

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4

As Engrossed: H2/25/15

A Bill

HOUSE BILL 1174

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE DEPARTMENT OF HEALTH
10 FOR THE FISCAL YEAR ENDING JUNE 30, 2016; AND FOR
11 OTHER PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE DEPARTMENT OF HEALTH
15 APPROPRIATION FOR THE 2015-2016 FISCAL
16 YEAR.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established
23 for the Department of Health - Operations for the 2015-2016 fiscal year, the
24 following maximum number of regular employees.
25

26				Maximum Annual
27				Salary Rate
28	Item	Class	Maximum	Fiscal Year
29	No.	Code	No. of	2015-2016
	Title		Employees	
30	(1)	U026U	ADH DIRECTOR	1 \$219,988
31	(2)	U119U	DEP DIRECTOR-PUBLIC HEALTH PROGRAMS	1 \$202,528
32	(3)	L003N	CHIEF PHYSICIAN SPECIALIST	1 GRADE N921
33	(4)	L002N	DEPUTY STATE HEALTH OFFICER	1 GRADE N921
34	(5)	L025N	SENIOR PHYSICIAN SPECIALIST	5 GRADE N920
35	(6)	L008N	PHYSICIAN SPECIALIST	3 GRADE N917
36	(7)	B017N	ADH CHIEF SCIENTIST	1 GRADE N916



1	(8)	L011N	DENTIST	1	GRADE N916
2	(9)	L014N	DIRECTOR OF PHARMACY	1	GRADE N914
3	(10)	N007N	ADH DEPUTY DIRECTOR ADMIN	1	GRADE N912
4	(11)	B001N	ADH SENIOR SCIENTIST	3	GRADE N912
5	(12)	L016N	REGISTERED PHARMACIST	6	GRADE N911
6	(13)	N017N	ADH CHIEF INFORMATION OFFICER	1	GRADE N910
7	(14)	N064N	ADH CENTER DIR-LOCAL PUBLIC HEALTH	2	GRADE N908
8	(15)	N065N	ADH CENTER DIR-HEALTH PROTECTION	1	GRADE N908
9	(16)	N063N	ADH EPIDEMIOLOGY OFFICER	2	GRADE N908
10	(17)	B005N	VETERINARIAN	1	GRADE N907
11	(18)	N097N	ADH CHIEF FINANCIAL OFFICER	1	GRADE N906
12	(19)	G009N	ADH CHIEF LEGAL COUNSEL	1	GRADE N906
13	(20)	R001N	ADH CHIEF HUMAN RESOURCES OFFICER	1	GRADE N905
14	(21)	N104N	ADH DIRECTOR STATS & VITAL RECORDS	1	GRADE N905
15	(22)	B011N	ADH DIR ENGINEERING	1	GRADE N904
16	(23)	N118N	ADH DIR IN-HOME SERVICES	1	GRADE N904
17	(24)	L018N	NURSE PRACTITIONER	40	GRADE N904
18	(25)	L019N	ADH CHIEF EPIDEMIOLOGIST	2	GRADE N903
19	(26)	P002N	ADH DIRECTOR OF COMMUNICATIONS	1	GRADE N903
20	(27)	N148N	ADH GOVERNMENTAL AFFAIRS POLICY DIR	1	GRADE N902
21	(28)	N139N	MINORITY HLTH & HLTH DISPARITIES DIR	1	GRADE N902
22	(29)	G004C	MANAGING ATTORNEY	1	GRADE C129
23	(30)	A010C	AGENCY CONTROLLER II	1	GRADE C128
24	(31)	D007C	INFORMATION SYSTEMS MANAGER	1	GRADE C128
25	(32)	L002C	NURSING DIRECTOR	2	GRADE C128
26	(33)	G026C	ADH ASSOC CENTER DIR-MGMT & OPS	4	GRADE C127
27	(34)	B011C	ADH CHIEF ENGINEER	2	GRADE C127
28	(35)	G024C	DEPARTMENT ADMINISTRATIVE LAW JUDGE	2	GRADE C127
29	(36)	A014C	FISCAL DIVISION MANAGER	1	GRADE C127
30	(37)	L095C	ADH HOSPITAL & REGULATORY MANAGER	1	GRADE C126
31	(38)	G049C	ADH REGIONAL DIRECTOR	5	GRADE C126
32	(39)	G047C	ATTORNEY SPECIALIST	2	GRADE C126
33	(40)	B015C	ENGINEER SUPERVISOR	8	GRADE C126
34	(41)	D016C	SENIOR TECHNOLOGY ANALYST	1	GRADE C126
35	(42)	L013C	ADH BRANCH MANAGER	6	GRADE C125
36	(43)	X013C	ENVIRONMENTAL HEALTH MANAGER	2	GRADE C125

1	(44)	L009C	NURSE MANAGER	3	GRADE C125
2	(45)	L017C	ADH AREA NURSING DIRECTOR	11	GRADE C124
3	(46)	L016C	ADH PUBLIC HEALTH ADMINISTRATOR	12	GRADE C124
4	(47)	D035C	COMPUTER SUPPORT MANAGER	1	GRADE C124
5	(48)	B023C	ENGINEER, P.E.	12	GRADE C124
6	(49)	L014C	HIPAA PROGRAM CONSULTANT	1	GRADE C124
7	(50)	D030C	INFORMATION SYSTEMS COORDINATOR	6	GRADE C124
8	(51)	L026C	ADH NURSING PROGRAM COORD	21	GRADE C123
9	(52)	L025C	ADH PUBLIC HEALTH SECTION CHIEF III	13	GRADE C123
10	(53)	M006C	ADH SOC SVC PROGRAM DIRECTOR	1	GRADE C123
11	(54)	R013C	AGENCY HUMAN RESOURCES MANAGER	2	GRADE C123
12	(55)	L099C	EPIDEMIOLOGY SUPERVISOR	2	GRADE C123
13	(56)	D040C	GIS ANALYST	1	GRADE C123
14	(57)	L023C	HEALTH FACILITIES SUPERVISOR	2	GRADE C123
15	(58)	G238C	LOCAL HEALTH UNIT ADMINISTRATOR III	4	GRADE C123
16	(59)	D039C	NETWORK SUPPORT SPECIALIST	6	GRADE C123
17	(60)	L022C	NURSING CLINIC COORDINATOR	61	GRADE C123
18	(61)	P004C	PUBLIC INFORMATION MANAGER	1	GRADE C123
19	(62)	L019C	REGISTERED NURSE COORDINATOR	7	GRADE C123
20	(63)	L030C	ADH DISTRICT MANAGER	12	GRADE C122
21	(64)	L029C	ADH PUBLIC HEALTH SECTION CHIEF II	5	GRADE C122
22	(65)	L028C	EPIDEMIOLOGIST	20	GRADE C122
23	(66)	B035C	GEOLOGY SUPERVISOR	1	GRADE C122
24	(67)	D047C	INFORMATION SYSTEMS BUSINESS ANALYST	1	GRADE C122
25	(68)	A052C	ACCOUNTING COORDINATOR	9	GRADE C121
26	(69)	X044C	ADH DIR PLUMBING INSPECTIONS	1	GRADE C121
27	(70)	X043C	ADH ENVIRONMENTAL SUPV	10	GRADE C121
28	(71)	B047C	ADH LABORATORY MANAGER	14	GRADE C121
29	(72)	L091C	ADH PUBLIC HEALTH SECTION CHIEF I	12	GRADE C121
30	(73)	A050C	AGENCY FISCAL MANAGER	1	GRADE C121
31	(74)	D054C	COMPUTER SUPPORT COORDINATOR	1	GRADE C121
32	(75)	X039C	DIRECTOR OF COSMETOLOGY BOARD	1	GRADE C121
33	(76)	B042C	ENGINEER	5	GRADE C121
34	(77)	G109C	GRANTS MANAGER	1	GRADE C121
35	(78)	B044C	HEALTH PHYSICIST SUPERVISOR	2	GRADE C121
36	(79)	M009C	LICENSED CERTIFIED SOCIAL WORKER	6	GRADE C121

1	(80)	G116C	LOCAL HEALTH UNIT ADMINISTRATOR II	21	GRADE C121
2	(81)	L035C	NUTRITIONIST CONSULTANT	12	GRADE C121
3	(82)	L034C	NUTRITIONIST SUPERVISOR	7	GRADE C121
4	(83)	R014C	PERSONNEL MANAGER	1	GRADE C121
5	(84)	V004C	PROCUREMENT MANAGER	2	GRADE C121
6	(85)	X038C	QUALITY ASSURANCE MANAGER	5	GRADE C121
7	(86)	D052C	SOFTWARE SUPPORT ANALYST	29	GRADE C121
8	(87)	R019C	BUDGET MANAGER	6	GRADE C120
9	(88)	D058C	COMPUTER OPERATIONS COORDINATOR	3	GRADE C120
10	(89)	B051C	GEOLOGIST	2	GRADE C120
11	(90)	G143C	LOCAL HEALTH UNIT ADMINISTRATOR I	54	GRADE C120
12	(91)	L039C	NUTRITIONIST	33	GRADE C120
13	(92)	P013C	PUBLIC INFORMATION COORDINATOR	1	GRADE C120
14	(93)	L038C	REGISTERED NURSE	619	GRADE C120
15	(94)	D056C	SYSTEMS COORDINATION ANALYST	1	GRADE C120
16	(95)	R021C	BUDGET ANALYST	21	GRADE C119
17	(96)	D063C	COMPUTER SUPPORT SPECIALIST	5	GRADE C119
18	(97)	S007C	DIRECTOR HVACR SECTION	1	GRADE C119
19	(98)	G147C	GRANTS COORDINATOR	10	GRADE C119
20	(99)	X067C	HEALTH FACILITIES SURVEYOR	6	GRADE C119
21	(100)	B063C	HEALTH PHYSICIST	14	GRADE C119
22	(101)	L043C	HEALTH PROGRAM SPECIALIST III	37	GRADE C119
23	(102)	D061C	INFORMATION SYSTEMS COORD SPECIALIST	1	GRADE C119
24	(103)	A065C	PAYROLL SERVICES COORDINATOR	1	GRADE C119
25	(104)	X062C	QUALITY ASSURANCE COORDINATOR	5	GRADE C119
26	(105)	A063C	RESEARCH & STATISTICS SUPERVISOR	1	GRADE C119
27	(106)	A060C	SENIOR AUDITOR	2	GRADE C119
28	(107)	B126C	SENIOR CHEMIST	15	GRADE C119
29	(108)	X060C	SENIOR ENVIRON HEALTH SPECIALIST	18	GRADE C119
30	(109)	B127C	SENIOR MICROBIOLOGIST	20	GRADE C119
31	(110)	R024C	ASSISTANT PERSONNEL MANAGER	1	GRADE C118
32	(111)	L049C	DISEASE INTERVENTION SPEC SUPV	6	GRADE C118
33	(112)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE C118
34	(113)	A074C	FISCAL SUPPORT SUPERVISOR	15	GRADE C118
35	(114)	L048C	HEALTH PROGRAM SPECIALIST II	29	GRADE C118
36	(115)	M026C	LICENSED SOCIAL WORKER	10	GRADE C118

1	(116)	D065C	NETWORK SUPPORT ANALYST	1	GRADE C118
2	(117)	X081C	PLUMBING/HVACR INSPECTOR SUPERVISOR	2	GRADE C118
3	(118)	A072C	RESEARCH & STATISTICS MANAGER	1	GRADE C118
4	(119)	D064C	WEBSITE DEVELOPER	1	GRADE C118
5	(120)	A082C	ACCOUNTANT II	3	GRADE C117
6	(121)	C094C	ATHLETIC COMMISSION PROGRAM MANAGER	1	GRADE C117
7	(122)	A081C	AUDITOR	1	GRADE C117
8	(123)	R027C	BUDGET SPECIALIST	14	GRADE C117
9	(124)	E065C	CANCER INFORMATION MGMT SPECIALIST	8	GRADE C117
10	(125)	V013C	CENTRAL WAREHOUSE OPERATIONS MGR	3	GRADE C117
11	(126)	E064C	CERTIFIED PUBLIC HEALTH EDUCATOR	10	GRADE C117
12	(127)	B081C	CHEMIST	15	GRADE C117
13	(128)	D071C	COMPUTER SUPPORT ANALYST	15	GRADE C117
14	(129)	L054C	EMERGENCY MEDICAL SERVICES SUPV	3	GRADE C117
15	(130)	X102C	ENVIRONMENTAL HEALTH SPECIALIST	124	GRADE C117
16	(131)	G180C	GRANTS ANALYST	11	GRADE C117
17	(132)	C017C	HEALTH ADMINISTRATIVE COORDINATOR	5	GRADE C117
18	(133)	B079C	HEALTH FACILITY LABORATORY SURVEYOR	3	GRADE C117
19	(134)	L053C	HEALTH PROGRAM SPECIALIST I	44	GRADE C117
20	(135)	R025C	HUMAN RESOURCES ANALYST	10	GRADE C117
21	(136)	S018C	HVACR MECHANICAL INSPECTOR	11	GRADE C117
22	(137)	G179C	LEGAL SERVICES SPECIALIST	1	GRADE C117
23	(138)	B077C	MICROBIOLOGIST	24	GRADE C117
24	(139)	X096C	PLUMBING INSPECTOR	11	GRADE C117
25	(140)	P020C	PRODUCTION ARTIST	1	GRADE C117
26	(141)	M038C	PROGRAM ELIGIBILITY ANALYST	1	GRADE C117
27	(142)	E042C	PUBLIC HEALTH EDUCATOR SUPERVISOR	4	GRADE C117
28	(143)	B076C	RESEARCH PROJECT ANALYST	9	GRADE C117
29	(144)	E040C	STAFF DEVELOPMENT COORDINATOR	3	GRADE C117
30	(145)	G176C	VOLUNTEER PROGRAM MANAGER	1	GRADE C117
31	(146)	C022C	BUSINESS OPERATIONS SPECIALIST	4	GRADE C116
32	(147)	D076C	COMMUNICATIONS SYSTEMS SUPERVISOR	1	GRADE C116
33	(148)	L058C	DISEASE INTERVENTION SPECIALIST	17	GRADE C116
34	(149)	E048C	EDUCATION & INSTRUCTION SPECIALIST	1	GRADE C116
35	(150)	B090C	ENGINEER TECHNICIAN	6	GRADE C116
36	(151)	R029C	HUMAN RESOURCES RECRUITER	1	GRADE C116

1	(152)	P031C	MEDIA SPECIALIST	1	GRADE C116
2	(153)	A084C	PROGRAM/FIELD AUDIT SPECIALIST	1	GRADE C116
3	(154)	E047C	PUBLIC HEALTH EDUCATOR	10	GRADE C116
4	(155)	P027C	PUBLIC INFORMATION SPECIALIST	14	GRADE C116
5	(156)	S022C	SKILLED TRADES SUPERVISOR	1	GRADE C116
6	(157)	E046C	TRAINING INSTRUCTOR	1	GRADE C116
7	(158)	C037C	ADMINISTRATIVE ANALYST	36	GRADE C115
8	(159)	D079C	COMPUTER SUPPORT TECHNICIAN	3	GRADE C115
9	(160)	L063C	FAMILY CONSUMER SCIENCE SPECIALIST	33	GRADE C115
10	(161)	A091C	FISCAL SUPPORT ANALYST	17	GRADE C115
11	(162)	C030C	HEALTH RECORDS SPECIALIST	7	GRADE C115
12	(163)	R032C	HUMAN RESOURCES PROG. REPRESENTATIVE	7	GRADE C115
13	(164)	S033C	MAINTENANCE SUPERVISOR	1	GRADE C115
14	(165)	A090C	PAYROLL SERVICES SPECIALIST	4	GRADE C115
15	(166)	V015C	PURCHASING SPECIALIST	9	GRADE C115
16	(167)	S031C	SKILLED TRADESMAN	3	GRADE C115
17	(168)	M054C	SOCIAL SERVICE WORKER	1	GRADE C115
18	(169)	G202C	VOLUNTEER PROGRAM COORDINATOR	2	GRADE C115
19	(170)	S041C	BOILER OPERATOR	6	GRADE C114
20	(171)	S040C	CALIBRATION TECHNICIAN	3	GRADE C114
21	(172)	D086C	CALL CENTER ANALYST	5	GRADE C114
22	(173)	L065C	EMERGENCY MED. SVCS SPECIALIST	6	GRADE C114
23	(174)	R036C	HUMAN RESOURCES SPECIALIST	3	GRADE C113
24	(175)	V020C	INVENTORY CONTROL MANAGER	6	GRADE C113
25	(176)	L069C	LICENSED PRACTICAL NURSE	192	GRADE C113
26	(177)	S046C	MAINTENANCE TECHNICIAN	3	GRADE C113
27	(178)	C044C	MEDICAL BILLING SPECIALIST	8	GRADE C113
28	(179)	C043C	RECORDS MANAGEMENT ANALYST	2	GRADE C113
29	(180)	C056C	ADMINISTRATIVE SPECIALIST III	131	GRADE C112
30	(181)	R037C	BENEFITS TECHNICIAN	3	GRADE C112
31	(182)	X174C	COSMETOLOGY INSPECTOR	5	GRADE C112
32	(183)	D088C	EMERGENCY COMMUNICATION SPECIALIST	7	GRADE C112
33	(184)	A098C	FISCAL SUPPORT SPECIALIST	16	GRADE C112
34	(185)	L073C	LACTATION CONSULTANT	7	GRADE C111
35	(186)	M078C	VOLUNTEER SERVICES COORDINATOR	6	GRADE C111
36	(187)	L077C	HEALTH SERVICES SPECIALIST II	527	GRADE C110

1	(188)	B111C	LABORATORY TECHNICIAN	20	GRADE C110
2	(189)	A100C	PAYROLL OFFICER	4	GRADE C110
3	(190)	V025C	WAREHOUSE SPECIALIST	3	GRADE C110
4	(191)	C073C	ADMINISTRATIVE SPECIALIST II	76	GRADE C109
5	(192)	C070C	DUPLICATION ASSISTANT	3	GRADE C109
6	(193)	C066C	PATIENT ACCOUNT SPECIALIST	15	GRADE C109
7	(194)	A102C	FISCAL SUPPORT TECHNICIAN	1	GRADE C108
8	(195)	L083C	HEALTH SERVICES SPECIALIST I	43	GRADE C108
9	(196)	S065C	MAINTENANCE ASSISTANT	2	GRADE C108
10	(197)	C087C	ADMINISTRATIVE SPECIALIST I	24	GRADE C106
11	(198)	V028C	WAREHOUSE WORKER	8	GRADE C106
12	(199)	L088C	NURSING AIDE/NURSING ASST I	33	GRADE C105
13	(200)	V030C	SHIPPING & RECEIVING CLERK	<u>1</u>	GRADE C105
14			MAX. NO. OF EMPLOYEES	3,097	

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16 SECTION 2. REGULAR SALARIES - TRAUMA SYSTEM. There is hereby
 17 established for the Department of Health - Trauma System for the 2015-2016
 18 fiscal year, the following maximum number of regular employees.

19

20				Maximum Annual	
21				Salary Rate	
22	Item	Class	Maximum	Fiscal Year	
23	No.	Code	No. of	2015-2016	
	No.	Code	Employees		
24	(1)	L003N	CHIEF PHYSICIAN SPECIALIST	1	GRADE N921
25	(2)	L013C	ADH BRANCH MANAGER	1	GRADE C125
26	(3)	D030C	INFORMATION SYSTEMS COORDINATOR	1	GRADE C124
27	(4)	L025C	ADH PUBLIC HEALTH SECTION CHIEF III	2	GRADE C123
28	(5)	L028C	EPIDEMIOLOGIST	1	GRADE C122
29	(6)	L038C	REGISTERED NURSE	3	GRADE C120
30	(7)	R021C	BUDGET ANALYST	1	GRADE C119
31	(8)	G147C	GRANTS COORDINATOR	1	GRADE C119
32	(9)	L048C	HEALTH PROGRAM SPECIALIST II	1	GRADE C118
33	(10)	E064C	CERTIFIED PUBLIC HEALTH EDUCATOR	1	GRADE C117
34	(11)	G180C	GRANTS ANALYST	2	GRADE C117
35	(12)	C056C	ADMINISTRATIVE SPECIALIST III	1	GRADE C112
36	(13)	C073C	ADMINISTRATIVE SPECIALIST II	<u>2</u>	GRADE C109

1 MAX. NO. OF EMPLOYEES 18

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3 SECTION 3. EXTRA HELP - OPERATIONS. There is hereby authorized, for
 4 the Department of Health - Operations for the 2015-2016 fiscal year, the
 5 following maximum number of part-time or temporary employees, to be known as
 6 "Extra Help", payable from funds appropriated herein for such purposes: two
 7 hundred thirty-one (231) temporary or part-time employees, when needed, at
 8 rates of pay not to exceed those provided in the Uniform Classification and
 9 Compensation Act, or its successor, or this act for the appropriate
 10 classification.

11

12 SECTION 4. EXTRA HELP - TRAUMA SYSTEM. There is hereby authorized, for
 13 the Department of Health - Trauma System for the 2015-2016 fiscal year, the
 14 following maximum number of part-time or temporary employees, to be known as
 15 "Extra Help", payable from funds appropriated herein for such purposes: two
 16 (2) temporary or part-time employees, when needed, at rates of pay not to
 17 exceed those provided in the Uniform Classification and Compensation Act, or
 18 its successor, or this act for the appropriate classification.

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20 SECTION 5. APPROPRIATION - OPERATIONS. There is hereby appropriated,
 21 to the Department of Health, to be payable from the paying account as
 22 determined by the Chief Fiscal Officer of the State, for personal services,
 23 operating expenses, grants and aid, refunds and reimbursements, and expenses
 24 of the Breast Care Program of the Department of Health - Operations for the
 25 fiscal year ending June 30, 2016, the following:

26

27 ITEM	FISCAL YEAR
28 <u>NO.</u>	<u>2015-2016</u>
29 (01) REGULAR SALARIES	\$125,401,503
30 (02) EXTRA HELP	1,586,737
31 (03) PERSONAL SERVICES MATCHING	44,479,090
32 (04) OVERTIME	120,559
33 (05) MAINT. & GEN. OPERATION	
34 (A) OPER. EXPENSE	71,971,436
35 (B) CONF. & TRAVEL	1,243,565
36 (C) PROF. FEES	39,456,027

1	(D) CAP. OUTLAY	1,750,000
2	(E) DATA PROC.	0
3	(06) ADH GRANTS & AID	23,083,198
4	(07) REFUNDS/REIMBURSEMENTS	11,613
5	(08) BREAST CARE PROGRAM	<u>10,998,984</u>
6	TOTAL AMOUNT APPROPRIATED	<u><u>\$320,102,712</u></u>

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8 SECTION 6. APPROPRIATION - TRAUMA SYSTEM. There is hereby
 9 appropriated, to the Department of Health, to be payable from the Public
 10 Health Fund, for personal services and operating expenses of the Department
 11 of Health - Trauma System for the fiscal year ending June 30, 2016, the
 12 following:

13

14	ITEM	FISCAL YEAR
15	<u>NO.</u>	<u>2015-2016</u>
16	(01) REGULAR SALARIES	\$970,796
17	(02) EXTRA HELP	75,000
18	(03) PERSONAL SERVICES MATCHING	318,119
19	(04) MAINT. & GEN. OPERATION	
20	(A) OPER. EXPENSE	355,545
21	(B) CONF. & TRAVEL	50,000
22	(C) PROF. FEES	0
23	(D) CAP. OUTLAY	0
24	(E) DATA PROC.	0
25	(05) TRAUMA SYSTEM EXPENSES	<u>26,823,032</u>
26	TOTAL AMOUNT APPROPRIATED	<u><u>\$28,592,492</u></u>

27

28 SECTION 7. APPROPRIATION - HEALTH BUILDING AND LOCAL HEALTH GRANT
 29 TRUST. There is hereby appropriated, to the Department of Health, to be
 30 payable from the State Health Building and Local Grant Trust Fund, for
 31 acquisition, construction, and improvement of the State Health Building and
 32 grants to local health units for construction, expansion and renovation by
 33 the Department of Health - Health Building and Local Health Grant Trust for
 34 the fiscal year ending June 30, 2016, the following:

35

36	ITEM	FISCAL YEAR
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1	<u>NO.</u>	<u>2015-2016</u>
2	(01) HEALTH BUILDING ACQUISITION,	
3	CONSTRUCTION & RENOVATION &	
4	GRANTS TO LOCAL HEALTH UNITS	<u>\$1,950,000</u>

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6 SECTION 8. APPROPRIATION - NUCLEAR PLANNING GRANTS. There is hereby

7 appropriated, to the Department of Health, to be payable from the Arkansas

8 Nuclear Planning and Response Fund, for grants and aid for Nuclear Planning

9 by the Department of Health - Nuclear Planning Grants for the fiscal year

10 ending June 30, 2016, the following:

11		
12	ITEM	FISCAL YEAR
13	<u>NO.</u>	<u>2015-2016</u>
14	(01) GRANTS FOR NUCLEAR PLANNING	<u>\$375,000</u>

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16 SECTION 9. APPROPRIATION - RURAL HEALTH FACILITIES. There is hereby

17 appropriated, to the Department of Health, to be payable from the Rural

18 Health Services Revolving Fund, for grants and aid for Rural Health

19 Facilities by the Department of Health - Rural Health Facilities for the

20 fiscal year ending June 30, 2016, the following:

21		
22	ITEM	FISCAL YEAR
23	<u>NO.</u>	<u>2015-2016</u>
24	(01) RURAL HEALTH FACILITIES GRANTS AND AID	<u>\$65,500</u>

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26 SECTION 10. APPROPRIATION - EMERGENCY MEDICAL SERVICES. There is

27 hereby appropriated, to the Department of Health, to be payable from the

28 Emergency Medical Services Revolving Fund, for Emergency Medical Services

29 operating expenses and grants to licensed Emergency Medical Services,

30 administrative costs of administering the grant program, staff training,

31 education, equipment and supplies, upgrading and instituting educational EMS

32 training programs, special projects, instituting and maintaining a Trauma

33 System and Registry, inspection and licensure of ambulance services,

34 registering EMS vehicles and for other purposes as provided by law by the

35 Department of Health - Emergency Medical Services for the fiscal year ending

36 June 30, 2016, the following:

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ITEM	FISCAL YEAR
<u>NO.</u>	<u>2015-2016</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$60,000
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(02) EMERG MEDICAL SRVS/TRAUMA SYS EXP	<u>9,728</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$69,728</u></u>

SECTION 11. APPROPRIATION - WIC FOOD INSTRUMENTS - CASH. There is hereby appropriated, to the Department of Health, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Department of Health, for Women, Infant, and Children's Food Instruments of the Department of Health - WIC Food Instruments - Cash for the fiscal year ending June 30, 2016, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2015-2016</u>
(01) WIC FOOD INSTRUMENTS	<u><u>\$75,813,059</u></u>

SECTION 12. APPROPRIATION - INTERPRETERS FOR DEAF AND HEARING IMPAIRED. There is hereby appropriated, to the Department of Health, to be payable from the Interpreters between Hearing Individuals and Individuals who are Deaf, Deafblind, Hard of Hearing, or Oral Deaf Fund of the Department of Health, for expenses of the Advisory Board for Interpreters between Hearing Individuals and Individuals who are Deaf, Deafblind, Hard of Hearing, or Oral Deaf for the fiscal year ending June 30, 2016, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2015-2016</u>
(01) ADVISORY BOARD EXPENSES	<u><u>\$25,000</u></u>

SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
2 OF FUNDS – HOME HEALTH. The Disbursing Officer for the Arkansas Department of
3 Health is hereby authorized to transfer all unexpended funds relative to the
4 Home Health Services that pertain to reimbursement, as certified by the Chief
5 Fiscal Officer of the State, to be carried forward and made available for
6 expenditures for the same purpose for the fiscal year ending June 30, ~~2015~~
7 2016. It is the intent of the General Assembly that with approval of the
8 Arkansas Legislative Council or Joint Budget Committee that the Arkansas
9 Department of Health shall have the authority to transfer funds from the fund
10 balance of the Home Health appropriation.

11 Any carry forward of unexpended balance of funding as authorized herein, may
12 be carried forward under the following conditions:

13 (1) Prior to June 30, ~~2015~~ 2016 the Agency shall by written statement set
14 forth its reason(s) for the need to carry forward said funding to the
15 Department of Finance and Administration Office of Budget;

16 (2) The Department of Finance and Administration Office of Budget shall
17 report to the Arkansas Legislative Council all amounts carried forward by the
18 September Arkansas Legislative Council or Joint Budget Committee meeting
19 which report shall include the name of the Agency, Board, Commission or
20 Institution and the amount of the funding carried forward, the program name
21 or line item, the funding source and a copy of the written request set forth
22 in (1) above;

23 (3) Each Agency, Board, Commission or Institution shall provide a written
24 report to the Arkansas Legislative Council or Joint Budget Committee
25 containing all information set forth in item (2) above, along with a written
26 statement as to the current status of the project, contract, purpose etc. for
27 which the carry forward was originally requested no later than thirty (30)
28 days prior to the time the Agency, Board, Commission or Institution presents
29 its budget request to the Arkansas Legislative Council/Joint Budget
30 Committee; and

31 (4) Thereupon, the Department of Finance and Administration shall include all
32 information obtained in item (3) above in the budget manuals and/or a
33 statement of non-compliance by the Agency, Board, Commission or Institution.
34 Determining the maximum amount of appropriation and general revenue funding
35 for a state agency each fiscal year is the prerogative of the General
36 Assembly. This is usually accomplished by delineating such maximums in the

1 appropriation act(s) for a state agency and the general revenue allocations
2 authorized for each fund and fund account by amendment to the Revenue
3 Stabilization law. Further, the General Assembly has determined that the
4 Arkansas Department of Health may operate more efficiently if some
5 flexibility is provided to the Arkansas Department of Health authorizing
6 broad powers under this Section. Therefore, it is both necessary and
7 appropriate that the General Assembly maintain oversight by requiring prior
8 approval of the Legislative Council or Joint Budget Committee as provided by
9 this section. The requirement of approval by the Legislative Council or Joint
10 Budget Committee is not a severable part of this section. If the requirement
11 of approval by the Legislative Council or Joint Budget Committee is ruled
12 unconstitutional by a court of competent jurisdiction, this entire section is
13 void.

14 The provisions of this section shall be in effect only from July 1,
15 2015 through June 30, 2016.

16
17 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HOME
19 HEALTH POSITION POOL. As need for services increase and additional services
20 are implemented to better provide for the in-home health care needs of the
21 citizens of the State of Arkansas, the Director of the Arkansas Department of
22 Health may request the Department of Finance and Administration to approve
23 the establishment of additional positions at salary rates not to exceed the
24 maximum salaries established for comparable positions in the Uniform
25 Classification and Compensation Act. Upon approval of the Legislative
26 Council, the Arkansas Department of Health - Section of In-Home Services may
27 establish such positions.

28 (a) The following maximum number of such additional positions are
29 hereby established for the Section of In-Home Services:

30 Maximum number of positions: 250

31 (b) In the event that new classifications are deemed necessary for any
32 of these additional positions, the Department of Finance and Administration -
33 Office of Personnel Management shall assign the appropriate title and grade
34 after review by the Arkansas Legislative Council.

35 (c) If the agency requests continuation of a "Growth Pool" position(s)
36 as established herein, the position(s) must be requested as a new position(s)

1 in the agency's budget request.

2 The provisions of this section shall be in effect only from July 1, ~~2014~~
3 2015 through June 30, ~~2015~~ 2016.

4
5 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HOME
7 HEALTH ON-CALL AND VISIT PAY. The Arkansas Department of Health is hereby
8 authorized to compensate the following personnel responsible for providing
9 in-home health care as necessary to maintain continuity of care outside
10 routine working hours on weekdays and on weekends or holidays:

11 Area Nursing Director

12 Nursing Program Coordinator

13 Registered Nurse

14 Speech Pathologist

15 Physical Therapist

16 Licensed Social Worker

17 Occupational Therapist

18 Nurse Manager

19 Licensed Practical Nurse

20 Nursing Aide

21 Licensed Certified Social Worker

22 Visit pay shall not exceed \$75 per visit. Employees requested to be on-call
23 and/or on standby for visiting on nights, weekends, and/or holidays will be
24 eligible to receive on-call pay not to exceed \$60 per day. Provided however,
25 no compensation shall be paid to any employee required to be on-call and/or
26 standby who fails to respond after the second notification that their
27 services are needed. In the event of equipment or paging device malfunction,
28 such penalty shall not apply. All compensated services shall be provided as
29 directed by the Arkansas Department of Health. All visit and on-call pay
30 shall be paid from funds as appropriated in this Act. Such compensation for
31 visit and on-call pay, when added to the employee's regular salary and
32 benefits, shall not be construed as exceeding the maximum annual salary as
33 described in the General Accounting and Budgetary Procedures Act.

34 The provisions of this section shall be in effect only from July 1, ~~2014~~
35 2015 through June 30, ~~2015~~ 2016.

36

1 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NUCLEAR
3 DISASTER PLANNING GRANTS. The funds appropriated for Grants for Nuclear
4 Planning shall be disbursed to those counties in this State which are
5 required by state or federal regulation to maintain a Radiological Response
6 Plan because of their close proximity to a nuclear electricity generating
7 facility, and shall be issued solely for the purpose of defraying the cost of
8 preparing for and participating in actual nuclear disaster incidents or
9 practice nuclear disaster exercises. Each county shall be eligible for that
10 proportion of these funds as is determined fair and necessary under
11 guidelines to be developed by the Arkansas Department of Health. However, a
12 minimum of \$5,000 per county of said funds shall be utilized to support and
13 operate a County Emergency Management Office. These county offices shall be
14 prepared to respond to any Arkansas Nuclear I emergency. These funds shall be
15 equally distributed to each Emergency Management Office in the following
16 counties: Pope County, Johnson County, Yell County, Conway County and Logan
17 County.

18 The funds appropriated for Grants for Nuclear Planning shall be
19 distributed in quarterly installments by the Arkansas Department of Health to
20 the Arkansas Department of Emergency Management for the sole purpose of
21 defraying costs associated with preparing for and participating in actual
22 nuclear disaster incidents or practice nuclear disaster emergency exercises
23 involving nuclear electricity generating facilities in this State.

24 The provisions of this section shall be in effect only from July 1, ~~2014~~
25 2015 through June 30, ~~2015~~ 2016.

26
27 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PARKING
29 FEES. On July 1 of each year the Arkansas Department of Health shall pay
30 \$50,000 from the Operations appropriation provided herein from non-general
31 revenue to the War Memorial Stadium Commission.

32 The provisions of this section shall be in effect only from July 1, ~~2014~~
33 2015 through June 30, ~~2015~~ 2016.

34
35 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

1 INFORMATION TECHNOLOGY INITIATIVES. The Department of Health shall not
2 transfer any general revenue funds for expenditures payable for Information
3 System Projects.

4 The provisions of this section shall be in effect only from July 1, ~~2014~~
5 2015 through June 30, ~~2015~~ 2016.

6
7 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INDIRECT
9 COST ALLOCATION FUND TRANSFERS. Subject to such procedures as may be
10 implemented by the Chief Fiscal Officer of the State, the disbursing officer
11 for the Arkansas Department of Health is hereby authorized to transfer funds
12 to the Public Health Fund from other program funds of the agency in order to
13 reimburse for expenditures incurred for those programs.

14 The provisions of this section shall be in effect only from July 1, ~~2014~~
15 2015 through June 30, ~~2015~~ 2016.

16
17 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
19 DEVELOPMENT RESTRICTIONS. In reviewing the impact on public health and
20 safety of a plan for improvements to a public water system or public sewer
21 system through the addition of distribution lines to a subdivision or
22 commercial development, the Division of Engineering of the Department of
23 Health shall consider the effect of the plan on future development or zoning
24 of adjoining properties.

25 The provisions of this section shall be in effect only from July 1, ~~2014~~
26 2015 through June 30, ~~2015~~ 2016.

27
28 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
30 NURSING/DIRECT CARE EDUCATION STIPEND PROGRAM. Special provision for a
31 Nursing/Direct Care Education Stipend Program for the Arkansas Department of
32 Health (ADH) is hereby authorized to pay from funds appropriated in this Act.
33 This program is for eligible nursing students who are attending accredited
34 nursing institutions to become Registered or Licensed Practical Nurses.
35 The stipend is five thousand dollars (\$5,000) per person per year. Any
36 student who is awarded and accepts a stipend is under an employment

1 commitment to the ADH and is required to work in a full-time employee status
2 effective immediately upon graduation. The student employment commitment is
3 equal to the number of years the stipend was awarded and accepted. In the
4 event of Employee/Student default of the employment commitment, the
5 Employee/Student will be considered in breach of contract and repayment of
6 the stipend will be required as specified in the Stipend Contract.
7 The ADH shall determine, on an annual basis, the number of student stipends
8 available due to the availability of funds and the need for direct care
9 services.

10 The provisions of this section shall be in effect only from July 1, ~~2014~~
11 2015 through June 30, ~~2015~~ 2016.

12
13 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
15 FORWARD OF FUNDS. The Arkansas Department of Health is authorized to carry
16 forward any unspent funds remaining in the Public Health Fund on June 30,
17 ~~2015~~ 2016 allocated for the support of the Trauma System to be used for the
18 same purposes in the next fiscal year.

19 Any carry forward of unexpended balance of funding as authorized herein, may
20 be carried forward under the following conditions:

21 (1) Prior to June 30, ~~2015~~ 2016 the Agency shall by written statement set
22 forth its reason(s) for the need to carry forward said funding to the
23 Department of Finance and Administration Office of Budget;

24 (2) The Department of Finance and Administration Office of Budget shall
25 report to the Arkansas Legislative Council all amounts carried forward by the
26 September Arkansas Legislative Council or Joint Budget Committee meeting
27 which report shall include the name of the Agency, Board, Commission or
28 Institution and the amount of funding carried forward, the program name or
29 line item, the funding source and a copy of the written request set forth in
30 (1) above;

31 (3) Each Agency, Board, Commission or Institution shall provide a written
32 report to the Arkansas Legislative Council or Joint Budget Committee
33 containing all information set forth in item (2) above, along with a written
34 statement as to the current status of the project, contract, purpose etc. for
35 which the carry forward was originally requested no later than thirty (30)
36 days prior to the time the Agency, Board, Commission or Institution presents

1 its budget request to the Arkansas Legislative Council/Joint Budget
2 Committee; and
3 (4) Thereupon, the Department of Finance and Administration shall include
4 all information obtained in item (3) above in the budget manuals and/or a
5 statement of non-compliance by the Agency, Board, Commission or Institution.

6 The provisions of this section shall be in effect only from July 1,
7 2015 through June 30, 2016.

8
9 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COMMUNITY
11 HEALTH CENTERS. Allocation of state funding to Community Health Centers
12 shall be prioritized to ensure that uninsured, under-insured, and underserved
13 Arkansans receive needed services in order to improve their health, with this
14 funding to preserve and strengthen Community Health Centers and increase
15 Arkansans access to quality primary and preventive health care. The
16 Department of Health shall ensure that any Community Health Center that
17 receives funding through this Act shall first seek to include, in accordance
18 with federal rule and guidance, as many local providers of health care
19 services as possible, such as dental, pharmacy, mental health, and other
20 ancillary services, within each Community Health Center's service area, to
21 participate in the provision of such services as a contractor at a fair,
22 reasonable prevailing rate. Community Health Centers will seek local
23 providers, community, city, county, and state partners to participate in the
24 planning for the development, and, as an employee or contractor, in the
25 implementation of a new Community Health Center in an area of documented
26 unmet need. In addition to reasonable prices, the availability and service
27 quality levels provided by the private provider must meet or exceed the level
28 of service quality provided, as established by the respective governing
29 board, at similarly situated Community Health Centers through the state and
30 at all times meet professional standards of competence and quality.
31 Annually, the Department of Health shall require from the Community Health
32 Centers the submission of performance indicators, to be determined by the
33 Department of Health, reflecting, at a minimum, a listing of all services
34 provided, fee schedules based on local prevailing rates and actual costs,
35 sliding fee scales, and uniform data sets which identify the number of
36 uninsured, Medicaid and Medicare patients and those patients which are below

1 and above 200% of the federal poverty level. Local private providers within
2 the service area that may have been significantly impacted by these services
3 will be determined by the Department of Health. The Department of Health
4 shall institute a procurement process for the allocation of funding provided
5 through this Act, detailing that these and other requirements are factored
6 into the allocation of any funding provided to Community Health Centers. In
7 the implementation of this special language, the Department of Health is
8 permitted, at its discretion, to allow individual applicants an
9 implementation period of up to 90 days from the effective date of individual
10 agreements to satisfy the requirements for private provider collaboration as
11 specified above.

12 The provisions of this section shall be in effect only from July 1,
13 2015 through June 30, 2016.

14

15 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STATE
17 FUND RESTRICTIONS. No state funds shall be used for abortion referral in
18 public schools, or for abortion services. Funds shall be expended in
19 accordance with Arkansas Code Annotated § 6-18-703.

20 The provisions of this section shall be in effect only from July 1, ~~2014~~
21 2015 through June 30, ~~2015~~ 2016.

22

23 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA
25 HELP. The Arkansas Department of Health may utilize ten (10) of their
26 authorized extra-help positions for up to one thousand five hundred (1,500)
27 hours when specific expertise is required to work on disaster drills,
28 exercises, preparedness plans, public health emergencies, disasters and other
29 events. The rates of pay may not exceed those provided in the Uniform
30 Classification Act, or its successor, for the appropriate classification.

31 The provisions of this section shall be in effect from July 1, ~~2014~~ 2015
32 through June 30, ~~2015~~ 2016.

33

34 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BREAST
36 CARE PROGRAM. The Arkansas Department of Health shall annually budget,

1 allocate, and expend for the Breast Care Program as appropriated in Section
2 5, the sum of at least four million seven hundred fifty-five thousand dollars
3 (\$4,755,000) for Breast Cancer screening, diagnosis, treatment and outreach
4 expenses of the Breast Care Program.

5 The Arkansas Department of Health shall file an annual progress report by
6 each January 1 preceding a session of the General Assembly to the Co-Chairs
7 of the Legislative Women's Caucus. This report shall include amounts
8 budgeted, allocated and expended for the Breast Care Program for testing,
9 diagnosis, treatment and outreach expenses.

10 The provisions of this section shall be in effect only from July 1, ~~2014~~
11 2015 through June 30, ~~2015~~ 2016.

12

13 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PATIENT
15 CARE PROVIDERS – COMPENSATION, REQUIRED WITHHOLDING, FRINGE BENEFITS AND
16 REPORTING.

17 (a) The Arkansas Department of Health, at its discretion, is authorized to
18 contract with intermittent Patient Care Providers in order to provide
19 services in the home. The Department is authorized to pay compensation which
20 may include state withholding, federal withholding, required matching, and
21 other fringe benefits to contract Patient Care Providers. However,
22 compensation shall not include state retirement or health benefits.

23 (b) The Department of Health shall provide the following mileage
24 reimbursement rates to intermittent and/or Patient Care Providers:

25 (1) Beginning July 1, 2013, the Department of Health shall provide
26 mileage reimbursement to all intermittent and/or contract Patient Care
27 Providers at a rate of at least thirty-six (36) cents per mile or more as
28 funding allows.

29 (2) Beginning July 1, 2014, the Department of Health shall provide
30 mileage reimbursement to all intermittent and/or contract Patient Care
31 Providers at a rate of at least thirty-nine (39) cents per mile or more as
32 funding allows.

33 (3) Beginning July 1, 2015, the Department of Health shall provide
34 mileage reimbursement to all intermittent and/or contract Patient Care
35 Providers at the same rate as provided to all Department of Health employees.

36 (c) Prior to January 15, 2014 the Department of Health shall provide to the

1 Joint Budget Committee or the Arkansas Legislative Council a report of the
2 following information for the 2013 Fiscal Year and 2014 Fiscal Year to date:

3 (1) Revenues, expenditures, and year end fund balances of the Home
4 Health Program, as related to the Department of Health's ability to fund an
5 increased mileage reimbursement rate for the 2015 Fiscal Year.

6 (2) A report of all third party reimbursements received for the Home
7 Health Program listed by program type including Medicaid, Medicare, Private
8 Insurance, and Affordable Care Act - Insurance Exchange participants.

9 (3) The potential impact of changes in the Arkansas Medicaid Program,
10 Medicare or Affordable Care Act reimbursement rates and the effect those
11 program changes may have on a potential mileage reimbursement increase for
12 the 2015 Fiscal Year.

13 (4) A report of the amounts billed versus the total reimbursements for
14 services rendered.

15 (5) Total miles claimed by Patient Care Providers and the total amounts
16 reimbursed for mileage.

17 (d) All compensation to intermittent Patient Care Providers shall be made
18 from the appropriation for Professional Fees and Services.

19 The provisions of this section shall be in effect only from July 1,
20 ~~2014~~ 2015, through June 30, ~~2015~~ 2016.

21

22 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. (a) As
24 used in this section, "Health Care Independence Program" means the Health
25 Care Independence Program established under the Health Care Independence Act
26 of 2014, Arkansas Code § 20-77-2401 et seq.

27 (b)(1) Determining the maximum number of employees, the maximum amount
28 of appropriation, for what purposes an appropriation is authorized, and
29 general revenue funding for a state agency each fiscal year is the
30 prerogative of the General Assembly.

31 (2) The purposes of subdivision (b)(1) of this section are
32 typically accomplished by:

33 (A) Identifying the purpose in the appropriation act;

34 (B) Delineating such maximums in the appropriation act for
35 a state agency; and

36 (C) Delineating the general revenue allocations authorized

1 for each fund and fund account by amendment to the Revenue Stabilization Law,
2 Arkansas Code § 19-5-101 et seq.

3 (3) It is both necessary and appropriate that the General
4 Assembly restrict the use of appropriations authorized in this act.

5 (c)(1) Except as provided in this subsection, the Department of Health
6 shall not allocate, budget, expend, or utilize any appropriation authorized
7 by the General Assembly for the purpose of advertisement, promotion, or other
8 activities designed to promote or encourage enrollment in the Arkansas Health
9 Insurance Marketplace or the Health Care Independence Program, including
10 without limitation:

11 (A) Unsolicited communications mailed to potential
12 recipients;

13 (B) Television, radio, or online commercials;

14 (C) Billboard or mobile billboard advertising;

15 (D) Advertisements printed in newspapers, magazines, or
16 other print media; and

17 (E) Internet websites and electronic media.

18 (2) This subsection does not prohibit the department from:

19 (A) Direct communications with:

20 (i) Licensed insurance agents; and

21 (ii) Persons licensed by the department;

22 (B) Solicited communications with potential recipients;

23 (C)(i) Responding to an inquiry regarding the coverage for
24 which a potential recipient might be eligible, including without limitation
25 providing educational materials or information regarding any coverage for
26 which the individual might qualify.

27 (ii) Educational materials and information
28 distributed under subdivision (c)(2)(C)(i) of this section shall contain only
29 factual information and shall not contain subjective statements regarding the
30 coverage for which the potential recipient might be eligible; and

31 (D) Using an Internet website for the exclusive purpose of
32 enrolling individuals in the Arkansas Health Insurance Marketplace or the
33 Health Care Independence Program.

34 (d) The Department of Health shall not apply for or accept any funds,
35 including without limitation federal funds, for the purpose of advertisement,
36 promotion, or other activities designed to promote or encourage enrollment in

1 the Arkansas Health Insurance Marketplace or the Health Care Independence
2 Program.

3 (e)(1) Except as provided in subdivision (e)(2) of this section, the
4 Department of Health shall not:

5 (A)(i) Except as provided in subdivision (e)(1)(A)(ii) of
6 this section, allocate, budget, expend, or utilize an appropriation
7 authorized by the General Assembly for the purpose of funding activities of
8 navigators, guides, certified application counselors, and certified licensed
9 producers under the Arkansas Health Insurance Marketplace Navigator, Guide,
10 and Certified Application Counselors Act, Arkansas Code § 23-64-601 et seq.

11 (ii) Subdivision (e)(1)(A)(i) of this section does
12 not apply to regulatory and training responsibilities related to navigators,
13 guides, certified application counselors, and certified licensed producers;
14 and

15 (B) Apply for or accept any funds, including without
16 limitation federal funds, for the purpose of funding activities of
17 navigators, guides, certified application counselors, and certified licensed
18 producers under the Arkansas Health Insurance Marketplace Navigator, Guide,
19 and Certified Application Counselors Act, Arkansas Code § 23-64-601 et seq.

20 (2) Subdivision (e)(1) of this section does not apply to
21 certified application counselors at health related institutions, including
22 without limitation the University of Arkansas for Medical Sciences.

23 (f) An appropriation authorized by the General Assembly shall not be
24 subject to the provisions allowed through reallocation of resources or
25 transfer of appropriation authority for the purpose of transferring an
26 appropriation to any other appropriation authorized for the Department of
27 Health to be allocated, budgeted, expended, or utilized in a manner
28 prohibited by this section.

29 (g) The provisions of this section are severable, and the invalidity
30 of any subsection or subdivision of this section shall not affect other
31 provisions of the section that can be given effect without the invalid
32 provision.

33 (h) This section expires on June 30, ~~2015~~ 2016.

34

35 SECTION 29. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
36 authorized by this act shall be limited to the appropriation for such agency

1 and funds made available by law for the support of such appropriations; and
2 the restrictions of the State Procurement Law, the General Accounting and
3 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
4 Procedures and Restrictions Act, or their successors, and other fiscal
5 control laws of this State, where applicable, and regulations promulgated by
6 the Department of Finance and Administration, as authorized by law, shall be
7 strictly complied with in disbursement of said funds.

8
9 SECTION 30. LEGISLATIVE INTENT. It is the intent of the General
10 Assembly that any funds disbursed under the authority of the appropriations
11 contained in this act shall be in compliance with the stated reasons for
12 which this act was adopted, as evidenced by the Agency Requests, Executive
13 Recommendations and Legislative Recommendations contained in the budget
14 manuals prepared by the Department of Finance and Administration, letters, or
15 summarized oral testimony in the official minutes of the Arkansas Legislative
16 Council or Joint Budget Committee which relate to its passage and adoption.

17
18 SECTION 31. EMERGENCY CLAUSE. It is found and determined by the
19 General Assembly, that the Constitution of the State of Arkansas prohibits
20 the appropriation of funds for more than a one (1) year period; that the
21 effectiveness of this Act on July 1, 2015 is essential to the operation of
22 the agency for which the appropriations in this Act are provided, and that in
23 the event of an extension of the legislative session, the delay in the
24 effective date of this Act beyond July 1, 2015 could work irreparable harm
25 upon the proper administration and provision of essential governmental
26 programs. Therefore, an emergency is hereby declared to exist and this Act
27 being necessary for the immediate preservation of the public peace, health
28 and safety shall be in full force and effect from and after July 1, 2015.

29
30 */s/Joint Budget Committee*
31
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