

Stricken language will be deleted and underlined language will be added.
Act 840 of the Regular Session

State of Arkansas
91st General Assembly
Regular Session, 2017

As Engrossed: S2/27/17 S3/23/17

A Bill

SENATE BILL 201

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 HUMAN SERVICES - DIVISION OF BEHAVIORAL HEALTH SERVICES FOR THE FISCAL YEAR ENDING JUNE 30, 2018; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF HUMAN SERVICES - DIVISION OF BEHAVIORAL HEALTH SERVICES APPROPRIATION FOR THE 2017-2018 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 Human Services - Division of Behavioral Health Services for the 2017-2018 fiscal year, the following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual
				Salary Rate Fiscal Year
				2017-2018
(1)	L005N	PSYCHIATRIC SPECIALIST	1	GRADE N919
(2)	N182N	ASH CHIEF OPERATING OFFICER	1	GRADE N918
(3)	L009N	DHS BEHAV HLTH GENERAL PHYSICIAN	6	GRADE N917
(4)	L011N	DENTIST	1	GRADE N916



(5)	L014N	DIRECTOR OF PHARMACY	1	GRADE N914
(6)	L016N	REGISTERED PHARMACIST	2	GRADE N911
(7)	N019N	DHS DEP DIR BEHAV HLTH SERVICES	1	GRADE N910
(8)	N189N	DHS/DMS DEPUTY DIRECTOR	1	GRADE N908
(9)	N088N	DHS AHC DIRECTOR OF NURSING	1	GRADE N906
(10)	N103N	DHS MENTAL HEALTH CENTER DIRECTOR	1	GRADE N906
(11)	N128N	DHS ASST DIR QUALITY ASSURANCE	1	GRADE N904
(12)	N123N	DHS/DBHS ASST DIR FOR FINANCE	1	GRADE N904
(13)	N127N	DHS/DBHS DIR ALCOHOL/DRUG ABUSE PREV	1	GRADE N904
(14)	N185N	DIR OF OUTCOMES MGMT & PRACTICE IMP	1	GRADE N904
(15)	N135N	DHS AHC NURSING HOME ADMINISTRATOR	1	GRADE N903
(16)	N167N	DHS POLICY & RESEARCH DIRECTOR	1	GRADE N901
(17)	G027N	DHS RESEARCH ANALYSIS MANAGER	1	GRADE N901
(18)	L022N	OCCUPATIONAL THERAPIST	2	GRADE N901
(19)	L021N	PHYSICAL THERAPIST	1	GRADE N901
(20)	N162N	STATE DRUG PREVENTION DIRECTOR	1	GRADE N901
(21)	L001C	PSYCHOLOGIST SUPERVISOR	2	GRADE C129
(22)	M002C	DHS BEHAV HLTH ASSOC DIR, AHC	1	GRADE C127
(23)	M003C	DHS BEHAV HLTH CHILDRENS SYS CARE DIR	1	GRADE C127
(24)	A016C	DHS DMS BUSINESS OPERATIONS MANAGER	1	GRADE C127
(25)	L003C	PSYCHOLOGIST	4	GRADE C127
(26)	L006C	ASSOCIATE DIRECTOR OF NURSING	3	GRADE C126
(27)	L011C	DHS ALCOHOL/DRUG ABUSE PREV AST DP DIR	2	GRADE C125
(28)	L009C	NURSE MANAGER	8	GRADE C125
(29)	M004C	RESIDENTIAL OPERATIONS MANAGER	2	GRADE C125
(30)	G076C	ADMINISTRATIVE SERVICES MANAGER	1	GRADE C124
(31)	L015C	CLINICAL SPEECH PATHOLOGIST	1	GRADE C124
(32)	L024C	DHS BEHAV HLTH FACILITY ADMIN	1	GRADE C123
(33)	A038C	FISCAL SUPPORT MANAGER	1	GRADE C123
(34)	G099C	DHS PROGRAM ADMINISTRATOR	3	GRADE C122
(35)	A041C	PROGRAM FISCAL MANAGER	1	GRADE C122
(36)	L027C	REGISTERED NURSE SUPERVISOR	19	GRADE C122
(37)	M010C	FAMILY SERVICE WORKER CLINICAL SPEC	2	GRADE C121
(38)	M009C	LICENSED CERTIFIED SOCIAL WORKER	29	GRADE C121
(39)	S004C	MAINTENANCE MANAGER	2	GRADE C121
(40)	L036C	NURSE INSTRUCTOR	1	GRADE C121

(41)	R014C	PERSONNEL MANAGER	1	GRADE C121
(42)	L033C	PSYCHOLOGICAL EXAMINER	3	GRADE C121
(43)	L032C	REGISTERED NURSE - HOSPITAL	61	GRADE C121
(44)	T031C	DHS BEHAV HLTH PUBLIC SAFETY DIR	2	GRADE C120
(45)	L040C	DIETARY SERVICES DIRECTOR	1	GRADE C120
(46)	E026C	EDUCATION & INSTRUCTION COORDINATOR	1	GRADE C120
(47)	D057C	INFORMATION TECHNOLOGY MANAGER	1	GRADE C120
(48)	G124C	OMBUDSMAN	1	GRADE C120
(49)	L038C	REGISTERED NURSE	8	GRADE C120
(50)	E023C	TRAINING PROJECT MANAGER	1	GRADE C120
(51)	E035C	CERTIFIED MASTERS TEACHER	1	GRADE C119
(52)	D062C	DATABASE ANALYST	2	GRADE C119
(53)	L044C	DHS BEHAV HLTH CASE REVIEW ANALYST	1	GRADE C119
(54)	G152C	DHS PROGRAM MANAGER	4	GRADE C119
(55)	X062C	QUALITY ASSURANCE COORDINATOR	1	GRADE C119
(56)	A063C	RESEARCH & STATISTICS SUPERVISOR	1	GRADE C119
(57)	A060C	SENIOR AUDITOR	1	GRADE C119
(58)	L050C	CERTIFIED RESPIRATORY THERAPY TECH	4	GRADE C118
(59)	A074C	FISCAL SUPPORT SUPERVISOR	3	GRADE C118
(60)	M026C	LICENSED SOCIAL WORKER	5	GRADE C118
(61)	M023C	SUBSTANCE ABUSE PROGRAM COORD	1	GRADE C118
(62)	M045C	ADULT PROTECTIVE SERVICES WORKER	1	GRADE C117
(63)	E044C	CERTIFIED BACHELORS TEACHER	3	GRADE C117
(64)	G184C	DHS PROGRAM CONSULTANT	3	GRADE C117
(65)	G183C	DHS PROGRAM COORDINATOR	16	GRADE C117
(66)	T052C	DHS/DBHS PUBLIC SAFETY SUPERVISOR	8	GRADE C117
(67)	L055C	DIETICIAN	1	GRADE C117
(68)	G180C	GRANTS ANALYST	3	GRADE C117
(69)	R025C	HUMAN RESOURCES ANALYST	1	GRADE C117
(70)	X101C	INTERNAL AFFAIRS INVESTIGATOR	1	GRADE C117
(71)	L052C	REHAB FACILITY SUPERVISOR	2	GRADE C117
(72)	L051C	REHABILITATION COUNSELOR	1	GRADE C117
(73)	B076C	RESEARCH PROJECT ANALYST	3	GRADE C117
(74)	C022C	BUSINESS OPERATIONS SPECIALIST	1	GRADE C116
(75)	T055C	PUBLIC SAFETY OFFICER	25	GRADE C116
(76)	M049C	SENIOR CHAPLAIN	1	GRADE C116

(77)	S022C	SKILLED TRADES SUPERVISOR	8	GRADE C116
(78)	S021C	WATER FILTER/WASTE DISPOSAL PLNT SUPV	1	GRADE C116
(79)	C037C	ADMINISTRATIVE ANALYST	10	GRADE C115
(80)	D079C	COMPUTER SUPPORT TECHNICIAN	2	GRADE C115
(81)	A091C	FISCAL SUPPORT ANALYST	2	GRADE C115
(82)	D077C	HELP DESK SPECIALIST	1	GRADE C115
(83)	R032C	HUMAN RESOURCES PROGRAM REP	1	GRADE C115
(84)	L062C	LICENSED PRACTICAL NURSE SUPERVISOR	12	GRADE C115
(85)	S033C	MAINTENANCE SUPERVISOR	2	GRADE C115
(86)	C028C	MEDICAL RECORDS SUPERVISOR	1	GRADE C115
(87)	A090C	PAYROLL SERVICES SPECIALIST	2	GRADE C115
(88)	G204C	PLANNING SPECIALIST	1	GRADE C115
(89)	X136C	QUALITY ASSURANCE REVIEWER	2	GRADE C115
(90)	S031C	SKILLED TRADESMAN	24	GRADE C115
(91)	S030C	WATER FILTER/WASTE DISPOSAL PLNT OPER	1	GRADE C115
(92)	S041C	BOILER OPERATOR	3	GRADE C114
(93)	M066C	PROGRAM ELIGIBILITY SPECIALIST	5	GRADE C114
(94)	M065C	RECREATIONAL ACTIVITY SUPERVISOR	3	GRADE C114
(95)	E051C	STAFF DEVELOPMENT SPECIALIST	1	GRADE C114
(96)	S099C	STATIONARY ENGINEER	1	GRADE C114
(97)	V018C	WAREHOUSE MANAGER	1	GRADE C114
(98)	C050C	ADMINISTRATIVE SUPPORT SUPERVISOR	1	GRADE C113
(99)	X167C	COMPLAINTS INVESTIGATOR	1	GRADE C113
(100)	R036C	HUMAN RESOURCES SPECIALIST	5	GRADE C113
(101)	V020C	INVENTORY CONTROL MANAGER	3	GRADE C113
(102)	L069C	LICENSED PRACTICAL NURSE	122	GRADE C113
(103)	S046C	MAINTENANCE TECHNICIAN	1	GRADE C113
(104)	L067C	PSYCHOLOGICAL INTERN	3	GRADE C113
(105)	C043C	RECORDS MANAGEMENT ANALYST	4	GRADE C113
(106)	L066C	REHABILITATION INSTRUCTOR	37	GRADE C113
(107)	T072C	SECURITY OFFICER SUPERVISOR	1	GRADE C113
(108)	C056C	ADMINISTRATIVE SPECIALIST III	46	GRADE C112
(109)	R037C	BENEFITS TECHNICIAN	1	GRADE C112
(110)	A098C	FISCAL SUPPORT SPECIALIST	4	GRADE C112
(111)	A097C	PAYROLL TECHNICIAN	2	GRADE C112
(112)	V022C	PURCHASING TECHNICIAN	1	GRADE C112

(113)	S056C	FOOD PREPARATION SUPERVISOR	9	GRADE C111
(114)	M076C	RECREATIONAL ACTIVITY LEADER II	27	GRADE C111
(115)	M074C	RESIDENTIAL ADVISOR	6	GRADE C111
(116)	V023C	STOREROOM SUPERVISOR	1	GRADE C111
(117)	B111C	LABORATORY TECHNICIAN	1	GRADE C110
(118)	T084C	PUBLIC SAFETY SECURITY OFFICER	45	GRADE C110
(119)	L074C	THERAPY ASSISTANT	3	GRADE C110
(120)	V025C	WAREHOUSE SPECIALIST	1	GRADE C110
(121)	C073C	ADMINISTRATIVE SPECIALIST II	9	GRADE C109
(122)	L082C	CERTIFIED NURSING ASSISTANT	157	GRADE C109
(123)	L080C	DIETETIC TECHNICIAN	2	GRADE C109
(124)	M082C	RECREATIONAL ACTIVITY LEADER I	3	GRADE C109
(125)	E056C	TEACHER ASSISTANT	4	GRADE C109
(126)	M084C	BEHAV HLTH AIDE	77	GRADE C108
(127)	C078C	CASHIER	1	GRADE C108
(128)	S067C	HOUSEKEEPER SUPERVISOR	1	GRADE C108
(129)	V027C	INVENTORY CONTROL TECHNICIAN	6	GRADE C108
(130)	C074C	MEDICAL RECORDS ASSISTANT	1	GRADE C108
(131)	M083C	RESIDENTIAL CARE TECHNICIAN	4	GRADE C108
(132)	S070C	EQUIPMENT TECHNICIAN	7	GRADE C107
(133)	C087C	ADMINISTRATIVE SPECIALIST I	5	GRADE C106
(134)	L086C	PHARMACY ASSISTANT	2	GRADE C106
(135)	V028C	WAREHOUSE WORKER	2	GRADE C106
(136)	V030C	SHIPPING & RECEIVING CLERK	2	GRADE C105
(137)	S085C	FOOD PREPARATION SPECIALIST	7	GRADE C104
(138)	S084C	INSTITUTIONAL SERVICES SUPERVISOR	4	GRADE C104
(139)	S087C	INSTITUTIONAL SERVICES ASSISTANT	53	GRADE C103
(140)	S089C	FOOD PREPARATION TECHNICIAN	<u>37</u>	GRADE C102
		MAX. NO. OF EMPLOYEES	1,079	

SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for the Department of Human Services - Division of Behavioral Health Services for the 2017-2018 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: three hundred thirty-five (335) 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 3. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated, to the Department of Human Services - Division of Behavioral Health Services, to be payable from the Behavioral Health Services Fund Account, for personal services and operating expenses of the Department of Human Services - Division of Behavioral Health Services - State Operations for the fiscal year ending June 30, 2018, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2017-2018</u>
(01) REGULAR SALARIES	\$38,654,608
(02) EXTRA HELP	5,832,583
(03) PERSONAL SERVICES MATCHING	16,277,334
(04) OVERTIME	4,212,006
(05) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	26,814,701
(B) CONF. & TRAVEL	75,725
(C) PROF. FEES	9,974,882
(D) CAP. OUTLAY	250,000
(E) DATA PROC.	0
(06) GRANTS/PATIENT SERVICES	18,050,552
(07) MENTAL HEALTH CTR TRANSFER	<u>2,599,382</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$122,741,773</u></u>

SECTION 4. APPROPRIATION - COMMUNITY ALCOHOL SAFETY OPERATIONS. There is hereby appropriated, to the Department of Human Services - Division of Behavioral Health Services, to be payable from the Highway Safety Special Fund, for grant payments of the Department of Human Services - Division of Behavioral Health Services - Community Alcohol Safety Operations for the fiscal year ending June 30, 2018, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2017-2018</u>
(01) COMMUNITY ALCOHOL SAFETY GRANTS AND	

AID \$4,061,509

SECTION 5. APPROPRIATION - PATIENT BENEFITS - CASH. There is hereby appropriated, to the Department of Human Services - Division of Behavioral Health Services, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for benefits of the patients of the Department of Human Services - Division of Behavioral Health Services for the fiscal year ending June 30, 2018, the following:

ITEM NO.	FISCAL YEAR 2017-2018
(01) PATIENT BENEFIT FUND	<u>\$75,000</u>

SECTION 6. APPROPRIATION - COMMUNITY MENTAL HEALTH CENTERS. There is hereby appropriated, to the Department of Human Services - Division of Behavioral Health Services, to be payable from the Behavioral Health Services Fund Account, for state assistance to the Community Mental Health Centers by the Department of Human Services - Division of Behavioral Health Services for the fiscal year ending June 30, 2018, the following:

ITEM NO.	FISCAL YEAR 2017-2018
(01) STATE ASSISTANCE	<u>\$7,005,603</u>

SECTION 7. APPROPRIATION - MENTAL HEALTH GRANTS. There is hereby appropriated, to the Department of Human Services - Division of Behavioral Health Services, to be payable from the paying account as determined by the Chief Fiscal Officer of the State, for grant payments of the Department of Human Services - Division of Behavioral Health Services for the fiscal year ending June 30, 2018, the following:

ITEM NO.	FISCAL YEAR 2017-2018
(01) MENTAL HEALTH GRANTS	<u>\$9,789,616</u>

SECTION 8. APPROPRIATION - ACUTE MENTAL HEALTH SERVICES - PER CAPITA.

There is hereby appropriated, to the Department of Human Services - Division of Behavioral Health Services, to be payable from the Behavioral Health Services Fund Account, for acute mental health services within community-based settings of the catchment areas served by Community Mental Health Centers licensed and certified by the Department of Human Services - Division of Behavioral Health Services for the fiscal year ending June 30, 2018, the following:

ITEM <u>NO.</u>	FISCAL YEAR <u>2017-2018</u>
(01) ACUTE MENTAL HEALTH SERVICES-PER CAPITA	<u>\$503,188</u>

SECTION 9. APPROPRIATION - ALCOHOL AND DRUG ABUSE PREVENTION. There is hereby appropriated, to the Department of Human Services - Division of Behavioral Health Services, to be payable from the Drug Abuse Prevention and Treatment Fund, for education, drug abuse prevention and treatment services of the Department of Human Services - Division of Behavioral Health Services - Alcohol and Drug Abuse Prevention for the fiscal year ending June 30, 2018, the following:

ITEM <u>NO.</u>	FISCAL YEAR <u>2017-2018</u>
(01) EDUCATION/PREVENTION/TREATMENT	<u>\$24,270,069</u>

SECTION 10. APPROPRIATION - COMMUNITY BASED CRISIS INTERVENTION. There is hereby appropriated, to the Department of Human Services - Division of Behavioral Health Services, to be payable from the Behavioral Health Services Fund Account, for grants and operating expenses related to crisis intervention of the Department of Human Services - Division of Behavioral Health Services - Community Based Crisis Intervention for the fiscal year ending June 30, 2018, the following:

<i>ITEM <u>NO.</u></i>	<i>FISCAL YEAR <u>2017-2018</u></i>
<i>(01) COMMUNITY BASED CRISIS INTERVENTION</i>	<i><u>\$5,000,000</u></i>

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

BEHAVIORAL HEALTH SERVICES - FEDERAL FUNDS. It is the specific intent of the General Assembly that in the event of the availability of federal funding for the Division of Behavioral Health Services during the fiscal year ending June 30, ~~2017~~ 2018, that such funding be utilized to conserve or reduce the expenditure of general revenue except where prohibited by law.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

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

BEHAVIORAL HEALTH SERVICES. Pay rates for physicians and chief psychologists within the Division of Behavioral Health Services may include the special allowances available to UAMS physicians and professional faculty as described in the special language of the UAMS appropriation. Part of the salaries of such staff will come from the receipt of professional income in the care of patients and/or funds received from federal agencies, foundations and other private sponsors in the support of research. Provided that any such allowance shall not exceed, for any employee, an amount equal to two and one half times the salary authorized by the General Assembly. The specific Division of Behavioral Health Services classifications covered by this language are:

Class

Code Title

L005N Psychiatric Specialist

L009N DHS Behavioral Health General Physician

L001C Psychologist Supervisor

Prior to these allowances being made available for an individual, they will be approved by the Chief Fiscal Officer of the State and reviewed by the Personnel Committee of the Arkansas Legislative Council or the Joint Budget Committee.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

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

CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
BEHAVIORAL HEALTH SERVICES - VOCATIONAL TRAINEES. The Division of Behavioral Health Services of the Department of Human Services is hereby authorized to provide employment opportunities for some of the working residents who are separate from the currently authorized regular vocational trainee positions. The positions authorized herein shall not be incorporated into the present classification system but shall be provided for by each Community Mental Health Center or the State Hospital, on a cash account basis. It is the intent of the General Assembly that the authorization of these positions shall facilitate the Agency's ability to provide for residents who are not part of a regular vocational training program.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
BEHAVIORAL HEALTH SERVICES - JOB SHARE. The Division of Behavioral Health Services can utilize job share for positions within the nursing classification (RN, LPN/LPTN, BHA/CNA) for up to 24 hours per week per individual. This will allow the Division to offer weekend option shifts to nursing personnel without increasing the number of positions.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
BEHAVIORAL HEALTH SERVICES - STATE HOSPITAL CONTINGENCY POSITIONS. If the Department of Human Services determines, and after prior review by the Legislative Council or Joint Budget Committee, it shall be determined that it is in the best interest of the State of Arkansas to discontinue a management contract with a private provider and it is deemed necessary to utilize Department staff to provide the required services, the Director of the Department of Human Services may request the Department of Finance and Administration to approve the establishment of one or more additional positions at salary rates not to exceed the maximum salaries established for comparable positions in the Uniform Classification and Compensation Act, the

Department of Human Services' Appropriation Act, and the University of Arkansas for Medical Sciences' Appropriation Act. Upon approval by the Department of Finance and Administration and after review by the Legislative Council or Joint Budget Committee, the Department of Human Services - Division of Behavioral Health Services may establish such positions.

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, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS HEALTH CENTER. (A) The Department of Human Services shall not close the Arkansas Health Center that provides skilled nursing through specialized services and programs.

(B) The Department of Human Services shall continue to accept clients for whom it has determined that skilled nursing and specialized services are needed at the Arkansas Health Center.

(C) No funds shall be transferred or reduced from the Arkansas Health Center, except for use as federal matching funds, below the approved funding level on March 1, 2003 without the prior approval of the Arkansas Legislative Council or the Joint Budget Committee.

(D) 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 Department of Human Services may operate more efficiently if some flexibility is provided to the Department of Human Services 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.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA HELP – BEHAVIORAL HEALTH SERVICES. Employees in extra-help positions at the Department of Human Services – Division of Behavioral Health Services may receive an amount not to exceed eighty-five percent (85%) of the maximum annual salary for a comparable position as authorized under § 21-5-201 et seq. during any fiscal year, nor shall such an employee be employed for a period of time to exceed one thousand eight hundred (1,800) hours in any single fiscal year.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BEHAVIORAL HEALTH SERVICES - PROCEEDS FOR SALES OF TIMBER AND HAY - CAPITAL IMPROVEMENTS AND EQUIPMENT. The Division of Behavioral Health Services is authorized to use the administrative operating account for capital improvements to the physical plant, and for the purchase of capital equipment, and for the operation of the Arkansas Health Center, operated by the Department of Human Services - Division of Behavioral Health Services. The funds shall be held by the Department of Human Services - Division of Behavioral Health Services, from the proceeds of the sale of timber and hay that may be harvested from land owned by the Division of Behavioral Health Services. All funds deposited and all expenses shall be tracked separately. The harvesting of timber and hay is specifically authorized to provide funds to finance capital improvements to the physical plant, for the purchase of major capital equipment, and for the operation of the Arkansas Health Center. The Division of Behavioral Health Services shall report all income derived from the sale of timber and hay to the Chief Fiscal Officer of the State and the Legislative Council or Joint Budget Committee. Any contracts initiated

for the harvesting of timber and hay shall be submitted to the Review Subcommittee of the Arkansas Legislative Council or Joint Budget Committee for prior review. All expenditures of funds derived from the sale of timber and hay will be expended in accordance with relevant state purchasing laws.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL RATES OF PAY AND EMPLOYMENT WORK DAYS. For employees hired on or after July 1, 2013, at the Arkansas State Hospital in the classifications listed below, the Division of Behavioral Health Services Director shall implement salary adjustments utilizing the approved pay grid for teachers employed by the Arkansas Schools for the Blind and Deaf.

To achieve the salary adjustments, the Division of Behavioral Health Services is authorized to pay special rates of pay for classifications at the Arkansas State Hospital listed below:

Classification	Title	Grade
E035C	Certified Masters Teacher	C119
E044C	Certified Bachelors Teacher	C117

Funding for the minimum compensation provided for in this section that is supported in whole or in part from general revenues, shall, if required, be provided by a transfer from the Merit Adjustment Fund to the proper fund or fund account and in such amounts as determined by the Chief Fiscal Officer of the State. The Division of Behavioral Health Services shall in addition to the funds provided in this Act for Annual Career Service Recognition Payments from the Merit Adjustment Fund, make available any funding generated from agency salary savings for such purposes from the funds or fund accounts as provided by law.

For employees hired on or after July 1, 2013, at the Arkansas State Hospital in the classifications listed above, the Division of Behavioral Health Services Director shall set the number of work days for the employment year to equal the number of days worked by those employed in the same classifications at the Arkansas Schools for the Blind and Deaf. The accrual, use, and carryover of sick days, personal days, and holidays of the employees at the Arkansas State Hospital that are hired on or after July 1, 2013, or

current employees choosing to adopt this plan, shall be treated in the same manner as those employed in the same classifications at the Arkansas Schools for the Blind and Deaf.

Those currently employed at the Arkansas State Hospital in the classifications listed above as of June 30, 2013, have the one-time option of adopting this language or continuing to operate under the same salary, leave and benefit plans they are currently receiving. Employees must make their decision by June 30, 2013.

Accrued annual and holiday leave, up to 240 hours, as of June 30, 2013, will be paid out to current employees choosing to adopt this plan. Any additional accrued annual and holiday leave will be forfeited. Accrued sick leave, as of June 30, 2013, shall be retained on file and shall be exhausted before any newly accrued sick leave may be taken.

All employees affected by this section shall be eligible to receive hazardous duty pay for time worked in eligible areas.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

SECTION 20. 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 21. 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 22. 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, 2017 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2017 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, 2017.

/s/Joint Budget Committee

APPROVED: 04/03/2017