

Stricken language will be deleted and underlined language will be added.  
Act 283 of the Fiscal Session

State of Arkansas  
89th General Assembly  
Fiscal Session, 2014

As Engrossed: H2/13/14 H2/25/14

# A Bill

HOUSE BILL 1130

By: Joint Budget Committee

## For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
AND OPERATING EXPENSES FOR THE DEPARTMENT OF HEALTH  
FOR THE FISCAL YEAR ENDING JUNE 30, 2015; AND FOR  
OTHER PURPOSES.

## Subtitle

AN ACT FOR THE DEPARTMENT OF HEALTH  
APPROPRIATION FOR THE 2014-2015 FISCAL  
YEAR.

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

SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for the Department of Health - Operations for the 2014-2015 fiscal year, the following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2014-2015
(1)	U026U	ADH DIRECTOR	1	\$217,810
(2)	U119U	DEPUTY DIRECTOR-PUBLIC HEALTH PRG	1	\$200,523
(3)	L003N	CHIEF PHYSICIAN SPECIALIST	1	GRADE N921
(4)	L002N	DEPUTY STATE HEALTH OFFICER	1	GRADE N921
(5)	L025N	SENIOR PHYSICIAN SPECIALIST	5	GRADE N920
(6)	L008N	PHYSICIAN SPECIALIST	3	GRADE N917
(7)	B017N	ADH CHIEF SCIENTIST	1	GRADE N916



(8)	L011N	DENTIST	1	GRADE N916
(9)	L014N	DIRECTOR OF PHARMACY	1	GRADE N914
(10)	N007N	ADH DEPUTY DIRECTOR ADMIN	1	GRADE N912
(11)	B001N	ADH SENIOR SCIENTIST	3	GRADE N912
(12)	L016N	REGISTERED PHARMACIST	6	GRADE N911
(13)	N017N	ADH CHIEF INFORMATION OFFICER	1	GRADE N910
(14)	N064N	ADH CENTER DIR - LOCAL PUBLIC HEALTH	2	GRADE N908
(15)	N065N	ADH CENTER DIR. - HEALTH PROTECTION	1	GRADE N908
(16)	N063N	ADH EPIDEMIOLOGY OFFICER	2	GRADE N908
(17)	B005N	VETERINARIAN	1	GRADE N907
(18)	N097N	ADH CHIEF FINANCIAL OFFICER	1	GRADE N906
(19)	G009N	ADH CHIEF LEGAL COUNSEL	1	GRADE N906
(20)	R001N	ADH CHIEF HUMAN RESOURCES OFFICER	1	GRADE N905
(21)	N104N	ADH DIRECTOR STATS & VITAL RECORDS	1	GRADE N905
(22)	B011N	ADH DIR ENGINEERING	1	GRADE N904
(23)	N118N	ADH DIR IN-HOME SERVICES	1	GRADE N904
(24)	L018N	NURSE PRACTITIONER	40	GRADE N904
(25)	L019N	ADH CHIEF EPIDEMIOLOGIST	2	GRADE N903
(26)	P002N	ADH DIRECTOR OF COMMUNICATIONS	1	GRADE N903
(27)	N148N	ADH GOVERNMENTAL AFFAIRS POLICY DIR	1	GRADE N902
(28)	N139N	MINORITY HLTH & HLTH DISPARITIES DIR	1	GRADE N902
(29)	G004C	MANAGING ATTORNEY	1	GRADE C129
(30)	A010C	AGENCY CONTROLLER II	1	GRADE C128
(31)	D007C	INFORMATION SYSTEMS MANAGER	1	GRADE C128
(32)	L002C	NURSING DIRECTOR	2	GRADE C128
(33)	G026C	ADH ASSOC CENTER DIR-MGMT & OPS	4	GRADE C127
(34)	B011C	ADH CHIEF ENGINEER	2	GRADE C127
(35)	A014C	FISCAL DIVISION MANAGER	1	GRADE C127
(36)	L095C	ADH HOSPITAL & REGULATORY MANAGER	1	GRADE C126
(37)	G049C	ADH REGIONAL DIRECTOR	5	GRADE C126
(38)	G047C	ATTORNEY SPECIALIST	2	GRADE C126
(39)	B015C	ENGINEER SUPERVISOR	8	GRADE C126
(40)	D016C	SENIOR TECHNOLOGY ANALYST	1	GRADE C126
(41)	L013C	ADH BRANCH MANAGER	1	GRADE C125
(42)	X013C	ENVIRONMENTAL HEALTH MANAGER	2	GRADE C125
(43)	L009C	NURSE MANAGER	3	GRADE C125

(44)	L017C	ADH AREA NURSING DIRECTOR	11	GRADE C124
(45)	L016C	ADH PUBLIC HEALTH ADMINISTRATOR	17	GRADE C124
(46)	D035C	COMPUTER SUPPORT MANAGER	1	GRADE C124
(47)	B023C	ENGINEER, P.E.	12	GRADE C124
(48)	L014C	HIPAA PROGRAM CONSULTANT	1	GRADE C124
(49)	D030C	INFORMATION SYSTEMS COORDINATOR	6	GRADE C124
(50)	L026C	ADH NURSING PROGRAM COORD	21	GRADE C123
(51)	L025C	ADH PUBLIC HEALTH SECTION CHIEF III	13	GRADE C123
(52)	M006C	ADH SOC SVC PROGRAM DIRECTOR	1	GRADE C123
(53)	R013C	AGENCY HUMAN RESOURCES MANAGER	2	GRADE C123
(54)	L099C	EPIDEMIOLOGY SUPERVISOR	2	GRADE C123
(55)	D040C	GIS ANALYST	1	GRADE C123
(56)	L023C	HEALTH FACILITIES SUPERVISOR	2	GRADE C123
(57)	G238C	LOCAL HEALTH UNIT ADMINISTRATOR III	4	GRADE C123
(58)	D039C	NETWORK SUPPORT SPECIALIST	6	GRADE C123
(59)	L022C	NURSING CLINIC COORDINATOR	61	GRADE C123
(60)	P004C	PUBLIC INFORMATION MANAGER	1	GRADE C123
(61)	L019C	REGISTERED NURSE COORDINATOR	7	GRADE C123
(62)	L030C	ADH DISTRICT MANAGER	13	GRADE C122
(63)	L029C	ADH PUBLIC HEALTH SECTION CHIEF II	5	GRADE C122
(64)	A044C	AUDIT COORDINATOR	1	GRADE C122
(65)	L028C	EPIDEMIOLOGIST	20	GRADE C122
(66)	B035C	GEOLOGY SUPERVISOR	1	GRADE C122
(67)	D047C	INFORMATION SYSTEMS BUSINESS ANALYST	1	GRADE C122
(68)	A052C	ACCOUNTING COORDINATOR	8	GRADE C121
(69)	X044C	ADH DIR PLUMBING INSPECTIONS	1	GRADE C121
(70)	X043C	ADH ENVIRONMENTAL SUPV	12	GRADE C121
(71)	B047C	ADH LABORATORY MANAGER	14	GRADE C121
(72)	L091C	ADH PUBLIC HEALTH SECTION CHIEF I	10	GRADE C121
(73)	A050C	AGENCY FISCAL MANAGER	1	GRADE C121
(74)	D054C	COMPUTER SUPPORT COORDINATOR	1	GRADE C121
(75)	X039C	DIRECTOR OF COSMETOLOGY BOARD	1	GRADE C121
(76)	B042C	ENGINEER	5	GRADE C121
(77)	G109C	GRANTS MANAGER	1	GRADE C121
(78)	B044C	HEALTH PHYSICIST SUPERVISOR	2	GRADE C121
(79)	M009C	LICENSED CERTIFIED SOCIAL WORKER	6	GRADE C121

(80)	G116C	LOCAL HEALTH UNIT ADMINISTRATOR II	22	GRADE C121
(81)	L035C	NUTRITIONIST CONSULTANT	12	GRADE C121
(82)	L034C	NUTRITIONIST SUPERVISOR	7	GRADE C121
(83)	R014C	PERSONNEL MANAGER	1	GRADE C121
(84)	V004C	PROCUREMENT MANAGER	2	GRADE C121
(85)	X038C	QUALITY ASSURANCE MANAGER	5	GRADE C121
(86)	D052C	SOFTWARE SUPPORT ANALYST	29	GRADE C121
(87)	R019C	BUDGET MANAGER	5	GRADE C120
(88)	D058C	COMPUTER OPERATIONS COORDINATOR	1	GRADE C120
(89)	B051C	GEOLOGIST	2	GRADE C120
(90)	G143C	LOCAL HEALTH UNIT ADMINISTRATOR I	54	GRADE C120
(91)	L039C	NUTRITIONIST	33	GRADE C120
(92)	P013C	PUBLIC INFORMATION COORDINATOR	1	GRADE C120
(93)	L038C	REGISTERED NURSE	619	GRADE C120
(94)	D056C	SYSTEMS COORDINATION ANALYST	1	GRADE C120
(95)	E023C	TRAINING PROJECT MANAGER	1	GRADE C120
(96)	R021C	BUDGET ANALYST	21	GRADE C119
(97)	D063C	COMPUTER SUPPORT SPECIALIST	5	GRADE C119
(98)	S007C	DIRECTOR HVACR SECTION	1	GRADE C119
(99)	G147C	GRANTS COORDINATOR	9	GRADE C119
(100)	X067C	HEALTH FACILITIES SURVEYOR	7	GRADE C119
(101)	B063C	HEALTH PHYSICIST	14	GRADE C119
(102)	L043C	HEALTH PROGRAM SPECIALIST III	37	GRADE C119
(103)	D061C	INFORMATION SYSTEMS COORD. SPECIAL	1	GRADE C119
(104)	A065C	PAYROLL SERVICES COORDINATOR	1	GRADE C119
(105)	X062C	QUALITY ASSURANCE COORDINATOR	4	GRADE C119
(106)	A063C	RESEARCH & STATISTICS SUPERVISOR	2	GRADE C119
(107)	A060C	SENIOR AUDITOR	2	GRADE C119
(108)	B126C	SENIOR CHEMIST	15	GRADE C119
(109)	X060C	SENIOR ENVIR. HEALTH SPECIALIST	18	GRADE C119
(110)	B127C	SENIOR MICROBIOLOGIST	20	GRADE C119
(111)	R024C	ASSISTANT PERSONNEL MANAGER	1	GRADE C118
(112)	L049C	DISEASE INTERVENTION SPEC SUPV	6	GRADE C118
(113)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE C118
(114)	A074C	FISCAL SUPPORT SUPERVISOR	15	GRADE C118
(115)	L048C	HEALTH PROGRAM SPECIALIST II	28	GRADE C118

(116)	M026C	LICENSED SOCIAL WORKER	10	GRADE C118
(117)	D065C	NETWORK SUPPORT ANALYST	1	GRADE C118
(118)	X081C	PLUMBING/HVACR INSPECTOR SUPERVISOR	2	GRADE C118
(119)	A072C	RESEARCH & STATISTICS MANAGER	1	GRADE C118
(120)	D064C	WEBSITE DEVELOPER	1	GRADE C118
(121)	A082C	ACCOUNTANT II	3	GRADE C117
(122)	C094C	ATHLETIC COMMISSION PROGRAM MANAGER	1	GRADE C117
(123)	A081C	AUDITOR	1	GRADE C117
(124)	R027C	BUDGET SPECIALIST	14	GRADE C117
(125)	E065C	CANCER INFORMATION MGMT SPECIALIST	8	GRADE C117
(126)	V013C	CENTRAL WAREHOUSE OPERATIONS MGR	3	GRADE C117
(127)	E064C	CERTIFIED PUBLIC HEALTH EDUCATOR	10	GRADE C117
(128)	B081C	CHEMIST	15	GRADE C117
(129)	D071C	COMPUTER SUPPORT ANALYST	13	GRADE C117
(130)	L054C	EMERGENCY MEDICAL SERVICES SUPV	3	GRADE C117
(131)	X102C	ENVIRONMENTAL HEALTH SPECIALIST	124	GRADE C117
(132)	G180C	GRANTS ANALYST	11	GRADE C117
(133)	C017C	HEALTH ADMINISTRATIVE COORDINATOR	5	GRADE C117
(134)	B079C	HEALTH FACILITY LABORATORY SURVEYOR	3	GRADE C117
(135)	L053C	HEALTH PROGRAM SPECIALIST I	46	GRADE C117
(136)	R025C	HUMAN RESOURCES ANALYST	10	GRADE C117
(137)	S018C	HVACR MECHANICAL INSPECTOR	11	GRADE C117
(138)	B077C	MICROBIOLOGIST	24	GRADE C117
(139)	X096C	PLUMBING INSPECTOR	11	GRADE C117
(140)	P020C	PRODUCTION ARTIST	1	GRADE C117
(141)	M038C	PROGRAM ELIGIBILITY ANALYST	1	GRADE C117
(142)	E042C	PUBLIC HEALTH EDUCATOR SUPERVISOR	4	GRADE C117
(143)	B076C	RESEARCH PROJECT ANALYST	9	GRADE C117
(144)	E040C	STAFF DEVELOPMENT COORDINATOR	3	GRADE C117
(145)	G176C	VOLUNTEER PROGRAM MANAGER	1	GRADE C117
(146)	C022C	BUSINESS OPERATIONS SPECIALIST	4	GRADE C116
(147)	D076C	COMMUNICATIONS SYSTEMS SUPERVISOR	1	GRADE C116
(148)	L058C	DISEASE INTERVENTION SPECIALIST	17	GRADE C116
(149)	E048C	EDUCATION & INSTRUCTION SPECIALIST	1	GRADE C116
(150)	B090C	ENGINEER TECHNICIAN	6	GRADE C116
(151)	R029C	HUMAN RESOURCES RECRUITER	1	GRADE C116

(152)	P031C	MEDIA SPECIALIST	1	GRADE C116
(153)	A084C	PROGRAM/FIELD AUDIT SPECIALIST	1	GRADE C116
(154)	E047C	PUBLIC HEALTH EDUCATOR	10	GRADE C116
(155)	P027C	PUBLIC INFORMATION SPECIALIST	14	GRADE C116
(156)	S022C	SKILLED TRADES SUPERVISOR	1	GRADE C116
(157)	E046C	TRAINING INSTRUCTOR	1	GRADE C116
(158)	C037C	ADMINISTRATIVE ANALYST	37	GRADE C115
(159)	D079C	COMPUTER SUPPORT TECHNICIAN	3	GRADE C115
(160)	L063C	FAMILY CONSUMER SCIENCE SPECIALIST	33	GRADE C115
(161)	A091C	FISCAL SUPPORT ANALYST	17	GRADE C115
(162)	C030C	HEALTH RECORDS SPECIALIST	7	GRADE C115
(163)	R032C	HUMAN RES. PROGRAM REPRESENTATIVE	7	GRADE C115
(164)	S033C	MAINTENANCE SUPERVISOR	1	GRADE C115
(165)	A090C	PAYROLL SERVICES SPECIALIST	4	GRADE C115
(166)	V015C	PURCHASING SPECIALIST	9	GRADE C115
(167)	S031C	SKILLED TRADESMAN	3	GRADE C115
(168)	M054C	SOCIAL SERVICE WORKER	1	GRADE C115
(169)	G202C	VOLUNTEER PROGRAM COORDINATOR	2	GRADE C115
(170)	S041C	BOILER OPERATOR	6	GRADE C114
(171)	S040C	CALIBRATION TECHNICIAN	3	GRADE C114
(172)	D086C	CALL CENTER ANALYST	5	GRADE C114
(173)	L065C	EMERGENCY MEDICAL SERVICES SPEC	6	GRADE C114
(174)	R036C	HUMAN RESOURCES SPECIALIST	3	GRADE C113
(175)	V020C	INVENTORY CONTROL MANAGER	6	GRADE C113
(176)	L069C	LICENSED PRACTICAL NURSE	192	GRADE C113
(177)	S046C	MAINTENANCE TECHNICIAN	3	GRADE C113
(178)	C044C	MEDICAL BILLING SPECIALIST	8	GRADE C113
(179)	C043C	RECORDS MANAGEMENT ANALYST	2	GRADE C113
(180)	C056C	ADMINISTRATIVE SPECIALIST III	131	GRADE C112
(181)	R037C	BENEFITS TECHNICIAN	3	GRADE C112
(182)	X174C	COSMETOLOGY INSPECTOR	5	GRADE C112
(183)	D088C	EMERGENCY COMMUNICATION SPECIALIST	7	GRADE C112
(184)	A098C	FISCAL SUPPORT SPECIALIST	16	GRADE C112
(185)	L073C	LACTATION CONSULTANT	7	GRADE C111
(186)	M078C	VOLUNTEER SERVICES COORDINATOR	6	GRADE C111
(187)	L077C	HEALTH SERVICES SPECIALIST II	527	GRADE C110

(188)	B111C	LABORATORY TECHNICIAN	20	GRADE C110
(189)	A100C	PAYROLL OFFICER	4	GRADE C110
(190)	V025C	WAREHOUSE SPECIALIST	3	GRADE C110
(191)	C073C	ADMINISTRATIVE SPECIALIST II	76	GRADE C109
(192)	C070C	DUPLICATION ASSISTANT	3	GRADE C109
(193)	C066C	PATIENT ACCOUNT SPECIALIST	15	GRADE C109
(194)	A102C	FISCAL SUPPORT TECHNICIAN	1	GRADE C108
(195)	L083C	HEALTH SERVICES SPECIALIST I	43	GRADE C108
(196)	S065C	MAINTENANCE ASSISTANT	2	GRADE C108
(197)	C087C	ADMINISTRATIVE SPECIALIST I	24	GRADE C106
(198)	V028C	WAREHOUSE WORKER	8	GRADE C106
(199)	L088C	NURSING AIDE/NURSING ASST I	33	GRADE C105
(200)	V030C	SHIPPING & RECEIVING CLERK	<u>1</u>	GRADE C105
		MAX. NO. OF EMPLOYEES	3,094	

SECTION 2. REGULAR SALARIES - TRAUMA SYSTEM. There is hereby established for the Department of Health - Trauma System for the 2014-2015 fiscal year, the following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2014-2015
(1)	L003N	CHIEF PHYSICIAN SPECIALIST	1	GRADE N921
(2)	L013C	ADH BRANCH MANAGER	1	GRADE C125
(3)	D030C	INFORMATION SYSTEMS COORDINATOR	1	GRADE C124
(4)	L025C	ADH PUBLIC HEALTH SECTION CHIEF III	2	GRADE C123
(5)	L028C	EPIDEMIOLOGIST	1	GRADE C122
(6)	L038C	REGISTERED NURSE	3	GRADE C120
(7)	R021C	BUDGET ANALYST	1	GRADE C119
(8)	G147C	GRANTS COORDINATOR	1	GRADE C119
(9)	L048C	HEALTH PROGRAM SPECIALIST II	1	GRADE C118
(10)	E064C	CERTIFIED PUBLIC HEALTH EDUCATOR	1	GRADE C117
(11)	G180C	GRANTS ANALYST	2	GRADE C117
(12)	C056C	ADMINISTRATIVE SPECIALIST III	1	GRADE C112
(13)	C073C	ADMINISTRATIVE SPECIALIST II	<u>2</u>	GRADE C109

MAX. NO. OF EMPLOYEES 18

SECTION 3. REGULAR SALARIES - MEDICAID PROVIDER APPEALS. There is hereby established for the Department of Health - Medicaid Provider Appeals for the 2014-2015 fiscal year, the following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2014-2015
(1)	G024C	DEPT. ADMINISTRATIVE LAW JUDGE	2	GRADE C127
(2)	G179C	LEGAL SERVICES SPECIALIST	<u>1</u>	GRADE C117
MAX. NO. OF EMPLOYEES			3	

SECTION 4. EXTRA HELP - OPERATIONS. There is hereby authorized, for the Department of Health - Operations for the 2014-2015 fiscal year, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: two hundred thirty-one (231) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 5. EXTRA HELP - TRAUMA SYSTEM. There is hereby authorized, for the Department of Health - Trauma System for the 2014-2015 fiscal year, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: two (2) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 6. APPROPRIATION - OPERATIONS. There is hereby appropriated, to the Department of Health, to be payable from the paying account as determined by the Chief Fiscal Officer of the State, for personal services, operating expenses, grants and aid, refunds/reimbursements and the Breast

Care Program of the Department of Health - Operations for the fiscal year ending June 30, 2015, the following:

ITEM NO.	FISCAL YEAR 2014-2015
(01) REGULAR SALARIES	\$128,163,843
(02) EXTRA HELP	1,586,737
(03) PERSONAL SERVICES MATCHING	44,868,422
(04) OVERTIME	120,559
(05) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	71,940,936
(B) CONF. & TRAVEL	1,243,565
(C) PROF. FEES	39,456,027
(D) CAP. OUTLAY	1,750,000
(E) DATA PROC.	0
(06) ADH GRANTS & AID	23,083,198
(07) REFUNDS/REIMBURSEMENTS	11,613
(08) BREAST CARE PROGRAM	10,998,984
(09) ARRA 2009	<u>314,558</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$323,538,442</u></u>

SECTION 7. APPROPRIATION - TRAUMA SYSTEM. There is hereby appropriated, to the Department of Health, to be payable from the Public Health Fund, for personal services and operating expenses of the Department of Health - Trauma System for the fiscal year ending June 30, 2015, the following:

ITEM NO.	FISCAL YEAR 2014-2015
(01) REGULAR SALARIES	\$997,962
(02) EXTRA HELP	75,000
(03) PERSONAL SERVICES MATCHING	323,696
(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	355,545
(B) CONF. & TRAVEL	50,000
(C) PROF. FEES	0

(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(05) TRAUMA SYSTEM EXPENSES	<u>26,823,032</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$28,625,235</u></u>

SECTION 8. APPROPRIATION - HEALTH BUILDING AND LOCAL HEALTH GRANT TRUST. There is hereby appropriated, to the Department of Health, to be payable from the State Health Building and Local Grant Trust Fund, for acquisition, construction, and improvement of the State Health Building and grants to local health units for construction, expansion and renovation by the Department of Health - Health Building and Local Health Grant Trust for the fiscal year ending June 30, 2015, the following:

ITEM <u>NO.</u>	FISCAL YEAR <u>2014-2015</u>
(01) HEALTH BUILDING ACQUISITION, CONSTRUCTION & RENOVATION & GRANTS TO LOCAL HEALTH UNITS	<u>\$1,842,090</u>

SECTION 9. APPROPRIATION - INFORMATION TECHNOLOGY INITIATIVES. There is hereby appropriated, to the Department of Health, to be payable from the Health Department Technology Fund, for Information Technology Initiative activities of the Department of Health - Information Technology Initiatives for the fiscal year ending June 30, 2015, the following:

ITEM <u>NO.</u>	FISCAL YEAR <u>2014-2015</u>
(01) INFORMATION TECHNOLOGY INITIATIVES	<u>\$636,175</u>

SECTION 10. APPROPRIATION - NUCLEAR PLANNING GRANTS. There is hereby appropriated, to the Department of Health, to be payable from the Arkansas Nuclear Planning and Response Fund, for grants and aid for Nuclear Planning by the Department of Health - Nuclear Planning Grants for the fiscal year ending June 30, 2015, the following:

ITEM	FISCAL YEAR
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NO.	2014-2015
(01) GRANTS FOR NUCLEAR PLANNING	<u>\$375,000</u>

SECTION 11. APPROPRIATION - RURAL HEALTH FACILITIES. There is hereby appropriated, to the Department of Health, to be payable from the Rural Health Services Revolving Fund, for grants and aid for Rural Health Facilities by the Department of Health - Rural Health Facilities for the fiscal year ending June 30, 2015, the following:

ITEM NO.	FISCAL YEAR 2014-2015
(01) RURAL HEALTH FACILITIES GRANTS AND AID	<u>\$130,000</u>

SECTION 12. APPROPRIATION - EMERGENCY MEDICAL SERVICES. There is hereby appropriated, to the Department of Health, to be payable from the Emergency Medical Services Revolving Fund, for Emergency Medical Services operating expenses and grants to licensed Emergency Medical Services, administrative costs of administering the grant program, staff training, education, equipment and supplies, upgrading and instituting educational EMS training programs, special projects, instituting and maintaining a Trauma System and Registry, inspection and licensure of ambulance services, registering EMS vehicles and for other purposes as provided by law by the Department of Health - Emergency Medical Services for the fiscal year ending June 30, 2015, the following:

ITEM NO.	FISCAL YEAR 2014-2015
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$35,217
(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>\$44,945</u>

SECTION 13. APPROPRIATION - RURAL PHYSICIAN INCENTIVES. There is hereby appropriated, to the Department of Health, to be payable from the Rural Physician Incentive Revolving Fund, for grants and aid for Rural Physician Incentives by the Department of Health - Rural Physician Incentives for the fiscal year ending June 30, 2015, the following:

ITEM NO.	FISCAL YEAR 2014-2015
(01) RURAL PHYSICIAN INCENTIVE GRANTS AND AID	<u>\$40,000</u>

SECTION 14. 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, 2015, the following:

ITEM NO.	FISCAL YEAR 2014-2015
(01) WIC FOOD INSTRUMENTS	<u>\$74,724,683</u>

SECTION 15. APPROPRIATION - MEDICAID PROVIDER APPEALS. There is hereby appropriated, to the Department of Health, to be payable from the paying account as determined by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Department of Health - Medicaid provider appeals for the fiscal year ending June 30, 2015, the following:

ITEM NO.	FISCAL YEAR 2014-2015
(01) REGULAR SALARIES	\$180,569
(02) PERSONAL SERV MATCHING	41,964
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	30,500
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0

(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$253,033</u></u>

*SECTION 16. APPROPRIATION - BREAST CARE PROGRAM. There is hereby appropriated, to the Department of Health, to be payable from the paying account as determined by the Chief Fiscal Officer of the State, for the Breast Care Program of the Department of Health which shall be supplemental and in addition to those funds appropriated in Section 5 of Act 1375 of 2013, the following:*

<i>ITEM</i>	<i>FISCAL YEAR</i>
<i>NO.</i>	<i>2013-2014</i>
<i>(01) BREAST CARE PROGRAM</i>	<u><u>\$2,000,000</u></u>

*SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL OR TEMPORARY LAW. FUNDING TRANSFER FOR BREAST CARE PROGRAM. Immediately upon the effective date of this Section and upon the continuation of funding for the "Health Care Independence Program" established under the Health Care Independence Act of 2013, § 20-77-2401 et seq., the Chief Fiscal Officer of the State shall transfer on his or her books and those of the State Treasurer and the Auditor of the State the sum of two million dollars (\$2,000,000) from the unobligated funds in the General Improvement Fund to the Department of Health paying account as determined by the Chief Fiscal Officer of the State to provide funds for the Breast Care Program appropriation provided herein.*

*SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER OF FUNDS – HOME HEALTH. The Disbursing Officer for the Arkansas Department of Health is hereby authorized to transfer all unexpended funds relative to the Home Health Services that pertain to reimbursement, as certified by the Chief Fiscal Officer of the State, to be carried forward and made available for expenditures for the same purpose for the fiscal year ending June 30, ~~2014~~ 2015. It is the intent of the General Assembly that with approval of the Arkansas Legislative Council or Joint Budget Committee that the Arkansas*

Department of Health shall have the authority to transfer funds from the fund balance of the Home Health appropriation.

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

- (1) Prior to June 30, ~~2014~~ 2015 the Agency shall by written statement set forth its reason(s) for the need to carry forward said funding to the Department of Finance and Administration Office of Budget;
- (2) The Department of Finance and Administration Office of Budget shall report to the Arkansas Legislative Council all amounts carried forward by the September Arkansas Legislative Council or Joint Budget Committee meeting which report shall include the name of the Agency, Board, Commission or Institution and the amount of the funding carried forward, the program name or line item, the funding source and a copy of the written request set forth in (1) above;
- (3) Each Agency, Board, Commission or Institution shall provide a written report to the Arkansas Legislative Council or Joint Budget Committee containing all information set forth in item (2) above, along with a written statement as to the current status of the project, contract, purpose etc. for which the carry forward was originally requested no later than thirty (30) days prior to the time the Agency, Board, Commission or Institution presents its budget request to the Arkansas Legislative Council/Joint Budget Committee; and
- (4) Thereupon, the Department of Finance and Administration shall include all information obtained in item (3) above in the budget manuals and/or a statement of non-compliance by the Agency, Board, Commission or Institution. Determining the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that the Arkansas Department of Health may operate more efficiently if some flexibility is provided to the Arkansas Department of Health authorizing broad powers under this Section. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided by

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

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

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

Maximum number of positions: 250

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

(c) If the agency requests continuation of a "Growth Pool" position(s) as established herein, the position(s) must be requested as a new position(s) in the agency's budget request.

The provisions of this section shall be in effect only from July 1, ~~2013~~ 2014 through June 30, ~~2014~~ 2015.

*SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HOME HEALTH ON-CALL AND VISIT PAY.* The Arkansas Department of Health is hereby authorized to compensate the following personnel responsible for providing in-home health care as necessary to maintain continuity of care outside routine working hours on weekdays and on weekends or holidays:

Area Nursing Director  
Nursing Program Coordinator  
Registered Nurse  
Speech Pathologist  
Physical Therapist  
Licensed Social Worker  
Occupational Therapist  
Nurse Manager  
Licensed Practical Nurse  
Nursing Aide  
Licensed Certified Social Worker

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

The provisions of this section shall be in effect only from July 1, ~~2013~~ 2014 through June 30, ~~2014~~ 2015.

*SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NUCLEAR DISASTER PLANNING GRANTS.* The funds appropriated for Grants for Nuclear Planning shall be disbursed to those counties in this State which are required by state or federal regulation to maintain a Radiological Response Plan because of their close proximity to a nuclear electricity generating facility, and shall be issued solely for the purpose of defraying the cost of preparing for and participating in actual nuclear disaster incidents or practice nuclear disaster exercises. Each county shall be eligible for that proportion of these funds as is determined fair and necessary under

guidelines to be developed by the Arkansas Department of Health. However, a minimum of \$5,000 per county of said funds shall be utilized to support and operate a County Emergency Management Office. These county offices shall be prepared to respond to any Arkansas Nuclear I emergency. These funds shall be equally distributed to each Emergency Management Office in the following counties: Pope County, Johnson County, Yell County, Conway County and Logan County.

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

The provisions of this section shall be in effect only from July 1, ~~2013~~ 2014 through June 30, ~~2014~~ 2015.

*SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PARKING FEES.* On July 1 of each year the Arkansas Department of Health shall pay \$50,000 from the Operations appropriation provided herein from non-general revenue to the War Memorial Stadium Commission.

The provisions of this section shall be in effect only from July 1, ~~2013~~ 2014 through June 30, ~~2014~~ 2015.

*SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INFORMATION TECHNOLOGY INITIATIVES.* The Department of Health shall not transfer any general revenue funds for expenditures payable for Information System Projects.

The provisions of this section shall be in effect only from July 1, ~~2013~~ 2014 through June 30, ~~2014~~ 2015.

*SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INDIRECT COST ALLOCATION FUND TRANSFERS.* Subject to such procedures as may be implemented by the Chief Fiscal Officer of the State, the disbursing officer

for the Arkansas Department of Health is hereby authorized to transfer funds to the Public Health Fund from other program funds of the agency in order to reimburse for expenditures incurred for those programs.

The provisions of this section shall be in effect only from July 1, ~~2013~~ 2014 through June 30, ~~2014~~ 2015.

*SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.*

DEVELOPMENT RESTRICTIONS. In reviewing the impact on public health and safety of a plan for improvements to a public water system or public sewer system through the addition of distribution lines to a subdivision or commercial development, the Division of Engineering of the Department of Health shall consider the effect of the plan on future development or zoning of adjoining properties.

The provisions of this section shall be in effect only from July 1, ~~2013~~ 2014 through June 30, ~~2014~~ 2015.

*SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.*

NURSING/DIRECT CARE EDUCATION STIPEND PROGRAM. Special provision for a Nursing/Direct Care Education Stipend Program for the Arkansas Department of Health (ADH) is hereby authorized to pay from funds appropriated in this Act. This program is for eligible nursing students who are attending accredited nursing institutions to become Registered or Licensed Practical Nurses. The stipend is five thousand dollars (\$5,000) per person per year. Any student who is awarded and accepts a stipend is under an employment commitment to the ADH and is required to work in a full-time employee status effective immediately upon graduation. The student employment commitment is equal to the number of years the stipend was awarded and accepted. In the event of Employee/Student default of the employment commitment, the Employee/Student will be considered in breach of contract and repayment of the stipend will be required as specified in the Stipend Contract. The ADH shall determine, on an annual basis, the number of student stipends available due to the availability of funds and the need for direct care services.

The provisions of this section shall be in effect only from July 1, ~~2013~~

2014 through June 30, ~~2014~~ 2015.

*SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY FORWARD OF FUNDS.* The Arkansas Department of Health is authorized to carry forward any unspent funds remaining in the Public Health Fund on June 30, ~~2013~~ 2015 allocated for the support of the Trauma System to be used for the same purposes in the next fiscal year.

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

- (1) Prior to June 30, ~~2014~~ 2015 the Agency shall by written statement set forth its reason(s) for the need to carry forward said funding to the Department of Finance and Administration Office of Budget;
- (2) The Department of Finance and Administration Office of Budget shall report to the Arkansas Legislative Council all amounts carried forward by the September Arkansas Legislative Council or Joint Budget Committee meeting which report shall include the name of the Agency, Board, Commission or Institution and the amount of funding carried forward, the program name or line item, the funding source and a copy of the written request set forth in (1) above;
- (3) Each Agency, Board, Commission or Institution shall provide a written report to the Arkansas Legislative Council or Joint Budget Committee containing all information set forth in item (2) above, along with a written statement as to the current status of the project, contract, purpose etc. for which the carry forward was originally requested no later than thirty (30) days prior to the time the Agency, Board, Commission or Institution presents its budget request to the Arkansas Legislative Council/Joint Budget Committee; and
- (4) Thereupon, the Department of Finance and Administration shall include all information obtained in item (3) above in the budget manuals and/or a statement of non-compliance by the Agency, Board, Commission or Institution.

*SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COMMUNITY HEALTH CENTERS.* Allocation of state funding to Community Health Centers shall be prioritized to ensure that uninsured, under-insured, and underserved

Arkansans receive needed services in order to improve their health, with this funding to preserve and strengthen Community Health Centers and increase Arkansans access to quality primary and preventive health care. The Department of Health shall ensure that any Community Health Center that receives funding through this Act shall first seek to include, in accordance with federal rule and guidance, as many local providers of health care services as possible, such as dental, pharmacy, mental health, and other ancillary services, within each Community Health Center's service area, to participate in the provision of such services as a contractor at a fair, reasonable prevailing rate. Community Health Centers will seek local providers, community, city, county, and state partners to participate in the planning for the development, and, as an employee or contractor, in the implementation of a new Community Health Center in an area of documented unmet need. In addition to reasonable prices, the availability and service quality levels provided by the private provider must meet or exceed the level of service quality provided, as established by the respective governing board, at similarly situated Community Health Centers through the state and at all times meet professional standards of competence and quality. Annually, the Department of Health shall require from the Community Health Centers the submission of performance indicators, to be determined by the Department of Health, reflecting, at a minimum, a listing of all services provided, fee schedules based on local prevailing rates and actual costs, sliding fee scales, and uniform data sets which identify the number of uninsured, Medicaid and Medicare patients and those patients which are below and above 200% of the federal poverty level. Local private providers within the service area that may have been significantly impacted by these services will be determined by the Department of Health. The Department of Health shall institute a procurement process for the allocation of funding provided through this Act, detailing that these and other requirements are factored into the allocation of any funding provided to Community Health Centers. In the implementation of this special language, the Department of Health is permitted, at its discretion, to allow individual applicants an implementation period of up to 90 days from the effective date of individual agreements to satisfy the requirements for private provider collaboration as specified above.

*SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STATE FUND RESTRICTIONS.* No state funds shall be used for abortion referral in public schools, or for abortion services. Funds shall be expended in accordance with Arkansas Code Annotated § 6-18-703.

The provisions of this section shall be in effect only from July 1, ~~2013~~ 2014 through June 30, ~~2014~~ 2015.

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

The provisions of this section shall be in effect from July 1, ~~2013~~ 2014 through June 30, ~~2014~~ 2015.

*SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BREAST CARE PROGRAM.* The Arkansas Department of Health shall annually budget, allocate, and expend for the Breast Care Program as appropriated in Section 6, the sum of at least four million seven hundred fifty-five thousand dollars (\$4,755,000) for Breast Cancer screening, diagnosis, treatment and outreach expenses of the Breast Care Program.

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

The provisions of this section shall be in effect only from July 1, ~~2013~~ 2014 through June 30, ~~2014~~ 2015.

*SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PATIENT*

CARE PROVIDERS – COMPENSATION, REQUIRED WITHHOLDING, FRINGE BENEFITS AND REPORTING.

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

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

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

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

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

(c) Prior to January 15, 2014 the Department of Health shall provide to the Joint Budget Committee or the Arkansas Legislative Council a report of the following information for the 2013 Fiscal Year and 2014 Fiscal Year to date:

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

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

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

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

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

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

The provisions of this section shall be in effect only from July 1, ~~2013~~ 2014, through June 30, ~~2014~~ 2015.

*SECTION 33. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL, AND TEMPORARY LAW.*

(a) As used in this section, "Health Care Independence Program" means the Health Care Independence Program established under the Health Care Independence Act of 2013, Arkansas Code § 20-77-2401 et seq.

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

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

(A) Identifying the purpose in the appropriation act;

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

(C) Delineating the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization Law, Arkansas Code § 19-5-101 et seq.

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

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

(A) Unsolicited communications mailed to potential recipients;

(B) Television, radio, or online commercials;

(C) Billboard or mobile billboard advertising;

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

(E) Internet websites and electronic media.

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

(A) Direct communications with:

(i) Licensed insurance agents; and

(ii) Persons licensed by the department;

(B) Solicited communications with potential recipients;

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

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

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

(d) The Department of Health shall not apply for or accept any funds, including without limitation federal funds, for the purpose of advertisement, promotion, or other activities designed to promote or encourage enrollment in the Arkansas Health Insurance Marketplace or the Health Care Independence Program.

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

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

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

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

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

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

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

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

*SECTION 34. COMPLIANCE WITH OTHER LAWS.* Disbursement of funds authorized by this act shall be limited to the appropriation for such agency and funds made available by law for the support of such appropriations; and the restrictions of the State Procurement Law, the General Accounting and Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary Procedures and Restrictions Act, or their successors, and other fiscal control laws of this State, where applicable, and regulations promulgated by the Department of Finance and Administration, as authorized by law, shall be strictly complied with in disbursement of said funds.

*SECTION 35. LEGISLATIVE INTENT.* It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this act shall be in compliance with the stated reasons for which this act was adopted, as evidenced by the Agency Requests, Executive Recommendations and Legislative Recommendations contained in the budget manuals prepared by the Department of Finance and Administration, letters, or

summarized oral testimony in the official minutes of the Arkansas Legislative Council or Joint Budget Committee which relate to its passage and adoption.

SECTION 36. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2014 is essential to the operation of the agency for which the appropriations in this Act are provided; with the exception that SECTIONS 16 and 17 in this Act shall be in full force and effect from and after the date of its passage and approval, and that in the event of an extension of the Legislative Session, the delay in the effective date of this Act beyond July 1, 2014, with the exception that SECTIONS 16 and 17 in this Act shall be in full force and effect from and after the date of its passage and approval, could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2014; with the exception that SECTIONS 16 and 17 in this Act shall be in full force and effect from and after the date of its passage and approval.

/s/ Joint Budget Committee

**APPROVED: 03/13/2014**

