

State of Arkansas
94th General Assembly
Regular Session, 2023

As Engrossed: S3/27/23

A Bill

SENATE BILL 54

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 AGING, ADULT, AND BEHAVIORAL HEALTH SERVICES FOR THE FISCAL YEAR ENDING JUNE 30, 2024; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF HUMAN SERVICES - DIVISION OF AGING, ADULT, AND BEHAVIORAL HEALTH SERVICES APPROPRIATION FOR THE 2023-2024 FISCAL YEAR.

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

SECTION 1. REGULAR SALARIES - STATE OPERATIONS. There is hereby established for the Department of Human Services - Division of Aging, Adult, and Behavioral Health Services for the 2023-2024 fiscal year, the following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual
				Salary Rate Fiscal Year
				2023-2024
(1)	N221N	ARKANSAS STATE HOSPITAL COO	1	GRADE SE03
(2)	N249N	DHS DIVISION DIRECTOR	1	GRADE SE02
(3)	N027N	DHS DEPUTY DIRECTOR ADULT SERVICES	1	GRADE SE01
(4)	L011N	DENTIST	1	GRADE MP06



(5)	L009N DHS BEHAV HLTH GENERAL PHYSICIAN	4	GRADE MP06
(6)	L014N DIRECTOR OF PHARMACY	1	GRADE MP06
(7)	L013N GENERAL PHYSICIAN	1	GRADE MP06
(8)	L016N REGISTERED PHARMACIST	4	GRADE MP05
(9)	L105C AHC NURSING DIRECTOR	1	GRADE MP04
(10)	L001C PSYCHOLOGIST SUPERVISOR	1	GRADE MP04
(11)	L006C ASSOCIATE DIRECTOR OF NURSING	3	GRADE MP03
(12)	L009C NURSE MANAGER	10	GRADE MP03
(13)	L003C PSYCHOLOGIST	4	GRADE MP03
(14)	L015C CLINICAL SPEECH PATHOLOGIST	1	GRADE MP02
(15)	L036C NURSE INSTRUCTOR	1	GRADE MP02
(16)	L027C REGISTERED NURSE SUPERVISOR	30	GRADE MP02
(17)	L038C REGISTERED NURSE	121	GRADE MP01
(18)	L032C REGISTERED NURSE - HOSPITAL	28	GRADE MP01
(19)	G283C DHS CHIEF SECURITY & COMPLIANCE OFCR	1	GRADE GS15
(20)	N103N DHS MENTAL HEALTH CENTER DIRECTOR	1	GRADE GS14
(21)	N124N DHS/DYS ASSISTANT DIVISION DIRECTOR	1	GRADE GS14
(22)	M002C DHS BEHAV HLTH ASSOC DIR, AHC	1	GRADE GS13
(23)	G277C DHS PROCESS IMPROVEMENT DIRECTOR	1	GRADE GS13
(24)	N127N DHS/DBHS DIR ALCOHOL & DRUG ABUSE PROG	1	GRADE GS13
(25)	G004C MANAGING ATTORNEY	1	GRADE GS13
(26)	G101C DHS AREA MANAGER	1	GRADE GS12
(27)	N152N DHS/DBHS ASSISTANT DIR ADMIN SVCS	1	GRADE GS12
(28)	A014C FISCAL DIVISION MANAGER	1	GRADE GS12
(29)	G047C ATTORNEY SPECIALIST	1	GRADE GS11
(30)	L011C DHS ALCHL/DRUG ABUSE PREV ASST DEP DIR	2	GRADE GS11
(31)	G027N DHS RESEARCH ANALYSIS MANAGER	1	GRADE GS11
(32)	N153N DHS/DBHS CLINICAL DIRECTOR	1	GRADE GS11
(33)	G076C ADMINISTRATIVE SERVICES MANAGER	1	GRADE GS10
(34)	L010C DHS DMS MEDICAL ASSISTANCE MANAGER	1	GRADE GS10
(35)	L024C DHS BEHAV HLTH FACILITY ADMIN	1	GRADE GS09
(36)	G099C DHS PROGRAM ADMINISTRATOR	12	GRADE GS09
(37)	L040C DIETARY SERVICES DIRECTOR	1	GRADE GS09
(38)	G109C GRANTS MANAGER	4	GRADE GS09
(39)	M009C LICENSED CERTIFIED SOCIAL WORKER	27	GRADE GS09
(40)	L033C PSYCHOLOGICAL EXAMINER	1	GRADE GS09

(41)	E035C CERTIFIED MASTERS TEACHER	1	GRADE GS08
(42)	L050C CERTIFIED RESPIRATORY THERAPY TECH	4	GRADE GS08
(43)	T031C DHS BEHAV HLTH PUBLIC SAFETY DIR	1	GRADE GS08
(44)	M016C DHS FIELD MANAGER	4	GRADE GS08
(45)	G152C DHS PROGRAM MANAGER	10	GRADE GS08
(46)	G083C DHS/DAAS DIVISION MANAGER	1	GRADE GS08
(47)	E026C EDUCATION & INSTRUCTION COORDINATOR	1	GRADE GS08
(48)	M010C FAMILY SERVICE WORKER CLINICAL SPEC	1	GRADE GS08
(49)	S004C MAINTENANCE MANAGER	1	GRADE GS08
(50)	E023C TRAINING PROJECT MANAGER	1	GRADE GS08
(51)	S008C CAMPUS MAINTENANCE SUPERVISOR	2	GRADE GS07
(52)	G131C DHS BEHAV HLTH MED BUS PRACTICES ADM	1	GRADE GS07
(53)	G183C DHS PROGRAM COORDINATOR	23	GRADE GS07
(54)	G153C DHS/DAAS PROGRAM SUPERVISOR	2	GRADE GS07
(55)	L055C DIETICIAN	1	GRADE GS07
(56)	L062C LICENSED PRACTICAL NURSE SUPERVISOR	12	GRADE GS07
(57)	M026C LICENSED SOCIAL WORKER	5	GRADE GS07
(58)	P020C PRODUCTION ARTIST	1	GRADE GS07
(59)	M025C PROGRAM ELIGIBILITY COORDINATOR I	1	GRADE GS07
(60)	L052C REHAB FACILITY SUPERVISOR	2	GRADE GS07
(61)	A072C RESEARCH & STATISTICS MANAGER	1	GRADE GS07
(62)	A063C RESEARCH & STATISTICS SUPERVISOR	1	GRADE GS07
(63)	C037C ADMINISTRATIVE ANALYST	10	GRADE GS06
(64)	M045C ADULT PROTECTIVE SERVICES WORKER	39	GRADE GS06
(65)	E044C CERTIFIED BACHELORS TEACHER	3	GRADE GS06
(66)	L044C DHS BEHAV HLTH CASE REVIEW ANALYST	1	GRADE GS06
(67)	G184C DHS PROGRAM CONSULTANT	2	GRADE GS06
(68)	G210C DHS PROGRAM SPECIALIST	4	GRADE GS06
(69)	G198C DHS/DAAS PROGRAM SPECIALIST	3	GRADE GS06
(70)	T052C DHS/DBHS PUBLIC SAFETY SUPERVISOR	4	GRADE GS06
(71)	G180C GRANTS ANALYST	4	GRADE GS06
(72)	X101C INTERNAL AFFAIRS INVESTIGATOR	1	GRADE GS06
(73)	G179C LEGAL SERVICES SPECIALIST	2	GRADE GS06
(74)	L069C LICENSED PRACTICAL NURSE	98	GRADE GS06
(75)	S033C MAINTENANCE SUPERVISOR	2	GRADE GS06
(76)	G124C OMBUDSMAN	1	GRADE GS06

(77)	G178C	POLICY DEVELOPMENT COORDINATOR	1	GRADE GS06
(78)	M066C	PROGRAM ELIGIBILITY SPECIALIST	6	GRADE GS06
(79)	L103C	PSYCHOLOGICAL EVALUATOR	3	GRADE GS06
(80)	C026C	RECORDS/INTAKE SUPERVISOR	2	GRADE GS06
(81)	L051C	REHABILITATION COUNSELOR	2	GRADE GS06
(82)	B076C	RESEARCH PROJECT ANALYST	2	GRADE GS06
(83)	S022C	SKILLED TRADES SUPERVISOR	9	GRADE GS06
(84)	G202C	VOLUNTEER PROGRAM COORDINATOR	2	GRADE GS06
(85)	S021C	WATER FILTER/WASTE DISPOSAL PLNT SUPV	1	GRADE GS06
(86)	C036C	ADMINISTRATIVE REVIEW ANALYST	1	GRADE GS05
(87)	C050C	ADMINISTRATIVE SUPPORT SUPERVISOR	1	GRADE GS05
(88)	S041C	BOILER OPERATOR	4	GRADE GS05
(89)	A091C	FISCAL SUPPORT ANALYST	2	GRADE GS05
(90)	C030C	HEALTH RECORDS SPECIALIST	1	GRADE GS05
(91)	D077C	HELP DESK SPECIALIST	2	GRADE GS05
(92)	T055C	PUBLIC SAFETY OFFICER	20	GRADE GS05
(93)	M065C	RECREATIONAL ACTIVITY SUPERVISOR	3	GRADE GS05
(94)	L066C	REHABILITATION INSTRUCTOR	36	GRADE GS05
(95)	S031C	SKILLED TRADESMAN	25	GRADE GS05
(96)	V018C	WAREHOUSE MANAGER	1	GRADE GS05
(97)	S030C	WATER FILTER/WASTE DISPOSAL PLNT OPER	2	GRADE GS05
(98)	C056C	ADMINISTRATIVE SPECIALIST III	37	GRADE GS04
(99)	X167C	COMPLAINTS INVESTIGATOR	1	GRADE GS04
(100)	L102C	DIETETIC SPECIALIST	2	GRADE GS04
(101)	A098C	FISCAL SUPPORT SPECIALIST	2	GRADE GS04
(102)	S044C	FOOD PREPARATION MANAGER	1	GRADE GS04
(103)	V020C	INVENTORY CONTROL MANAGER	3	GRADE GS04
(104)	B111C	LABORATORY TECHNICIAN	3	GRADE GS04
(105)	S046C	MAINTENANCE TECHNICIAN	1	GRADE GS04
(106)	C043C	RECORDS MANAGEMENT ANALYST	4	GRADE GS04
(107)	T072C	SECURITY OFFICER SUPERVISOR	1	GRADE GS04
(108)	V023C	STOREROOM SUPERVISOR	1	GRADE GS04
(109)	L074C	THERAPY ASSISTANT	2	GRADE GS04
(110)	V025C	WAREHOUSE SPECIALIST	1	GRADE GS04
(111)	C073C	ADMINISTRATIVE SPECIALIST II	5	GRADE GS03
(112)	M084C	BEHAV HLTH AIDE	75	GRADE GS03

(113)	L082C CERTIFIED NURSING ASSISTANT	154	GRADE GS03
(114)	S056C FOOD PREPARATION SUPERVISOR	8	GRADE GS03
(115)	S067C HOUSEKEEPER SUPERVISOR	1	GRADE GS03
(116)	V027C INVENTORY CONTROL TECHNICIAN	5	GRADE GS03
(117)	C074C MEDICAL RECORDS ASSISTANT	1	GRADE GS03
(118)	T084C PUBLIC SAFETY SECURITY OFFICER	60	GRADE GS03
(119)	C087C ADMINISTRATIVE SPECIALIST I	5	GRADE GS02
(120)	S070C EQUIPMENT TECHNICIAN	4	GRADE GS02
(121)	S085C FOOD PREPARATION SPECIALIST	7	GRADE GS02
(122)	S084C INSTITUTIONAL SERVICES SUPERVISOR	4	GRADE GS02
(123)	S066C LANDSCAPE TECHNICIAN	2	GRADE GS02
(124)	M076C RECREATIONAL ACTIVITY LEADER II	22	GRADE GS02
(125)	V030C SHIPPING & RECEIVING CLERK	1	GRADE GS02
(126)	E056C TEACHER ASSISTANT	4	GRADE GS02
(127)	V028C WAREHOUSE WORKER	2	GRADE GS02
(128)	S089C FOOD PREPARATION TECHNICIAN	29	GRADE GS01
(129)	S087C INSTITUTIONAL SERVICES ASSISTANT	48	GRADE GS01
(130)	L086C PHARMACY ASSISTANT	2	GRADE GS01
(131)	M082C RECREATIONAL ACTIVITY LEADER I	<u>2</u>	GRADE GS01
	MAX. NO. OF EMPLOYEES	1,154	

SECTION 2. EXTRA HELP - STATE OPERATIONS. There is hereby authorized, for the Department of Human Services - Division of Aging, Adult, and Behavioral Health Services for the 2023-2024 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 forty-seven (347) 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, 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 Human Services - Division of Aging, Adult, and Behavioral Health Services for the fiscal

year ending June 30, 2024, the following:

ITEM NO.	FISCAL YEAR 2023-2024
(01) REGULAR SALARIES	\$54,107,528
(02) EXTRA HELP	5,764,305
(03) PERSONAL SERVICES MATCHING	22,785,595
(04) OVERTIME	5,712,006
(05) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	27,965,946
(B) CONF. & TRAVEL	159,913
(C) PROF. FEES	10,350,830
(D) CAP. OUTLAY	340,135
(E) DATA PROC.	<u>0</u>
.....TOTAL AMOUNT APPROPRIATED	<u>\$127,186,258</u>

SECTION 4. APPROPRIATION - AGING AND ADULT SERVICES - OPERATIONS.

There is hereby appropriated, to the Department of Human Services, to be payable from the paying account as determined by the Chief Fiscal Officer of the State, for operating expenses, grants, and programs for aging and adult services of the Department of Human Services - Division of Aging, Adult, and Behavioral Health Services for the fiscal year ending June 30, 2024, the following:

ITEM NO.	FISCAL YEAR 2023-2024
(01) NURSING HOME CARE ALTERNATIVES	\$4,802,025
(02) NUTRITION PROGRAMS	18,929,216
(03) OLDER WORKER PROGRAM	1,052,665
(04) PROJECT GRANTS	14,491,416
(05) RETIRED & SENIOR VOLUNTEER PROGRAM	75,000
(06) SENIOR CITIZEN CENTERS	<u>10,000,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$49,350,322</u>

SECTION 5. APPROPRIATION - COMMUNITY ALCOHOL SAFETY OPERATIONS. There is hereby appropriated, to the Department of Human Services, to be payable

from the Highway Safety Special Fund, for grant payments of the Department of Human Services - Division of Aging, Adult, and Behavioral Health Services for the fiscal year ending June 30, 2024, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2023-2024</u>
(01) COMMUNITY ALCOHOL SAFETY GRANTS AND AID	<u>\$2,416,834</u>

SECTION 6. APPROPRIATION - PATIENT BENEFITS - CASH. There is hereby appropriated, to the Department of Human 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 Aging, Adult, and Behavioral Health Services for the fiscal year ending June 30, 2024, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2023-2024</u>
(01) PATIENT BENEFIT FUND	<u>\$34,676</u>

SECTION 7. APPROPRIATION - MENTAL HEALTH GRANTS. There is hereby appropriated, to the Department of Human 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 Aging, Adult, and Behavioral Health Services for the fiscal year ending June 30, 2024, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2023-2024</u>
(01) MENTAL HEALTH GRANTS AND AID	<u>\$43,672,554</u>

SECTION 8. APPROPRIATION - ALCOHOL AND DRUG ABUSE PREVENTION. There is hereby appropriated, to the Department of Human 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 Aging, Adult, and Behavioral Health Services for the fiscal year

ending June 30, 2024, the following:

ITEM NO.	FISCAL YEAR 2023-2024
(01) EDUCATION/PREVENTION/TREATMENT	<u>\$40,513,788</u>

SECTION 9. APPROPRIATION - COMMUNITY BASED CRISIS INTERVENTION. There is hereby appropriated, to the Department of Human 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 Aging, Adult, and Behavioral Health Services for the fiscal year ending June 30, 2024, the following:

ITEM NO.	FISCAL YEAR 2023-2024
(01) CRISIS INTERVENTION GRANTS AND AID	<u>\$5,000,000</u>

SECTION 10. APPROPRIATION - VETERANS MENTAL HEALTH GRANT PROGRAM. There is hereby appropriated, to the Department of Human Services, to be payable from the paying account as determined by the Chief Fiscal Officer of the State, for a grant program to veterans service organizations to support veterans and their families by the Department of Human Services - Division of Aging, Adult, and Behavioral Health Services for the fiscal year ending June 30, 2024, the following:

ITEM NO.	FISCAL YEAR 2023-2024
(01) VETERANS MENTAL HEALTH GRANT PROGRAM	<u>\$5,000,000</u>

SECTION 11. APPROPRIATION - MEALS ON WHEELS. There is hereby appropriated, to the Department of Human Services, to be payable from the Aging and Adult Services Fund Account, for the Meals on Wheels Program and transportation services for the elderly of the Department of Human Services - Division of Aging, Adult, and Behavioral Health Services for the fiscal year ending June 30, 2024, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2023-2024</u>
(01) TRANSPORTATION SERVICES	<u>\$2,400,000</u>

SECTION 12. APPROPRIATION - ARKANSAS SENIOR OLYMPICS. There is hereby appropriated, to the Department of Human Services, to be payable from the Behavioral Health Services Fund Account, for matching funds for the Arkansas Senior Olympics of the Department of Human Services - Division of Aging, Adult, and Behavioral Health Services for the fiscal year ending June 30, 2024, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2023-2024</u>
(01) STATE MATCH	<u>\$70,000</u>

SECTION 13. 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 Aging, Adult, and Behavioral Health Services may include the special allowances available to UAMS physicians and professional faculty as authorized in Arkansas Code. 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 Aging, Adult, and 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, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

SECTION 14. SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code Title 25, Chapter 10, is amended to add an additional subchapter to read as follows:

Subchapter 5 – Division of Aging, Adult, and Behavioral Health Services

25-10-501. Vocational trainees.

(a) It is the intent of the General Assembly that the authorization of certain vocational trainee positions shall facilitate the Department of Human Services' ability to provide for residents who are not part of a regular vocational training program.

(b)(1) The Division of Aging, Adult, and Behavioral Health Services of the Department of Human Services may provide employment opportunities for some of the working residents who are separate from the currently authorized regular vocational trainee positions.

(2) The positions authorized in this subsection shall not be incorporated into the present classification system but shall be provided for by each community mental health center or the Arkansas State Hospital, on a cash account basis.

25-10-502. Job share for nursing classifications.

The Division of Aging, Adult, and Behavioral Health Services of the Department of Human Services may utilize job share for positions within the nursing classification for up to twenty-four (24) hours per week per individual to allow the division to offer weekend option shifts to nursing personnel without increasing the number of positions.

25-10-503. Arkansas State Hospital contingency positions.

(a) If the Department of Human Services determines, after prior review by the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee, that it is in the best interest of the state to discontinue a management contract with a private provider and it is deemed necessary to utilize department staff to provide the required services, the Secretary of the Department of Human Services may request the Department of

Transformation and Shared Services to approve the establishment of one (1) or more additional positions at salary rates not to exceed the maximum salaries established for comparable positions in the Uniform Classification and Compensation Act, § 21-5-201 et seq., the operative appropriation act of the Department of Human Services, and the operative appropriation act of the University of Arkansas for Medical Sciences.

(b) Upon approval by the Department of Transformation and Shared Services and after review by the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee, the Division of Aging, Adult, and Behavioral Health Services of the Department of Human Services may establish positions described in subsection (a) of this section.

(c) If the division requests continuation of a position as established in this section, the position shall be requested as a new position in the division's budget request.

SECTION 15. 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, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

SECTION 16. SPECIAL LANGUAGE – CODE AMENDMENT. Arkansas Code Title 25, Chapter 10, Subchapter 1, is amended to add additional sections to codify special language in appropriation acts to read as follows:

25-10-146. Division of Aging, Adult, and Behavioral Health Services of the Department of Human Services – Timber and hay sales.

(a) The Division of Aging, Adult, and Behavioral Health Services of the Department of Human Services may use the administrative operating account for:

- (1) Capital improvements to the physical plant;
- (2) The purchase of capital equipment; and
- (3) The operations of the Arkansas Health Center.

(b)(1) The harvesting of timber and hay is authorized to provide funds to finance the items listed in subsection (a) of this section.

(2) The division shall hold funds from timber and hay sales separately from other division funds.

(3) All funds deposited from timber and hay sales and all expenses paid through timber and hay sales shall be tracked separately from other division deposits and payments.

(c) All expenditures of funds derived from the sale of timber and hay shall be expended in accordance with relevant state purchasing laws.

(d)(1) The division 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, if the General Assembly is in session, the Joint Budget Committee.

(2) A contract initiated for the harvesting of timber and hay shall be submitted to the Review Subcommittee of the Legislative Council or, if the

General Assembly is in session, the Review/PEER Subcommittee of the Joint Budget Committee for prior review.

25-10-147. Division of Aging, Adult, and Behavioral Health Services of the Department of Human Services – Extra help positions – Limitations.

Employees in extra help positions in the Division of Aging, Adult, and Behavioral Health Services of the Department of Human Services shall not, in a fiscal year:

(1) Receive an amount exceeding eighty-five percent (85%) of the maximum annual salary for a comparable position as authorized under the Uniform Classification and Compensation Act, § 21-5-201 et seq.; or

(2) Be employed for a period of time exceeding one thousand eight hundred (1,800) hours.

25-10-148. Division of Aging, Adult, and Behavioral Health Services of the Department of Human Services – State and federal funds.

(a) The Secretary of the Department of Human Services may use state funds to match federal funds available under Title III and Title V of the Older Americans Act, 42 U.S.C. § 3001 et. seq., as they existed on January 1, 2023, the Social Services Block Grant, or other federal funds that become available.

(b) All appropriations for state and federal funding for the Division of Aging, Adult, and Behavioral Health Services that are distributed under grant or contract methodologies may be disbursed by the Department of Human Services in the same manner as authorized under federal regulations for the disbursement of funds under Title III of the Older Americans Act, 42 U.S.C. § 3001 et. seq., as they existed on January 1, 2023.

(c) If federal funding is available for the division during a fiscal year, the federal funding shall be used to conserve or reduce the expenditure of general revenue except when prohibited by law.

SECTION 17. 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 Aging, Adult, and 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 Aging, Adult, and 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	GS08
E044C	Certified Bachelors Teacher	GS06

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 Performance 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 Aging, Adult, and Behavioral Health Services shall in addition to the funds provided in this Act for Annual Career Service Recognition Payments from the Performance 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 Aging, Adult, and 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, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY FORWARD - COMMUNITY BASED CRISIS INTERVENTION. Any unexpended balance of funds allocated for Community Based Crisis Intervention in the Department of Human Services - Division of Aging, Adult, and Behavioral Health Services from the Behavioral Health Services Fund Account which remains at the close of each state fiscal year shall be carried forward to the next state fiscal year to be used for the same intent and purposes as set forth in law. Any carry forward of unexpended balance of funding as authorized herein may be carried forward under the following conditions:

(1) Prior to June 30, ~~2022~~ 2023, 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 of that appropriation 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.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND ADULT SERVICES - MATCHING FUNDS. The funds appropriated for state match for the Arkansas Senior Olympics Program in this Act shall be paid on a two-to-one state/local matching basis. The Senior Arkansas Sports Organization must certify its portion of the match to the Division of Aging, Adult, and Behavioral Health Services before any funds appropriated for state match for the Arkansas Senior Olympics Program in this Act are disbursed.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND ADULT SERVICES - NURSING HOME CARE ALTERNATIVES. Funding for "Nursing Home Care Alternatives", as it appears in the Aging and Adult Services - Operations appropriation may be used for home delivered meals, adult day care, homemaker/chore, respite care, personal care, health promotion, and other community-based activities. These funds may also be used to match Medicaid community-based programs.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SENIOR CITIZEN CENTERS. The appropriation in this act for Senior Citizen Centers shall be distributed in the same manner as the funding formula requirements set out in the federal Older Americans Act funding law. The additional funding provided by this provision shall supplement and not supplant any monies currently funding services for Senior Citizen Centers.

The requirements in this section shall only be implemented in accordance with any necessary approval by the Centers for Medicare and Medicaid Services

and in the event that additional general revenue funding is provided by the General Assembly for these purposes. Should additional funding provided for these purposes be insufficient to provide for the increases in full, the increases shall be provided to the extent that funding is made available.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY FORWARD OF UNOBLIGATED GENERAL REVENUE FUNDS FOR SENIOR CITIZEN CENTERS. (a) On June 30, 2019, or as soon as is practicable to determine funds available as authorized in this Section, and each fiscal year thereafter the Chief Fiscal Officer of the State shall cause to be transferred on his or her books and those of the State Treasurer and Auditor of State the balance of unobligated general revenue funds, excluding funds carried forward for other purposes, remaining in the Fund or Fund Accounts and the corresponding paying accounts as determined by the Chief Fiscal Officer of the State, as set out in subsection (b) herein, to the Department of Human Services - Division of Aging, Adult, and Behavioral Health Services paying account to be used exclusively for the disbursement of funds for Senior Citizen Centers in the amount of recouped and recovered general revenue not to exceed five hundred thousand dollars (\$500,000).

(b) Any unobligated general revenue, excluding funds carried forward for other purposes, remaining in the following Fund or Fund Accounts and the corresponding paying accounts at the end of the Fiscal Year that would normally be transferred into the General Revenue Allotment Reserve Fund as recouped or recovered General Revenue shall be transferred as authorized in subsection (a) herein:

- (1) Department of Human Services Administration Fund Account;
- (2) Children and Family Services Fund Account;
- (3) Child Care and Early Childhood Education Fund Account;
- (4) Youth Services Fund Account;
- (5) Developmental Disabilities Services Fund Account;
- (6) Medical Services Fund Account;
- (7) Behavioral Health Services Fund Account;
- (8) County Operations Fund Account; and

(9) Provider Services and Quality Assurance Fund Account.

(c)(1) Any general revenue recouped or recovered as authorized in subsections (a) and (b) herein shall be carried forward to the following fiscal year for Senior Citizen Centers and shall be distributed in the same manner as the funding formula requirements set out in the federal Older Americans Act funding law.

(2) The additional funding provided by this provision shall supplement and not supplant any monies currently funding services for Senior Citizen Centers.

(d) Should additional funding provided for in subsections (a) and (b) herein be insufficient to provide for the full five hundred thousand dollars (\$500,000) authorized, the increases shall be provided to the extent that general revenue is recouped and carried forward.

(e)(1) The Department of Human Services shall provide a written report to the Department of Finance and Administration Budget Office, the Arkansas Legislative Council or Joint Budget Committee the total amount of general revenue carried forward and distributed as set forth in this section no later than thirty (30) days prior to the time the Department presents its budget request to the Legislative Council or Joint Budget Committee.

(2) The Department of Finance and Administration shall include all information obtained in subsection (e)(1) herein in the budget manual submitted to the Arkansas Legislative Council or Joint Budget Committee for the Department.

SECTION 23. 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 24. 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 25. 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, 2023 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, 2023 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, 2023.

/s/Joint Budget Committee

APPROVED: 4/13/23