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ARKANSAS SENATE

92nd General Assembly - Regular Session, 2019

Amendment Form

DRAFT

Subtitle of Senate Bill No. 102

AN ACT FOR THE DEPARTMENT OF HUMAN SERVICES - DIVISION OF AGING, ADULT, AND
BEHAVIORAL HEALTH SERVICES APPROPRIATION FOR THE 2019-2020 FISCAL YEAR.

Amendment No. ___ to Senate Bill No. 102

Amend Senate Bill No. 102 as engrossed, S3/11/19 (version: 03/11/2019 03:47:40 PM)

On page 8, line 32, delete "Aging and Adult" and insert "Behavioral Health"

AND

On page 15, immediately following SECTION 21, insert the following SECTIONS:

" SECTION 22. 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, 2020, 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)

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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, 2019 through June 30, 2020.

SECTION 23. 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, 2019, 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, 2018 through June 30, 2019. "

AND

On page 17, delete SECTION 29 in its entirety and insert the following:

" SECTION 29. 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, 2019 is essential to the operation of the agency for which the appropriations in this Act are provided; with the exception that Section 23 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, 2019, with the exception that Section 23 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, 2019; with the exception that Section 23 in this Act shall be in full force and effect from and after the date of its passage and approval. "

AND

Appropriately renumber the SECTIONS of the bill.

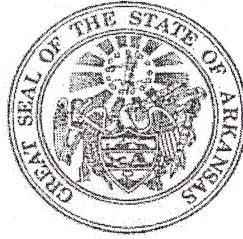
The Amendment was read the first time, rules suspended and read the second time and _____

By: Joint Budget Committee

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LCW065

Secretary



GL 11

STATE OF ARKANSAS
ASA HUTCHINSON
GOVERNOR

March 12, 2019

Senator Larry Teague, Co-Chair
Representative Lane Jean, Co-Chair
Joint Budget Committee
Arkansas General Assembly
State Capitol Building
Little Rock, AR 72201

Dear Co-Chairs:

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Senator Larry Teague, Co-Chair
Representative Lane Jean, Co-Chair

I respectfully request the following amendments to SB102, the 2019-2020 Appropriation Bill for the Arkansas Department of Human Services – Division of Aging, Adult, and Behavioral Health Services.

Please amend the following section as follows:

“SECTION 11. APPROPRIATION – ARKANSAS SENIOR OLYMPICS. There is hereby appropriated, to the Department of Human Services – Division of Aging, Adult, and Behavioral Health Services, to be payable from the ~~Aging and Adult Services Fund Account~~ 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, 2020, the following:”

This will allow the Division of Aging, Adult, and Behavioral Health Services to continue to provide general revenue funding to the Arkansas Senior Olympics Program in a lump sum once the Arkansas Sports Organization certifies its two-to-one state/local matching funds. (1)

Please insert the following SECTION and renumber accordingly.

SECTION X. 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 remain 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, 2020 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, 2019 through June 30, 2020.

This language will allow the agency to carry forward any unexpended funds allocated for the Community Based Crisis Intervention Centers. (2)

Please insert the following SECTION and renumber accordingly.

SECTION X. 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. Immediately upon the effective date of this Act, 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 remain 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, 2019 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

Senator Larry Teague, Co-Chair
Representative Lane Jean, Co-Chair
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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, 2018 through June 30, 2019.

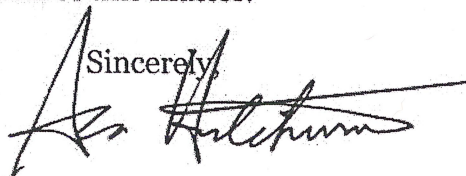
Please amend the emergency clause as follows:

SECTION X. 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, 2019 is essential to the operation of the agency for which the appropriations in this Act are provided; with the exception that Section X 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, 2019, with the exception that Section X 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, 2019; with the exception that Section X of this Act shall be in full force and effect from and after the date of its passage and approval.

This language will allow the agency to carry forward any unexpended funds allocated for the Community Based Crisis Intervention Centers with effective date upon approval of the Act for Fiscal Year 2019. //

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I appreciate your consideration of this matter.

Sincerely,


Asa Hutchinson

AH:db:ey

MM

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

1 State of Arkansas As Engrossed: S2/18/19 S3/11/19

2 92nd General Assembly

A Bill

3 Regular Session, 2019

SENATE BILL 102

4

5 By: Joint Budget Committee

6

7

For An Act To Be Entitled

8

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES

9

AND OPERATING EXPENSES FOR THE DEPARTMENT OF HUMAN

10

SERVICES - DIVISION OF AGING, ADULT, AND BEHAVIORAL

11

HEALTH SERVICES FOR THE FISCAL YEAR ENDING JUNE 30,

12

2020; AND FOR OTHER PURPOSES.

13

14

15

Subtitle

16

AN ACT FOR THE DEPARTMENT OF HUMAN

17

SERVICES - DIVISION OF AGING, ADULT, AND

18

BEHAVIORAL HEALTH SERVICES APPROPRIATION

19

FOR THE 2019-2020 FISCAL YEAR.

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

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SECTION 1. REGULAR SALARIES - STATE OPERATIONS. There is hereby

25

established for the Department of Human Services - Division of Aging, Adult,

26

and Behavioral Health Services for the 2019-2020 fiscal year, the following

27

maximum number of regular employees.

28

29

Maximum Annual

30

Maximum

Salary Rate

31

Item Class

No. of

Fiscal Year

32

No. Code Title

Employees

2019-2020

33

(1) N221N ARKANSAS STATE HOSPITAL COO

1

GRADE SE03

34

(2) N181N DIRECTOR OF MEDICAL SERVICES

1

GRADE SE02

35

(3) N019N DHS DEP DIR BEHAV HLTH SERVICES

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GRADE SE01

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(4) N027N DHS DEPUTY DIRECTOR ADULT SERVICES

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GRADE SE01



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ITEM	FISCAL YEAR
<u>NO.</u>	<u>2019-2020</u>
(01) EDUCATION/PREVENTION/TREATMENT	<u>\$27,170,743</u>

SECTION 9. APPROPRIATION - COMMUNITY BASED CRISIS INTERVENTION. There is hereby appropriated, to the Department of Human Services - Division of Aging, Adult, and 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 Aging, Adult, and Behavioral Health Services for the fiscal year ending June 30, 2020, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2019-2020</u>
(01) CRISIS INTERVENTION GRANTS AND AID	<u>\$5,000,000</u>

SECTION 10. APPROPRIATION - MEALS ON WHEELS. There is hereby appropriated, to the Department of Human Services - Division of Aging, Adult, and Behavioral Health 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, 2020, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2019-2020</u>
(01) TRANSPORTATION SERVICES	<u>\$2,400,000</u>

SECTION 11. APPROPRIATION - ARKANSAS SENIOR OLYMPICS. There is hereby appropriated, to the Department of Human Services - Division of Aging, Adult, and Behavioral Health Services, to be payable from the ~~Aging and Adult~~ 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, 2020, the following:

DELETE
AND
REPLACE

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1 ITEM	FISCAL YEAR
2 NO.	2019-2020
3 (01) STATE MATCH	<u>\$70,000</u>

4

5 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
7 BEHAVIORAL HEALTH SERVICES - FEDERAL FUNDS. It is the specific intent of the
8 General Assembly that in the event of the availability of federal funding for
9 the Division of Aging, Adult, and Behavioral Health Services during the
10 fiscal year ending June 30, ~~2019~~ 2020, that such funding be utilized to
11 conserve or reduce the expenditure of general revenue except where prohibited
12 by law.

13 The provisions of this section shall be in effect only from July 1, ~~2018~~
14 2019 through June 30, ~~2019~~ 2020.

15

16 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
18 BEHAVIORAL HEALTH SERVICES. Pay rates for physicians and chief psychologists
19 within the Division of Aging, Adult, and Behavioral Health Services may
20 include the special allowances available to UAMS physicians and professional
21 faculty as described in the special language of the UAMS appropriation. Part
22 of the salaries of such staff will come from the receipt of professional
23 income in the care of patients and/or funds received from federal agencies,
24 foundations and other private sponsors in the support of research. Provided
25 that any such allowance shall not exceed, for any employee, an amount equal
26 to two and one half times the salary authorized by the General Assembly. The
27 specific Division of Aging, Adult, and Behavioral Health Services
28 classifications covered by this language are:

- 29 Class
- 30 Code Title
- 31 L005N Psychiatric Specialist
- 32 L009N DHS Behavioral Health General Physician
- 33 L001C Psychologist Supervisor

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

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1 (2) The total annual amount of general revenue budgeted by the
2 department for the current fiscal year of the reporting period;

3 (3) The total annual amount of general revenue distributed in
4 the previous fiscal year to each community mental health center;

5 (4) The amount of state funding distributed each reporting
6 quarter, budgeted fiscal year to date, and total projected for the fiscal
7 year to each community mental health center;

8 (5) The amount of federal funding distributed each reporting
9 quarter, budgeted fiscal year to date, and total projected for the fiscal
10 year to each community mental health center; and

11 (6) The amount of other funding, listed by funding source,
12 individually distributed each reporting quarter, budgeted fiscal year to
13 date, and total projected for the fiscal year to each community mental health
14 center.

15 (b) Each quarterly report shall cover the immediate preceding calendar
16 quarter and appropriate fiscal year.

INSERT
TWO
NEW
SECTIONS
HERE

17
18 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND
20 ADULT SERVICES - MATCHING FUNDS. The funds appropriated for state match for
21 the Arkansas Senior Olympics Program in this Act shall be paid on a two-to-
22 one state/local matching basis. The Senior Arkansas Sports Organization must
23 certify its portion of the match to the Division of Aging, Adult, and
24 Behavioral Health Services before any funds appropriated for state match for
25 the Arkansas Senior Olympics Program in this Act are disbursed.

26 The provisions of this section shall be in effect only from July 1, 2018
27 2019 through June 30, 2019 2020.

28
29 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND
31 ADULT SERVICES - STATE MATCH AUTHORIZED. The Director of the Department of
32 Human Services is authorized to use State funds appropriated in this Act to
33 match Federal funds available under Title III and Title V of the Older
34 Americans Act, Social Services Block Grant, or such other federal funds as
35 may become available.

36 The provisions of this section shall be in effect only from July 1, 2018

1 these purposes be insufficient to provide for the increases in full, the
2 increases shall be provided to the extent that funding is made available.

3 The provisions of this section shall be in effect only from July 1, 2018
4 2019 through June 30, ~~2019~~ 2020.

5
6 SECTION 27. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
7 authorized by this act shall be limited to the appropriation for such agency
8 and funds made available by law for the support of such appropriations; and
9 the restrictions of the State Procurement Law, the General Accounting and
10 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
11 Procedures and Restrictions Act, or their successors, and other fiscal
12 control laws of this State, where applicable, and regulations promulgated by
13 the Department of Finance and Administration, as authorized by law, shall be
14 strictly complied with in disbursement of said funds.

15
16 SECTION 28. LEGISLATIVE INTENT. It is the intent of the General
17 Assembly that any funds disbursed under the authority of the appropriations
18 contained in this act shall be in compliance with the stated reasons for
19 which this act was adopted, as evidenced by the Agency Requests, Executive
20 Recommendations and Legislative Recommendations contained in the budget
21 manuals prepared by the Department of Finance and Administration, letters, or
22 summarized oral testimony in the official minutes of the Arkansas Legislative
23 Council or Joint Budget Committee which relate to its passage and adoption.

DELETE
AND
REPLACE

24
25 SECTION 29. EMERGENCY CLAUSE. It is found and determined by the
26 General Assembly, that the Constitution of the State of Arkansas prohibits
27 the appropriation of funds for more than a one (1) year period; that the
28 effectiveness of this Act on July 1, 2019 is essential to the operation of
29 the agency for which the appropriations in this Act are provided, and that in
30 the event of an extension of the legislative session, the delay in the
31 effective date of this Act beyond July 1, 2019 could work irreparable harm
32 upon the proper administration and provision of essential governmental
33 programs. Therefore, an emergency is hereby declared to exist and this Act
34 being necessary for the immediate preservation of the public peace, health
35 and safety shall be in full force and effect from and after July 1, 2019.

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