematic areas; and

33 (5) Assessing management and leadership.

34 (b) The Department will develop the plan under this section with the  
35 intent of modeling and implementing employee engagement efforts in other  
36 divisions of the department.

1 (c) The Department may contract with an outside entity to aid in plan  
2 development, implement the plan, or assist with implementation of the plan  
3 under this section.

4 (d) The Department will adopt internal employment policies as necessary  
5 to implement the plan under this section.

6 (e) The Department will submit a written report of the plan under this  
7 section and ongoing implementation efforts to Legislative Council no later  
8 than December 1, 2022. The report will identify without limitation the data  
9 received, the issues identified, and the lessons learned to date.

10  
11 *SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE*  
12 *ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL, AND TEMPORARY LAW.*  
13 *Arkansas State Hospital – Insurance reimbursements and unspent set-aside*  
14 *funds for repairs recoupment.*

15 *(a) An insurance reimbursement received by the Department of Human*  
16 *Services to reimburse funds that were transferred from the EBD or Contingency*  
17 *Set-Aside in the Restricted Reserve Fund for critical storm damage repair for*  
18 *the Arkansas State Hospital shall be transferred, as the insurance*  
19 *reimbursement is received, on the books of the Chief Fiscal Officer of the*  
20 *State, the Treasurer of State, and the Auditor of State from the appropriate*  
21 *fund or fund account into which the department deposited the insurance*  
22 *reimbursement payment to:*

23 *(1) The EBD or Contingency Set-Aside in the Restricted Reserve*  
24 *Fund if the EBD or Contingency Set-Aside in the Restricted Reserve Fund is*  
25 *currently active with a balance greater than zero dollars (\$0.00); or*

26 *(2) The General Revenue Allotment Reserve Fund if the EBD or*  
27 *Contingency Set-Aside in the Restricted Reserve Fund is no longer active.*

28 *(b) Any funds received by the department for critical storm damage*  
29 *repair for the Arkansas State Hospital from the EBD or Contingency Set-Aside*  
30 *in the Restricted Reserve Fund that remain upon completion of the storm*  
31 *damage repair project shall be transferred as provided for insurance*  
32 *reimbursements under subsection (a) of this section.*

33 *(c) The Secretary of the Department of Human Services shall notify the*  
34 *Chief Fiscal Officer of the State and the Performance Evaluation and*  
35 *Expenditure Review Subcommittee of the Legislative Council or, if the General*  
36 *Assembly is in session, the PEER/Review Subcommittee of the Joint Budget*

1 Committee, of the following to allow for the transfers provided for in  
2 subsections (a) and (b) of this section:

3 (1) The receipt of an insurance reimbursement by the department  
4 for critical storm damage repair for the Arkansas State Hospital; and

5 (2) Upon completion of the storm damage repair project, the  
6 amount of any remaining funds described in subsection (b) of this section.

7 (d) The department shall report quarterly to the Legislative Council  
8 or, if the General Assembly is in session, the Joint Budget Committee:

9 (1) The status of the storm damage repair project;

10 (2) The projected completion time lines for the storm damage  
11 repair project;

12 (3) The total amount of the insurance reimbursements received by  
13 the department to date for the storm damage repair project; and

14 (4) Any remaining balance of the original five million dollars  
15 (\$5,000,000) transferred to the department from the EBD or Contingency Set-  
16 Aside in the Restricted Reserve Fund.

17 (e) This section is effective on July 1, 2024, and until the final  
18 transfer of funds has been made as provided in this section.

19  
20 SECTION 14. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
21 authorized by this act shall be limited to the appropriation for such agency  
22 and funds made available by law for the support of such appropriations; and  
23 the 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 15. LEGISLATIVE INTENT. It is the intent of the General  
31 Assembly that any funds disbursed under the authority of the appropriations  
32 contained in this act shall be in compliance with the stated reasons for  
33 which this act was adopted, as evidenced by the Agency Requests, Executive  
34 Recommendations and Legislative Recommendations contained in the budget  
35 manuals prepared by the Department of Finance and Administration, letters, or  
36 summarized oral testimony in the official minutes of the Arkansas Legislative



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

2  
3 SECTION 16. EMERGENCY CLAUSE. It is found and determined by the  
4 General Assembly, that the Constitution of the State of Arkansas prohibits  
5 the appropriation of funds for more than a one (1) year period; that the  
6 effectiveness of this Act on July 1, 2024 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 legislative session, the delay in the  
9 effective date of this Act beyond July 1, 2024 could work irreparable harm  
10 upon the proper administration and provision of essential governmental  
11 programs. Therefore, an emergency is hereby declared to exist and this Act  
12 being necessary for the immediate preservation of the public peace, health  
13 and safety shall be in full force and effect from and after July 1, 2024.

14  
15 */s/Joint Budget Committee*  
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