

**ARKANSAS SENATE**

91st General Assembly - Regular Session, 2017

**Amendment Form**

**DRAFT**

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**Subtitle of Senate Bill No. 72**

AN ACT FOR THE ARKANSAS ETHICS COMMISSION APPROPRIATION FOR THE 2017-2018 FISCAL  
YEAR.

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**Amendment No. \_\_\_ to Senate Bill No. 72**

Amend Senate Bill No. 72 as engrossed, S1/18/17 (version: 01/18/2017 1:34:55 PM):

Page 2, line 14, delete "0" and substitute "3,000"

AND

Page 2, line 18, delete "\$713,997" and substitute "\$716,997".

**DRAFT**

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

By: Joint Budget Committee

By: Senator Teague

ALB/ALB - 02-08-2017 16:54:52

ALB055

\_\_\_\_\_  
Secretary

Stricken language would be deleted from and underlined language would be added to present law.

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017  
4

As Engrossed: S1/18/17  
**A Bill**

SENATE BILL 72

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 ARKANSAS ETHICS  
10 COMMISSION FOR THE FISCAL YEAR ENDING JUNE 30, 2018;  
11 AND FOR OTHER PURPOSES.  
12

13 **Subtitle**

14 AN ACT FOR THE ARKANSAS ETHICS COMMISSION  
15 APPROPRIATION FOR THE 2017-2018 FISCAL  
16 YEAR.  
17

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19  
20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
21

22 ~~SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established~~  
23 ~~for the Arkansas Ethics Commission for the 2017-2018 fiscal year, the~~  
24 ~~following maximum number of regular employees.~~  
25

Item	Class		Maximum	Maximum Annual
No.	Code	Title	No. of	Salary Rate
			Employees	Fiscal Year
				2017-2018
30	(1) U092U	ETHICS COMMISSION DIRECTOR	1	\$100,203
31	(2) G047C	ATTORNEY SPECIALIST	3	GRADE C126
32	(3) D057C	INFORMATION TECHNOLOGY MANAGER	1	GRADE C120
33	(4) X068C	ETHICS COMM COMPLIANCE SPECIALIST	2	GRADE C119
34	(5) C022C	BUSINESS OPERATIONS SPECIALIST	1	GRADE C116
35	(6) C056C	ADMINISTRATIVE SPECIALIST III	<u>1</u>	GRADE C112
36		MAX. NO. OF EMPLOYEES	9	



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SECTION 2. APPROPRIATION - OPERATIONS. There is hereby appropriated, to the Arkansas Ethics Commission, to be payable from the Miscellaneous Agencies Fund Account, for personal services and operating expenses of the Arkansas Ethics Commission for the fiscal year ending June 30, 2018, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2017-2018</u>
(01) REGULAR SALARIES	\$467,890
(02) PERSONAL SERVICES MATCHING	151,618
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	94,489
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$713,997</u>

SECTION 3. 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 4. 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

3

1 Council or Joint Budget Committee which relate to its passage and adoption.

2

3 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General  
4 Assembly, that the Constitution of the State of Arkansas prohibits the  
5 appropriation of funds for more than a one (1) year period; that the  
6 effectiveness of this Act on July 1, 2017 is essential to the operation of  
7 the agency for which the appropriations in this Act are provided, and that in  
8 the event of an extension of the legislative session, the delay in the  
9 effective date of this Act beyond July 1, 2017 could work irreparable harm  
10 upon the proper administration and provision of essential governmental  
11 programs. Therefore, an emergency is hereby declared to exist and this Act  
12 being necessary for the immediate preservation of the public peace, health  
13 and safety shall be in full force and effect from and after July 1, 2017.

14

15 */s/Joint Budget Committee*

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**ARKANSAS SENATE**  
91st General Assembly - Regular Session, 2017  
**Amendment Form**

**DRAFT**

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**Subtitle of Senate Bill No. 89**

AN ACT FOR THE AUDITOR OF STATE - DEPUTY PROSECUTING ATTORNEYS APPROPRIATION FOR  
THE 2017-2018 FISCAL YEAR.

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**Amendment No. \_\_\_ to Senate Bill No. 89**

Amend Senate Bill No. 89 as originally introduced:

Page 1, line 33, delete "55" and insert "51"

And

Page 2, line 1, delete "37" and insert "39"

And

Page 2, line 2, delete "32" and insert "33"

And

Page 2, line 3, delete "89" and insert "99"

And

Page 2, line 4, delete "247" and insert "256"

And

Page 2, line 14, delete "\$15,709,357" and insert "\$16,325,262"

And

Page 2, line 15, delete "4,834,469" and insert "5,006,922"

And

Page 2, line 17, delete "\$20,548,626" and insert "\$21,336,984".

5

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

By: Senator Hester

WLC/WLC - 01-26-2017 15:43:20

WLC071

\_\_\_\_\_  
Secretary

6

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017  
4

# A Bill

SENATE BILL 89

5 By: Joint Budget Committee  
6

## For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
9 AND OPERATING EXPENSES FOR THE DEPUTY PROSECUTING  
10 ATTORNEYS FOR THE FISCAL YEAR ENDING JUNE 30, 2018;  
11 AND FOR OTHER PURPOSES.  
12  
13

## Subtitle

14 AN ACT FOR THE AUDITOR OF STATE - DEPUTY  
15 PROSECUTING ATTORNEYS APPROPRIATION FOR  
16 THE 2017-2018 FISCAL YEAR.  
17  
18  
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
21

22 ~~SECTION 1. REGULAR SALARIES - DEPUTY PROSECUTING ATTORNEYS. There is~~  
23 hereby established for the Auditor of State - Deputy Prosecuting Attorneys  
24 for the 2017-2018 fiscal year, the following maximum number of regular  
25 employees.  
26

Item		Maximum	Maximum Annual
No.	Title	No. of	Salary Rate
		Employees	Fiscal Year
			2017-2018
31	(1) DEP PROS ATTY - ATTORNEY PART-TIME III	15	\$80,779
32	(2) DEP PROS ATTY - ATTORNEY PART-TIME II	8	\$66,931
33	(3) DEP PROS ATTY - ATTORNEY PART-TIME I	55	\$55,720
34	(4) SENIOR DEPUTY PROSECUTING ATTORNEY II	3	GRADE N908
35	(5) SENIOR DEPUTY PROSECUTING ATTORNEY I	6	GRADE N906
36	(6) SPECIAL DEPUTY PROSECUTING ATTORNEY	2	GRADE N905



1	(7)	DEP PROS ATTY - ATTORNEY SUPERVISOR	37	GRADE C130
2	(8)	DEP PROS ATTY - ATTORNEY SPECIALIST	32	GRADE C129
3	(9)	DEP PROS ATTY - ATTORNEY	<u>89</u>	GRADE C128
4		MAX. NO. OF EMPLOYEES	247	

5  
 6 SECTION 2. APPROPRIATION - DEPUTY PROSECUTING ATTORNEYS. There is  
 7 hereby appropriated, to the Auditor of State, to be payable from the State  
 8 Central Services Fund, for personal services and Special Deputy Expense  
 9 Allowance of the Deputy Prosecuting Attorneys for the fiscal year ending June  
 10 30, 2018, the following:

11	12	ITEM	FISCAL YEAR
13	13	<u>NO.</u>	<u>2017-2018</u>
14	(01)	REGULAR SALARIES	\$15,709,357
15	(02)	PERSONAL SERVICES MATCHING	4,834,469
16	(03)	SPECIAL DEPUTY EXPENSE ALLOWANCE	<u>4,800</u>
17		TOTAL AMOUNT APPROPRIATED	<u>\$20,548,626</u>

18  
 19 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL  
 21 RATES OF PAY. Due to the need for competent deputy prosecuting attorneys  
 22 throughout the state and the necessity of retaining qualified deputy  
 23 prosecuting attorneys, the elected prosecuting attorneys, through the  
 24 Prosecution Coordination Commission, are authorized to request special rates  
 25 of pay for current and new deputy prosecuting attorneys up to the levels  
 26 listed below for the following classifications:

27	TITLE	GRADE LEVEL
28	Dep. Pros. Atty-Attorney	C128 Career
29	Dep. Pros. Atty-Attorney Specialist	C129 Career
30	Dep. Pros. Atty-Attorney Supervisor	C130 Career

31 The provisions of this section shall be in effect only from July 1, 2016  
 32 2017 through June 30, 2017 2018.

33  
 34 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
 36 LEGISLATIVE INTENT. It is the intent of the General Assembly, in the

ARKANSAS SENATE

91st General Assembly - Regular Session, 2017

Amendment Form

DRAFT

Subtitle of Senate Bill No. 242

AN ACT FOR THE UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES APPROPRIATION FOR THE 2017-2018 FISCAL YEAR.

Amendment No. \_\_\_ to Senate Bill No. 242

Amend Senate Bill No. 242 as originally introduced:

Insert a new SECTION immediately following SECTION 22 to read as follows: " SECTION 23. APPROPRIATION - CHILDREN'S ADVOCACY CENTERS OF ARKANSAS. There is hereby appropriated, to the University of Arkansas for Medical Sciences, to be payable from the Arkansas Children's Advocacy Center Fund, for grants to children's advocacy centers in Arkansas by the University of Arkansas for Medical Sciences - Arkansas Child Abuse/Rape/Domestic Violence Commission for the fiscal year ending June 30, 2018, the following:

Table with 2 columns: ITEM NO. and FISCAL YEAR. Row 1: (01) CHILDREN'S ADVOCACY CENTERS GRANTS, 2017-2018, \$500,000

AND

Insert a new SECTION immediately following SECTION 23 to read as follows: " SECTION 24. Arkansas Code Title 19, Chapter 5, Subchapter 12, is amended to read as follows:

19-5-1258. Arkansas Children's Advocacy Center Fund.

(a) There is created on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State a miscellaneous fund to be known as the "Arkansas Children's Advocacy Center Fund".

(b) The fund shall consist of:

(1) The fines specified under §§ 5-4-703, 27-50-306, and 27-51-217;

(2) Grants or donations made by a person, state agency, or federal government agency; and

(3) Any other funds authorized or provided by law.

(c) The fund shall be used by the Arkansas Child Abuse/Rape/Domestic Violence Commission as provided in § 9-5-106 and as provided by any other provisions of law."

AND

DRAFT

Appropriately renumber the subsequent SECTIONS of the bill.

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

By: Joint Budget Committee

By: Senator E. Williams

HAR/HAR - 02-14-2017 10:52:50

HAR050

\_\_\_\_\_  
Secretary

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017

# A Bill

SENATE BILL 242

4  
5 By: Joint Budget Committee

## For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
9 AND OPERATING EXPENSES FOR THE UNIVERSITY OF ARKANSAS  
10 FOR MEDICAL SCIENCES FOR THE FISCAL YEAR ENDING JUNE  
11 30, 2018; AND FOR OTHER PURPOSES.

## Subtitle

15 AN ACT FOR THE UNIVERSITY OF ARKANSAS FOR  
16 MEDICAL SCIENCES APPROPRIATION FOR THE  
17 2017-2018 FISCAL YEAR.

18  
19  
20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

21  
22 ~~SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established~~  
23 ~~for the University of Arkansas for Medical Sciences for the 2017-2018 fiscal~~  
24 ~~year, the following maximum number of regular employees.~~

Item	No.	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2017-2018
<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>				
<u>ADMINISTRATIVE POSITIONS</u>				
(1)		Chancellor, U of A for Med Sciences	1	\$375,000
(2)		Medical Center CEO	1	\$531,852
(3)		Provost	1	\$361,990
(4)		Vice Chancellor	11	\$305,927
(5)		Associate Vice Chancellor	11	\$299,302



1 SECTION 21. APPROPRIATION - ADULT SICKLE CELL DISEASE PROGRAM. There  
 2 is hereby appropriated, to the University of Arkansas for Medical Sciences,  
 3 to be payable from the University of Arkansas Medical Center Fund, for  
 4 personal services and operating expenses of establishing and operating Sickle  
 5 Cell Clinics and Outreach Efforts of the University of Arkansas for Medical  
 6 Sciences - Adult Sickle Cell Disease Program for the fiscal year ending June  
 7 30, 2018, the following:

9 ITEM	FISCAL YEAR
10 NO.	<u>2017-2018</u>
11 (01) ADULT SICKLE CELL DISEASE PROGRAM	
12 INITIATIVE PERSONAL SERVICES	
13 AND OPERATING EXPENSES	<u>\$379,993</u>

14  
 15 SECTION 22. APPROPRIATION - ARKANSAS CENTER FOR HEALTH IMPROVEMENT.  
 16 There is hereby appropriated, to the University of Arkansas for Medical  
 17 Sciences, to be payable from the Miscellaneous Agencies Fund Account, for  
 18 personal services and maintenance and operating expenses of the Arkansas  
 19 Center for Health Improvement, of the University of Arkansas for Medical  
 20 Sciences for the fiscal year ending June 30, 2018, the following:

22 ITEM	FISCAL YEAR
23 NO.	<u>2017-2018</u>
24 (01) ARKANSAS CENTER FOR HEALTH	
25 IMPROVEMENT EXPENSES	<u>\$500,000</u>

26  
 27 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. UAMS -  
 29 ADULT SICKLE CELL DISEASE PROGRAM. There is hereby established a new program  
 30 for the comprehensive care of Adult Sickle Cell Disease to be known as the  
 31 University of Arkansas for Medical Sciences Adult Sickle Cell Disease  
 32 Program. The program will facilitate the continued development of adult  
 33 sickle cell disease treatment, preventive care, education, and training for  
 34 health care professionals and related personnel utilizing the University of  
 35 Arkansas for Medical Sciences' Area Health Education Centers throughout the  
 36 State and Center for Distance Health. Funding for the Program will be from

# Hall of the House of Representatives

91st General Assembly - Regular Session, 2017

Amendment Form

DRAFT

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Subtitle of House Bill No. 1213

AN ACT FOR THE ARKANSAS TECH UNIVERSITY APPROPRIATION FOR THE 2017-2018 FISCAL  
YEAR.

---

Amendment No. \_\_\_ to House Bill No. 1213

Amend House Bill No. 1213 as originally introduced:

Insert an additional SECTION immediately following SECTION 7 to read as follows:

" SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS TECH UNIVERSITY STRATEGIC PLAN. 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 or institution each fiscal year is the prerogative of the General Assembly. This is typically accomplished by identifying the purpose in the appropriation act; delineating such maximums in the appropriation act for a state agency or institution; and delineating the general revenue allocations authorized for each fund and fund account to the Revenue Stabilization Law, Arkansas Code § 19-5-101 et seq.

Therefore, as a state-supported institution of higher education, Arkansas Tech University shall submit a revised strategic plan quantifying in a detailed timeline its institutional mission, goals, and efforts to the Arkansas Legislative Council for its review no later than January 15, 2018. It is the intent of the General Assembly that Arkansas Tech University uphold its mission to serve its students and the citizens of Arkansas."

AND

Appropriately renumber the subsequent SECTION numbers of the bill.

**DRAFT**

The Amendment was read  
By: Joint Budget Committee  
By: Representative Drown  
HAR/HAR - 02-15-2017 13:10:36  
HAR057

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Chief Clerk

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017

# A Bill

HOUSE BILL 1213

4  
5 By: Joint Budget Committee  
6

## For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
9 AND OPERATING EXPENSES FOR THE ARKANSAS TECH  
10 UNIVERSITY FOR THE FISCAL YEAR ENDING JUNE 30, 2018;  
11 AND FOR OTHER PURPOSES.  
12  
13

## Subtitle

14 AN ACT FOR THE ARKANSAS TECH UNIVERSITY  
15 APPROPRIATION FOR THE 2017-2018 FISCAL  
16 YEAR.  
17  
18  
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
21

22 ~~SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established~~  
23 ~~for the Arkansas Tech University for the 2017-2018 fiscal year, the following~~  
24 ~~maximum number of regular employees.~~  
25

26		Maximum	Maximum Annual
27		No. of	Salary Rate
28	Item	Employees	Fiscal Year
29	<u>No. Title</u>		<u>2017-2018</u>
30	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>		
31	<u>ADMINISTRATIVE POSITIONS</u>		
32	(1) President, Arkansas Tech University	1	\$275,000
33	(2) Executive Vice President and Prov.	1	\$208,265
34	(3) Vice-Pres. for Admin & Finance	1	\$174,726
35	(4) Vice President for Development	1	\$172,072
36	(5) Vice-Pres. for Student Affairs	1	\$172,072



14

1 TOTAL AMOUNT APPROPRIATED \$187,246,858

2

3 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FOOD  
 5 SERVICE. If Arkansas Tech University cancels the current contract for food  
 6 service and chooses to operate the food service with University employees,  
 7 the President, upon authorization of the Board of Trustees, is allowed to  
 8 utilize the contingent positions contained in the Regular Salaries Section of  
 9 this Act, provided he or she has obtained approval from the Department of  
 10 Higher Education and the Chief Fiscal Officer of the State, who has sought  
 11 prior review by the Arkansas Legislative Council.

12 The provisions of this section shall be in effect only from July 1, ~~2016~~  
 13 2017 through June 30, ~~2017~~ 2018.

14

15 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL  
 17 ALLOWANCES. The Board of Trustees of Arkansas Tech University may make  
 18 special allowances available to any coach who coaches more than one sport in  
 19 an amount not to exceed \$10,000 per fiscal year for any one coach. Further,  
 20 if the special allowance funds authorized herein are utilized, Arkansas Tech  
 21 University shall report annually to the Legislative Joint Auditing Committee  
 22 ~~the exact disposition of those special allowance funds.~~

23 The provisions of this section shall be in effect only from July 1, ~~2016~~  
 24 2017 through June 30, ~~2017~~ 2018.

25

26 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS  
 28 TECH INSTITUTE. The Arkansas Tech Institute (ATI) shall be administered  
 29 under the direction of Arkansas Tech University. Utilizing a  
 30 multidisciplinary collaboration of professionals, ATI shall explore, develop,  
 31 implement, and evaluate new and better ways to integrate the teaching, study  
 32 and performance of business, engineering, emergency management, and computer  
 33 sciences for academic, economic, and economic development purposes in  
 34 Arkansas. ATI priorities shall include, but are not limited to, economic  
 35 development, technology development, and "cyber-park" development. Arkansas  
 36 Tech University shall make annual reports to the Arkansas Legislative Council

15

1 on all matters of funding, existing programs, and services offered through  
2 ATI.

3 The provisions of this section shall be in effect only from July 1, 2016  
4 2017 through June 30, ~~2017~~ 2018.

5  
6 SECTION 8. 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, the Higher Education Expenditures  
12 Restrictions Act, or their successors, and other fiscal control laws of this  
13 State, where applicable, and regulations promulgated by the Department of  
14 Finance and Administration, as authorized by law, shall be strictly complied  
15 with in disbursement of said funds.

16  
17 SECTION 9. LEGISLATIVE INTENT. It is the intent of the General  
18 Assembly that any funds disbursed under the authority of the appropriations  
19 contained in this act shall be in compliance with the stated reasons for  
20 which this act was adopted, as evidenced by the Agency Requests, Executive  
21 Recommendations and Legislative Recommendations contained in the budget  
22 ~~manuals prepared by the Department of Finance and Administration, letters, or~~  
23 ~~summarized oral testimony in the official minutes of the Arkansas Legislative~~  
24 ~~Council or Joint Budget Committee which relate to its passage and adoption.~~

25  
26 SECTION 10. EMERGENCY CLAUSE. It is found and determined by the  
27 General Assembly, that the Constitution of the State of Arkansas prohibits  
28 the appropriation of funds for more than a one (1) year period; that the  
29 effectiveness of this Act on July 1, 2017 is essential to the operation of  
30 the agency for which the appropriations in this Act are provided, and that in  
31 the event of an extension of the legislative session, the delay in the  
32 effective date of this Act beyond July 1, 2017 could work irreparable harm  
33 upon the proper administration and provision of essential governmental  
34 programs. Therefore, an emergency is hereby declared to exist and this Act  
35 being necessary for the immediate preservation of the public peace, health  
36 and safety shall be in full force and effect from and after July 1, 2017.

# Hall of the House of Representatives

91st General Assembly - Regular Session, 2017

Amendment Form

DRAFT

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Subtitle of House Bill No. 1285

AN ACT FOR THE ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT  
APPROPRIATION FOR THE 2017-2018 FISCAL YEAR.

---

Amendment No. \_\_\_ to House Bill No. 1285

Amend House Bill No. 1285 as originally introduced:

Insert an additional SECTION immediately following SECTION 14 to read as follows:

" SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ENHANCED STATE OFFICIAL AND HIGHWAY DEPARTMENT COMMUNICATION. The Arkansas State Highway and Transportation Department shall:

(a)(1) Develop procedures to receive and respond to written requests or feedback from county judges, quorum courts, city administrators, city elected officials, and members of the Arkansas General Assembly regarding, but not limited to:

(A) Department performance;

(B) Requests for specific road improvements;

(C) Requests identifying the need for rumble strips, speed bumps, barriers, delineator posts, and other roadway necessities;

(D) Improvements, modifications, or installation of new signs, lighting, markings and traffic signals;

(E) Specific general maintenance and repair needs;

(F) Modifications or improvements to address existing or potential safety issues; and

(G) Other specific road or bridge improvements or construction identified to improve safety or enhance road travel for the citizens of Arkansas.

(2) Once a request is received the department shall provide a written response within 45 days, that shall at a minimum contain:

(A) Plans to correct department performance or explanation that current department performance is the best course of action, if applicable;

(B) The ability and responsibility the department has to respond to the request;

(C) Identify limitations that restrict the department's ability to provide timely corrective action;

(D) If corrective action is to be implemented the department shall provide an estimate of the timeline necessary for its implementation and

**DRAFT**

WFP049 - 02-15-2017 11:09:21

Page 1 of 2

completion.

(b) The department shall compile the requests or feedback, as provided for in (a)(1) of this section, and the department's response, as required in (a)(2) of this section, in a semiannual report to be submitted for review by the Arkansas Legislative Council or Joint Budget Committee by March 31 and September 30 of each year."

AND

Appropriately renumber subsequent SECTION numbers of the bill.

The Amendment was read \_\_\_\_\_  
By: Representative Gates  
WFP/WFP - 02-15-2017 11:09:21  
WFP049

\_\_\_\_\_  
Chief Clerk

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

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017

# A Bill

HOUSE BILL 1285

4  
5 By: Joint Budget Committee  
6

## For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
9 AND OPERATING EXPENSES FOR THE ARKANSAS STATE HIGHWAY  
10 AND TRANSPORTATION DEPARTMENT FOR THE FISCAL YEAR  
11 ENDING JUNE 30, 2018; AND FOR OTHER PURPOSES.  
12  
13

## Subtitle

14 AN ACT FOR THE ARKANSAS STATE HIGHWAY AND  
15 TRANSPORTATION DEPARTMENT APPROPRIATION  
16 FOR THE 2017-2018 FISCAL YEAR.  
17  
18  
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
21

22 ~~SECTION 1. REGULAR SALARIES. There is hereby established for the~~  
23 Arkansas State Highway and Transportation Department for the 2017-2018 fiscal  
24 year, the following maximum number of regular employees and the maximum  
25 annual salary for such employees; and no greater salary than that established  
26 herein shall be paid to any employee from appropriations hereinafter made for  
27 said department. The annual salaries to be paid to each employee authorized  
28 herein shall be determined by the Arkansas Highway Commission within the  
29 limitations as set out in this Section and the funds and the appropriations  
30 made available for such purposes. All positions established herein shall be  
31 exempt from the provisions of the Uniform Personnel Classification and  
32 Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, but  
33 shall not be exempt from the provisions of the Regular Salaries Procedures  
34 and Restrictions Act. Provided further that the salaries for the pay period  
35 beginning June 2017 and ending July 2017 can be paid from the salaries and  
36 overtime authorized for the fiscal year ending June 30, 2018.



Item	No.	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2017-2018
6	(1)	Director of Highways & Transportation	1	\$208,583
7	(2)	Deputy Director & Chief Operating Officer	1	\$164,713
8	(3)	Deputy Director & Chief Engineer	1	\$164,713
9	(4)	Assistant Chief Engineer - Design	1	\$147,612
10	(5)	Assistant Chief Engineer - Operation	1	\$147,612
11	(6)	Assistant Chief Engineer - Planning	1	\$147,612
12	(7)	Assistant Chief - Administration	1	\$147,612
13	(8)	Chief Legal Counsel	1	\$139,228
14	(9)	Chief Fiscal Officer	1	\$139,228
15	(10)	State Construction Engineer	1	\$129,528
16	(11)	State Maintenance Engineer	1	\$129,528
17	(12)	District Engineer	10	\$125,679
18	(13)	Division Head	14	\$125,679
19	(14)	Design Build Project Director	1	\$125,679
20	(15)	CAP Administrator	1	\$125,679
21		SALARY LEVEL XX		\$123,630
22	(16)	Administrative Officer V	1	
23	(17)	ASHERS Executive Secretary	1	
24	(18)	Assistant Division Head	15	
25	(19)	Chief Auditor	1	
26	(20)	Consultant Contracts Administrator	1	
27	(21)	Deputy Chief Counsel	1	
28	(22)	District Construction Engineer	10	
29	(23)	District Maintenance Engineer	10	
30	(24)	Governmental Relations Officer	1	
31	(25)	State Heavy Bridge Maintenance Engineer	1	
32		SALARY LEVEL XIX		\$117,592
33	(26)	Administrative Officer IV	1	
34	(27)	Staff Engineer	74	
35	(28)	Staff GIS and Mapping Administrator	1	
36	(29)	Staff Land Surveyor	1	

1 extent of the overtime paid to said employees. Overtime thus paid shall be  
2 identifiable for each employee, and in total for all employees, on the  
3 voucher or other record that is submitted to support the issuance of payroll  
4 warrants.

5 The provisions of this section shall be in effect only from July 1, 2016  
6 2017 through June 30, ~~2017~~ 2018.

7  
8 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFERS  
10 AUTHORIZED. Any savings in the amount appropriated in the Operations  
11 appropriation section for the Regular Salaries line item, Overtime line item,  
12 Personal Services Matching line item, or any sub-item of the Maintenance and  
13 General Operation line item, may be transferred by the Director of the State  
14 Highway and Transportation Department to any sub-item of the Maintenance and  
15 General Operation line item, upon review by the Arkansas Legislative Council  
16 or Joint Budget Committee and by notifying the Director of Finance and  
17 Administration and the Auditor of State to transfer said savings to a  
18 specific sub-item of the Maintenance and General Operation line item and make  
19 it available for said purpose during the then current fiscal year.

20 The provisions of this section shall be in effect only from July 1, 2016  
21 2017 through June 30, ~~2017~~ 2018.

22  
23 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PERSONAL  
25 SERVICES MATCHING TRANSFER. Provided that in the event amounts appropriated  
26 in the Personal Services Matching line item of the Operations appropriation  
27 section are insufficient in the fiscal year to pay the amounts at the rates  
28 stipulated by law to be paid for each of these items, an additional amount as  
29 determined and requested by the Director of Highway and Transportation, and  
30 upon review by the Arkansas Legislative Council or Joint Budget Committee,  
31 will be transferred by the Director of Finance and Administration and the  
32 Auditor of State from the Maintenance and General Operation line items to the  
33 Personal Services Matching line item of the Operations appropriation section  
34 to enable the State Highway and Transportation Department to pay the required  
35 matching funds.

36 The provisions of this section shall be in effect only from July 1, 2016

1 2017 through June 30, ~~2017~~ 2018.

2

3 SECTION 15. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
 4 authorized by this act shall be limited to the appropriation for such agency  
 5 and funds made available by law for the support of such appropriations; and  
 6 the restrictions of the State Procurement Law, the General Accounting and  
 7 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
 8 Procedures and Restrictions Act, or their successors, and other fiscal  
 9 control laws of this State, where applicable, and regulations promulgated by  
 10 the Department of Finance and Administration, as authorized by law, shall be  
 11 strictly complied with in disbursement of said funds.

12

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

21

22 SECTION 17. EMERGENCY CLAUSE. It is found and determined by the  
 23 General Assembly, that the Constitution of the State of Arkansas prohibits  
 24 the appropriation of funds for more than a one (1) year period; that the  
 25 effectiveness of this Act on July 1, 2017 is essential to the operation of  
 26 the agency for which the appropriations in this Act are provided, and that in  
 27 the event of an extension of the legislative session, the delay in the  
 28 effective date of this Act beyond July 1, 2017 could work irreparable harm  
 29 upon the proper administration and provision of essential governmental  
 30 programs. Therefore, an emergency is hereby declared to exist and this Act  
 31 being necessary for the immediate preservation of the public peace, health  
 32 and safety shall be in full force and effect from and after July 1, 2017.

33  
 34  
 35  
 36

22

Hall of the House of Representatives

91st General Assembly - Regular Session, 2017

Amendment Form

DRAFT

Subtitle of Senate Bill No. 106

AN ACT FOR THE ARKANSAS ECONOMIC DEVELOPMENT COMMISSION APPROPRIATION FOR THE 2017-2018 FISCAL YEAR.

Amendment No. \_\_\_ to Senate Bill No. 106

Amend Senate Bill No. 106 as originally introduced:

Page 4, delete lines 30 and 31 in their entirety and substitute the following:

"(09) FOR STATE MATCHING OF FEDERAL FUNDS	228,500
(10) OFFICE OF TRANSFORMATION OPERATING EXPENSES	<u>1,000,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$14,600,840"</u>

AND

Immediately following SECTION 52 insert a new SECTION to read as follows:

" SECTION 53. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL OR TEMPORARY LAW. FUNDING TRANSFER. Upon notification from the Information Network of Arkansas Board of a positive vote of the Board to approve the transfer of funds and the amount approved not to exceed the amount authorized herein, the Chief Fiscal Officer of the State shall transfer on his or her books and those of the State Treasurer and the Auditor of State a sum not to exceed one million dollars (\$1,000,000) from the Information Network of Arkansas Fund to the Arkansas Economic Development Commission Fund Account to provide funds exclusively for the Office of Transformation."

AND

Appropriately renumber all of the subsequent SECTION numbers.

DRAFT

The Amendment was read By: Representative Dotson MAH/MAH - 02-15-2017 11:40:49 MAH066

Chief Clerk

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017

# A Bill

SENATE BILL 106

4  
5 By: Joint Budget Committee

## For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
9 AND OPERATING EXPENSES FOR THE ARKANSAS ECONOMIC  
10 DEVELOPMENT COMMISSION FOR THE FISCAL YEAR ENDING  
11 JUNE 30, 2018; AND FOR OTHER PURPOSES.

## Subtitle

15 AN ACT FOR THE ARKANSAS ECONOMIC  
16 DEVELOPMENT COMMISSION APPROPRIATION FOR  
17 THE 2017-2018 FISCAL YEAR.

18  
19  
20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

21  
22 ~~SECTION 1. REGULAR SALARIES. There is hereby established for the~~  
23 Arkansas Economic Development Commission for the 2017-2018 fiscal year, the  
24 following maximum number of regular employees.

Item	Class		Maximum	Maximum Annual
No.	Code	Title	No. of	Salary Rate
			Employees	Fiscal Year
				2017-2018
30	(1) U055U	AEDC DIRECTOR	1	\$141,104
31	(2) U105U	AEDC DEP DIR FINANCE & ADMIN	1	\$121,037
32	(3) U059U	AEDC DEPUTY DIRECTOR	1	\$121,037
33	(4) U063U	ASTA DIRECTOR	1	\$108,628
34	(5) U099U	DIRECTOR OF RURAL SERVICES	1	\$91,102
35	(6) N180N	AEDC ARKANSAS ENERGY OFFICE DIR.	1	GRADE N908
36	(7) N062N	AEDC BUSINESS DEV DIV DIR	1	GRADE N908



1 time or temporary employees, to be known as "Extra Help", payable from funds  
 2 appropriated herein for such purposes: one (1) temporary or part-time  
 3 employees, when needed, at rates of pay not to exceed those provided in the  
 4 Uniform Classification and Compensation Act, or its successor, or this act  
 5 for the appropriate classification.  
 6

7 SECTION 5. APPROPRIATION - STATE OPERATIONS. There is hereby  
 8 appropriated, to the Arkansas Economic Development Commission, to be payable  
 9 from the Arkansas Economic Development Commission Fund Account, for personal  
 10 services, operating expenses, grants and aid, and state matching funds of the  
 11 Arkansas Economic Development Commission - State Operations for the fiscal  
 12 year ending June 30, 2018, the following:  
 13

14	ITEM	FISCAL YEAR
15	NO.	2017-2018
16	(01) REGULAR SALARIES	\$4,357,050
17	(02) EXTRA HELP	30,000
18	(03) PERSONAL SERVICES MATCHING	1,365,766
19	(04) MAINT. & GEN. OPERATION	
20	(A) OPER. EXPENSE	1,548,238
21	(B) CONF. & TRAVEL	141,486
22	(C) PROF. FEES	1,765,000
23	(D) CAP. OUTLAY	100,000
24	(E) DATA PROC.	0
25	(05) ECONOMIC INFRASTRUCTURE/REGIONALISM	
26	GRANTS	1,000,000
27	(06) GLOBAL BUSINESS INITIATIVES	600,000
28	(07) MILITARY AFFAIRS GRANT PROGRAM	750,000
29	(08) INDUSTRY TRAINING PROGRAM	1,714,800
30	(09) FOR STATE MATCHING OF FEDERAL FUNDS	<u>228,500</u>
31	TOTAL AMOUNT APPROPRIATED	<u>\$13,600,840</u>

32  
 33 SECTION 6. APPROPRIATION - COMMUNITY ASSISTANCE (CDBG) - FEDERAL.  
 34 There is hereby appropriated, to the Arkansas Economic Development  
 35 Commission, to be payable from the federal funds as designated by the Chief  
 36 Fiscal Officer of the State, for personal services, operating expenses, and

1 grants and aid by the Arkansas Economic Development Commission - Community  
 2 Assistance (CDBG) - Federal for the fiscal year ending June 30, 2018, the  
 3 following:

5	ITEM	FISCAL YEAR
6	<u>NO.</u>	<u>2017-2018</u>
7	(01) REGULAR SALARIES	\$302,337
8	(02) PERSONAL SERVICES MATCHING	102,379
9	(03) MAINT. & GEN. OPERATION	
10	(A) OPER. EXPENSE	60,600
11	(B) CONF. & TRAVEL	25,000
12	(C) PROF. FEES	70,000
13	(D) CAP. OUTLAY	0
14	(E) DATA PROC.	0
15	(04) GRANTS/AIDS - CDBG	27,500,000
16	(05) STORM RECOVERY GRANTS	7,579,614
17	(06) FLOOD RECOVERY GRANTS	<u>615,710</u>
18	TOTAL AMOUNT APPROPRIATED	<u>\$36,255,640</u>

19  
 20 SECTION 7. APPROPRIATION - STATE ENERGY PLAN - FEDERAL. There is  
 21 hereby appropriated, to the Arkansas Economic Development Commission, to be  
 22 ~~payable from the federal funds as designated by the Chief Fiscal Officer of~~  
 23 the State, for personal services, operating expenses, and grants and aid by  
 24 the Arkansas Economic Development Commission - State Energy Plan - Federal  
 25 for the fiscal year ending June 30, 2018, the following:

27	ITEM	FISCAL YEAR
28	<u>NO.</u>	<u>2017-2018</u>
29	(01) REGULAR SALARIES	\$181,286
30	(02) PERSONAL SERVICES MATCHING	66,931
31	(03) MAINT. & GEN. OPERATION	
32	(A) OPER. EXPENSE	118,273
33	(B) CONF. & TRAVEL	36,788
34	(C) PROF. FEES	268,085
35	(D) CAP. OUTLAY	0
36	(E) DATA PROC.	0

1 Rural Services Division of the Arkansas Economic Development Commission that  
 2 were transferred from the various sub funds created in any General  
 3 Improvement Fund for the administration of general improvement fund projects  
 4 shall remain in the Miscellaneous Agencies Fund Account and made available to  
 5 the Rural Services Division of the Arkansas Economic Development Commission  
 6 and utilized for the same purpose during the following fiscal year.

7 The provisions of this section shall be in effect only from July 1,  
 8 ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

9

10 SECTION 51. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY  
 12 FAIR GRANTS. The Rural Services Division of the Arkansas Economic Development  
 13 Commission shall develop the necessary rules and regulations for the  
 14 disbursement of matching fund grants to county fairs for the construction,  
 15 renovation and/or improvements to county fair grounds. The grants shall be  
 16 matched on a 50/50 basis. The match may be cash or in-kind. No county fair  
 17 shall receive more than \$30,000 for the biennium.

18 The provisions of this section shall be in effect only from July 1,  
 19 ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

20

21 SECTION 52. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 22 ~~CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GRANT~~  
 23 AWARD CRITERIA. The Rural Services Division of the Arkansas Economic  
 24 Development Commission shall promulgate regulations establishing the criteria  
 25 to be utilized in determining to whom grants will be made under this Act.  
 26 Subject to the approval of the Governor, and approval by the Arkansas  
 27 Legislative Council or the Joint Budget Committee, the Rural Services  
 28 Division of the Arkansas Economic Development Commission shall distribute the  
 29 grants.

30 Determining the maximum number of employees and the maximum amount of  
 31 appropriation and general revenue funding for a state agency each fiscal year  
 32 is the prerogative of the General Assembly. This is usually accomplished by  
 33 delineating such maximums in the appropriation act(s) for a state agency and  
 34 the general revenue allocations authorized for each fund and fund account by  
 35 amendment to the Revenue Stabilization law. Further, the General Assembly  
 36 has determined that the Rural Services Division of the Arkansas Economic

1 Development Commission may operate more efficiently if some flexibility is  
2 provided to the Rural Services Division of the Arkansas Economic Development  
3 Commission authorizing broad powers under this Section. Therefore, it is  
4 both necessary and appropriate that the General Assembly maintain oversight  
5 by requiring prior approval of the Legislative Council or Joint Budget  
6 Committee as provided by this section. The requirement of approval by the  
7 Legislative Council or Joint Budget Committee is not a severable part of this  
8 section. If the requirement of approval by the Legislative Council or Joint  
9 Budget Committee is ruled unconstitutional by a court of competent  
10 jurisdiction, this entire section is void.

11 The provisions of this section shall be in effect only from July 1, 2016  
12 2017 through June 30, 2017 2018.

13

14 SECTION 53. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
15 authorized by this act shall be limited to the appropriation for such agency  
16 and funds made available by law for the support of such appropriations; and  
17 the restrictions of the State Procurement Law, the General Accounting and  
18 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
19 Procedures and Restrictions Act, or their successors, and other fiscal  
20 control laws of this State, where applicable, and regulations promulgated by  
21 the Department of Finance and Administration, as authorized by law, shall be  
22 strictly complied with in disbursement of said funds.

23

24 SECTION 54. LEGISLATIVE INTENT. It is the intent of the General  
25 Assembly that any funds disbursed under the authority of the appropriations  
26 contained in this act shall be in compliance with the stated reasons for  
27 which this act was adopted, as evidenced by the Agency Requests, Executive  
28 Recommendations and Legislative Recommendations contained in the budget  
29 manuals prepared by the Department of Finance and Administration, letters, or  
30 summarized oral testimony in the official minutes of the Arkansas Legislative  
31 Council or Joint Budget Committee which relate to its passage and adoption.

32

33 SECTION 55. EMERGENCY CLAUSE. It is found and determined by the  
34 General Assembly, that the Constitution of the State of Arkansas prohibits  
35 the appropriation of funds for more than a one (1) year period; that the  
36 effectiveness of this Act on July 1, 2017 is essential to the operation of

ARKANSAS SENATE

91st General Assembly - Regular Session, 2017

Amendment Form

DRAFT

Subtitle of Senate Bill No. 196

AN ACT FOR THE DEPARTMENT OF HUMAN SERVICES - DIVISION OF MEDICAL SERVICES
APPROPRIATION FOR THE 2017-2018 FISCAL YEAR.

Amendment No. \_\_\_ to Senate Bill No. 196

Amend Senate Bill No. 196 as originally introduced:

Page 10, delete SECTION 13 in its entirety and substitute the following:

SECTION 13. SPECIAL LANGUAGE. Arkansas Code § 10-3-309(b)(1)(B), concerning the definition of "rule" within the legislative review and approval of state agency rules procedure, is amended to read as follows:

(B) "Rule" does not mean:

(i) A statement that concerns the internal management of a state agency and that does not affect the private rights or procedures available to the public;

(ii) A declaratory order or ruling issued under § 25-15-206 or other provision of law applicable to the state agency issuing the declaratory order or ruling; or

(iii) Intraagency memoranda; or

(iv) Medical codes within the Arkansas Medicaid Program that are issued by the Center for Medicare and Medicaid Services, including without limitation:

(a) Current Procedural Terminology codes;

(b) Healthcare Common Procedure Coding System

codes;

(c) International Classification of Diseases

codes;

(d) National Uniform Billing Committee

Official UB-04 Specifications Manual codes; and

(e) National Correct Coding Initiative codes;

and

SECTION 14 SPECIAL LANGUAGE. Arkansas Code § 25-15-202(9)(B), concerning the definition of "rule" within the Administrative Procedure Act, is amended to read as follows:

(B) "Rule" does not mean:

(i) Statements concerning a statement that concerns the internal management of a state agency and that does not affect the

private rights or procedures available to the public;

(ii) Declaratory rulings A declaratory order or ruling issued pursuant to under § 25-15-206 or other provision of law applicable to the state agency issuing the declaratory order or ruling; or

(iii) Intra-agency Intraagency memoranda; or

(iv) Medical codes within the Arkansas Medicaid Program that are issued by the Center for Medicare and Medicaid Services, including without limitation:

(a) Current Procedural Terminology codes;

(b) Healthcare Common Procedure Coding System codes;

(c) International Classification of Diseases codes;

(d) National Uniform Billing Committee Official UB-04 Specifications Manual codes; and

(e) National Correct Coding Initiative codes;  
and

SECTION 15. SPECIAL LANGUAGE. Arkansas Code Title 25, Chapter 15, is amended to add an additional subchapter to read as follows:

Subchapter 4 – Rules Impacting Medicaid Costs

25-15-401. Legislative finding.

In light of the potential for rapidly rising costs to the state attributable to the Arkansas Medicaid Program and the importance of Medicaid expenditures to the health and welfare of the citizens of this state, the General Assembly finds that it is desirable to exercise a more thorough review of future proposed changes to any rule impacting state Medicaid costs.

25-15-402. Definition.

(a) As used in this section, "rule impacting state Medicaid costs" means a proposed rule as defined by § 25-15-202(9), or a proposed amendment to an existing rule as defined by § 25-15-202(9), that would, if adopted, adjust Medicaid reimbursement rates, Medicaid eligibility criteria, or Medicaid benefits, including without limitation a proposed rule or a proposed amendment to an existing rule seeking to:

(1) Reduce the number of individuals covered by the Arkansas Medicaid Program;

(2) Limit the types of services covered by the program;

(3) Reduce the utilization of services covered by the program;

(4) Reduce provider reimbursement;

(5) Increase consumer cost sharing;

(6) Reduce the cost of administering the program;

(7) Increase the program revenues;

(8) Reduce fraud and abuse in the program;

(9) Change any of the methodologies used for reimbursement of providers;

(10) Seek a new waiver or modification of an existing waiver of any provision under Title XIX of the Social Security Act, 42 U.S.C. § 1396-1 et seq., including a waiver that would allow a demonstration project;

(11) Participate or seek to participate in the waiver authority of Section 1115(a)(1) of the Social Security Act, 42 U.S.C. § 1315(a)(1),

that would allow operation of a demonstration project or program;

(12) Participate or seek to participate in a request under Section 1115(a)(2) of the Social Security Act, 42 U.S.C. § 1315(a)(2), for the United States Secretary of the Department of Health and Human Services to provide federal financial participation for costs associated with a demonstration project or program;

(13) Implement managed care provisions under Section 1932 of the Social Security Act, 42 U.S.C. § 1396u-2; or

(14) Participate or seek to participate in the projects or programs of the Center for Medicare and Medicaid Services Innovation.

(b) "Rule impacting state Medicaid costs" does not include a rule modifying the medical codes used within the Arkansas Medicaid Program that are issued by the Centers for Medicare and Medicaid Services, including without limitation:

(1) Current Procedural Terminology codes;

(2) Healthcare Common Procedure Coding System codes;

(3) International Classification of Diseases codes;

(4) National Uniform Billing Committee Official UB-04 Specifications Manual codes; and

(5) National Correct Coding Initiative codes.

25-15-403. Additional rule procedure.

(a)(1) In addition to filing requirements under the Arkansas Administrative Procedure Act, § 25-15-201 et seq., and § 10-3-309, the Department of Human Services shall, at least thirty (30) days before the expiration of the period for public comment, file a proposed rule impacting state Medicaid costs or a proposed amendment to an existing rule impacting state Medicaid costs with the Senate Committee on Public Health, Welfare, and Labor and the House Committee on Public Health, Welfare, and Labor.

(2) A review of the proposed rule or proposed amendment to an existing rule by the Senate Committee on Public Health, Welfare, and Labor and the House Committee on Public Health, Welfare, and Labor shall occur within forty-five (45) days of the date the proposed rule or proposed amendment to an existing rule is filed with the Senate Committee on Public Health, Welfare, and Labor and the House Committee on Public Health, Welfare, and Labor.

(b)(1) If adopting an emergency rule impacting state Medicaid costs, in addition to the filing requirements under the Arkansas Administrative Procedure Act, § 25-15-201 et seq., and § 10-3-309, the Department of Human Services shall notify the following individuals of the emergency rule and provide each individual with a copy of the rule within five (5) business days of adopting the rule:

(A) The Speaker of the House of Representatives;

(B) The President Pro Tempore of the Senate;

(C) The Chair of the Senate Committee on Public Health, Welfare, and Labor; and

(D) The Chair of the House Committee on Public Health, Welfare, and Labor.

(2) A review of the emergency rule by the Senate Committee on Public Health, Welfare, and Labor and the House Committee on Public Health, Welfare, and Labor shall occur within forty-five (45) days of the date that the emergency rule is provided to the chairs.

AND

Appropriately renumber subsequent SECTION numbers of the bill.

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

By: Senator <NA>

By: Representative Boyd

LCW/LCW - 02-15-2017 11:51:09

LCW051

\_\_\_\_\_  
Secretary

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017

# A Bill

SENATE BILL 196

4  
5 By: Joint Budget Committee  
6

## For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
9 AND OPERATING EXPENSES FOR THE DEPARTMENT OF HUMAN  
10 SERVICES - DIVISION OF MEDICAL SERVICES FOR THE  
11 FISCAL YEAR ENDING JUNE 30, 2018; AND FOR OTHER  
12 PURPOSES.  
13

## Subtitle

14  
15 AN ACT FOR THE DEPARTMENT OF HUMAN  
16 SERVICES - DIVISION OF MEDICAL SERVICES  
17 APPROPRIATION FOR THE 2017-2018 FISCAL  
18 YEAR.  
19  
20  
21

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

23  
24 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established  
25 for the Department of Human Services - Division of Medical Services for the  
26 2017-2018 fiscal year, the following maximum number of regular employees.  
27

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2017-2018
32	(1) N181N	DIRECTOR OF MEDICAL SERVICES	1	GRADE N915
33	(2) L016N	REGISTERED PHARMACIST	6	GRADE N911
34	(3) N189N	DHS/DMS DEPUTY DIRECTOR	1	GRADE N908
35	(4) N080N	DHS/DMS ASSISTANT DIRECTOR - FISCAL	1	GRADE N907
36	(5) N099N	DHS/DMS ADD - LONG TERM CARE	1	GRADE N906



1	(6)	N167N	DHS POLICY & RESEARCH DIRECTOR	1	GRADE N901
2	(7)	A010C	AGENCY CONTROLLER II	1	GRADE C128
3	(8)	D007C	INFORMATION SYSTEMS MANAGER	2	GRADE C128
4	(9)	A016C	DHS DMS BUSINESS OPERATIONS MANAGER	9	GRADE C127
5	(10)	L010C	DHS DMS MEDICAL ASSISTANCE MANAGER	3	GRADE C125
6	(11)	L009C	NURSE MANAGER	4	GRADE C125
7	(12)	S094C	ADC CONSTRUCTION/MAINTENANCE COORD	1	GRADE C124
8	(13)	G076C	ADMINISTRATIVE SERVICES MANAGER	1	GRADE C124
9	(14)	D030C	INFORMATION SYSTEMS COORDINATOR	2	GRADE C124
10	(15)	L020C	NURSING SERVICES UNIT MANAGER	2	GRADE C123
11	(16)	L019C	REGISTERED NURSE COORDINATOR	5	GRADE C123
12	(17)	D038C	SENIOR SOFTWARE SUPPORT ANALYST	1	GRADE C123
13	(18)	A044C	AUDIT COORDINATOR	1	GRADE C122
14	(19)	G099C	DHS PROGRAM ADMINISTRATOR	18	GRADE C122
15	(20)	L027C	REGISTERED NURSE SUPERVISOR	10	GRADE C122
16	(21)	D058C	COMPUTER OPERATIONS COORDINATOR	1	GRADE C120
17	(22)	L040C	DIETARY SERVICES DIRECTOR	1	GRADE C120
18	(23)	P013C	PUBLIC INFORMATION COORDINATOR	1	GRADE C120
19	(24)	L038C	REGISTERED NURSE	68	GRADE C120
20	(25)	E023C	TRAINING PROJECT MANAGER	1	GRADE C120
21	(26)	D063C	COMPUTER SUPPORT SPECIALIST	2	GRADE C119
22	(27)	G152C	DHS PROGRAM MANAGER	13	GRADE C119
23	(28)	X067C	HEALTH FACILITIES SURVEYOR	21	GRADE C119
24	(29)	D061C	INFORMATION SYSTEMS COORDINATION SPEC	2	GRADE C119
25	(30)	A081C	AUDITOR	2	GRADE C117
26	(31)	R027C	BUDGET SPECIALIST	2	GRADE C117
27	(32)	G183C	DHS PROGRAM COORDINATOR	10	GRADE C117
28	(33)	G180C	GRANTS ANALYST	1	GRADE C117
29	(34)	R025C	HUMAN RESOURCES ANALYST	1	GRADE C117
30	(35)	D068C	INFORMATION SYSTEMS ANALYST	2	GRADE C117
31	(36)	M039C	MEDICAID SERVICES SUPERVISOR	2	GRADE C117
32	(37)	C013C	MEDICAL SERVICES REPRESENTATIVE	1	GRADE C117
33	(38)	G178C	POLICY DEVELOPMENT COORDINATOR	2	GRADE C117
34	(39)	G198C	DHS/DAAS PROGRAM SPECIALIST	1	GRADE C116
35	(40)	X124C	HEALTH FACILITY REVIEWER	1	GRADE C116
36	(41)	C037C	ADMINISTRATIVE ANALYST	6	GRADE C115

1 promulgated by the Arkansas Department of Health which shall establish a  
 2 separate licensure category for the private care agencies for the provision  
 3 of Medicaid reimbursable personal care services seven (7) days a week.

4 (g) The Arkansas Department of Health shall supervise the conduct of the  
 5 personal care agencies defined herein.

6 (h) The purpose of this section is to insure the care provided by the  
 7 private care agencies is consistent with the rules and regulations of the  
 8 Arkansas Department of Health.

9 The provisions of this section shall be in effect only from July 1, 2016  
 10 2017 through June 30, ~~2017~~ 2018.

11

12 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REVIEW OF  
 14 RULES IMPACTING STATE MEDICAID COSTS. (a) In light of the rapidly rising  
 15 potential costs to the State attributable to the Medicaid program and the  
 16 importance of Medicaid expenditures to the health and welfare of the citizens  
 17 of this State, the General Assembly finds it desirable to exercise more  
 18 thorough review of future proposed changes to rules that might impact those  
 19 costs or expenditures.

20 (b) As used in this section, "rule impacting state Medicaid costs" means  
 21 a proposed rule, as defined by § 25-15-202(9) or a proposed amendment to an  
 22 ~~existing rule, as defined by § 25-15-202(9) that would, if adopted, adjust~~  
 23 Medicaid reimbursement rates, Medicaid eligibility criteria, or Medicaid  
 24 benefits, including without limitation a proposed rule or a proposed  
 25 amendment to an existing rule seeking to accomplish the following:

- 26 (1) Reduce the number of individuals covered by Arkansas Medicaid;  
 27 (2) Limit the types of services covered by Arkansas Medicaid;  
 28 (3) Reduce the utilization of services covered by Arkansas Medicaid;  
 29 (4) Reduce provider reimbursement;  
 30 (5) Increase consumer cost-sharing;  
 31 (6) Reduce the cost of administering Arkansas Medicaid;  
 32 (7) Increase Arkansas Medicaid revenues;  
 33 (8) Reduce fraud and abuse in the Arkansas Medicaid program;  
 34 (9) Change any of the methodologies used for reimbursement of  
 35 providers;  
 36 (10) Seek a new waiver or modification of an existing waiver of any

1 provision under Title XIX of the Social Security Act, 42 U.S.C. § 1396-1 et.  
2 seq., including a waiver that would allow a demonstration project;

3 (11) Participate or seek to participate in the waiver authority of  
4 Section 1115(a)(1) of the Social Security Act, 42 U.S.C. § 1396-1(a)(1) that  
5 would allow operation of a demonstration project or program;

6 (12) Participate or seek to participate in a request under Section  
7 1115(a)(2) of the Social Security Act, 42 U.S.C. § 1396-1(a)(2) for the  
8 Secretary of the Department of Health and Human Services to provide federal  
9 financial participation for costs associated with a demonstration project or  
10 program;

11 (13) Implement managed care provisions under Section 1932 of the Social  
12 Security Act, 42 U.S.C. § 1396 u-2; or

13 (14) Participate or seek to participate in the Centers for Medicare and  
14 Medicaid Services Innovation projects or programs.

15 (c)(1) In addition to filing requirements under the Arkansas  
16 Administrative Procedure Act, § 25-15-201 et seq., and § 10-3-309, the  
17 Department of Human Services shall, at least thirty (30) days before the  
18 expiration of the period for public comment, file a proposed rule impacting  
19 state Medicaid costs or a proposed amendment to an existing rule impacting  
20 state Medicaid costs with the Senate Interim Committee on Public Health,  
21 Welfare, and Labor and the House Interim Committee on Public Health, Welfare,  
22 and Labor, or, when the General Assembly is in session, with the Senate  
23 Committee on Public Health, Welfare, and Labor and the House Committee on  
24 Public Health, Welfare and Labor.

25 (2) Any review of the proposed rule or proposed amendment to an  
26 existing rule by the Senate and House Interim Committees on Public Health,  
27 Welfare and Labor or the Senate and House Committees on Public Health,  
28 Welfare, and Labor shall occur within forty-five (45) days of the date the  
29 proposed rule or proposed amendment to an existing rule is filed with the  
30 committees.

31 (d)(1) If adopting an emergency rule impacting state Medicaid costs,  
32 in addition to the filing requirements under the Arkansas Administrative  
33 Procedure Act, § 25-15-201 et seq. and § 10-3-309, the Department of Human  
34 Services shall notify the Speaker of the House of Representatives, the  
35 President Pro Tempore of the Senate, the chair of the Senate Committee on  
36 Public Health, Welfare, and Labor, and the chair of the House Committee on

1 Public Health, Welfare and Labor of the emergency rule and provide each of  
2 them a copy of the rule on the first day the emergency rule is effective.

3 (2) Any review of the emergency rule by the Senate and House  
4 Interim Committees on Public Health, Welfare and Labor or the Senate and  
5 House Committees on Public Health, Welfare, and Labor shall occur within  
6 forty-five (45) days of the date the emergency rule is provided to the  
7 chairs.

8 (e) This section expires on June 30, ~~2017~~ 2018.

9  
10 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ~~HEALTH~~  
12 ~~CARE INDEPENDENCE PROGRAM~~ ARKANSAS WORKS AND ARKANSAS HEALTH INSURANCE  
13 MARKETPLACE RESTRICTIONS. (a) As used in this section, "~~Health Care~~  
14 ~~Independence Program~~ Arkansas Works" means ~~the Health Care Independence~~  
15 ~~Program~~ Arkansas Works established under the ~~Health Care Independence Act of~~  
16 ~~2013, Arkansas Code § 20-77-2401 et seq.~~ Arkansas Works Act of 2016, Arkansas  
17 Code § 23-61-1001 et seq.

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

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

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

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

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

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

32 (c)(1) Except as provided in this subsection, the Department of Human  
33 Services shall not allocate, budget, expend, or utilize any appropriation  
34 authorized by the General Assembly for the purpose of advertisement,  
35 promotion, or other activities designed to promote or encourage enrollment in  
36 the Arkansas Health Insurance Marketplace or ~~the Health Care Independence~~

- 1 Program Arkansas Works, including without limitation:
- 2 (A) Unsolicited communications mailed to potential
- 3 recipients;
- 4 (B) Television, radio, or online commercials;
- 5 (C) Billboard or mobile billboard advertising;
- 6 (D) Advertisements printed in newspapers, magazines, or
- 7 other print media; and
- 8 (E) Internet websites and electronic media.
- 9 (2) This subsection does not prohibit the department from:
- 10 (A) Direct communications with:
- 11 (i) Licensed insurance agents; and
- 12 (ii) Persons licensed by the department;
- 13 (B) Solicited communications with potential recipients;
- 14 (C)(i) Responding to an inquiry regarding the coverage for
- 15 which a potential recipient might be eligible, including without limitation
- 16 providing educational materials or information regarding any coverage for
- 17 which the individual might qualify.
- 18 (ii) Educational materials and information
- 19 distributed under subdivision (c)(2)(C)(i) of this section shall contain only
- 20 factual information and shall not contain subjective statements regarding the
- 21 coverage for which the potential recipient might be eligible; and
- 22 ~~(D) Using an Internet website for the exclusive purpose of~~
- 23 ~~enrolling individuals in the Arkansas Health Insurance Marketplace or the~~
- 24 ~~Health Care Independence Program Arkansas Works.~~
- 25 (d) The Department of Human Services shall not apply for or accept any
- 26 funds, including without limitation federal funds, for the purpose of
- 27 advertisement, promotion, or other activities designed to promote or
- 28 encourage enrollment in the Arkansas Health Insurance Marketplace or ~~the~~
- 29 ~~Health Care Independence Program Arkansas Works.~~
- 30 (e)(1) Except as provided in subdivision (e)(2) of this section, the
- 31 Department of Human Services shall not:
- 32 (A)(i) Except as provided in subdivision (e)(1)(A)(ii) of
- 33 this section, allocate, budget, expend, or utilize an appropriation
- 34 authorized by the General Assembly for the purpose of funding activities of
- 35 navigators, guides, certified application counselors, and certified licensed
- 36 producers under the Arkansas Health Insurance Marketplace Navigator, Guide,

1 and Certified Application Counselors Act, Arkansas Code § 23-64-601 et seq.  
 2 (ii) Subdivision (e)(1)(A)(i) of this section does  
 3 not apply to regulatory and training responsibilities related to navigators,  
 4 guides, certified application counselors, and certified licensed producers;  
 5 and

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

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

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

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

24 (h) This section expires on June 30, ~~2017~~ 2018.

25  
 26 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MEDICAID  
 28 PRIMARY CARE CASE MANAGEMENT PROGRAM.

29 (a) The General Assembly finds that:

30 (1) The Arkansas Delta is an area that is medically underserved  
 31 and has some of the worst health outcomes in our state, with a large number  
 32 of recipients who are in the top quartile of costs;

33 (2)(A) There has been much success in other states, particularly  
 34 in the Louisiana Delta with improvements in health outcomes and saving money  
 35 through the use of an intensive care-coordination, shared-savings model of  
 36 care.

1 (B) This success has come through contracting with private  
2 companies that specialize in working with those individuals who meet certain  
3 criteria and are at a minimum in the top quartile of costs to the Medicaid  
4 program;

5 (3) Medicaid is one of the largest percentage expenditures of  
6 Arkansas tax dollars, and there is a need for reforming approaches to the use  
7 of these dollars; and

8 (4) The approach created in this section to dealing with this  
9 population has never been implemented in Arkansas.

10 (b)(1)(A) The Department of Human Services shall contract with an  
11 experienced vendor to implement a two-year Medicaid Primary Care Case  
12 Management shared-savings pilot program in the Arkansas Delta region to begin  
13 January 1, 2014.

14 (B) The department shall give preference to a vendor that:

15 (i) Demonstrates experience with the type of model  
16 established under this section in the type of geographic area specified in  
17 subsection (e) of this section;

18 (ii) Has demonstrated customer satisfaction as  
19 documented through independent Consumer Assessment of Healthcare Providers  
20 and Systems survey; and

21 (iii) Maintains a Utilization Review Accreditation  
22 ~~Commission accreditation for its Health Utilization Management and Case~~  
23 Management programs.

24 (2) The pilot program shall encompass a minimum of five thousand  
25 (5,000) recipients who:

26 (A) Are not currently in the Arkansas Patient-Centered  
27 Medical Home Program, the federal Comprehensive Primary Care Initiative, or a  
28 similar home health program;

29 (B)(i) Have catastrophic or chronic conditions as defined  
30 by the Johns Hopkins Adjusted Clinical Groups System; or

31 (ii) Are women with a history of past high-risk  
32 pregnancies, poor birth outcomes or preterm deliveries; and

33 (C) Whose estimated costs are in the top quartile for  
34 their defined population.

35 (c) The vendor shall recruit an adequate number of primary care  
36 clinics to initiate the program.

1 (d) The Medicaid Primary Care Case Management shared savings pilot  
2 program shall exclude the Alternatives for Persons with Disabilities, the  
3 Division of Developmental Disabilities Services Alternative Community  
4 Services, ElderChoices, Living Choices Assisted Living waivers, and members  
5 of the Program of All-Inclusive Care for the Elderly.

6 (e) The Medicaid Primary Care Case Management program shared savings  
7 pilot program shall include without limitation the following Arkansas delta  
8 counties:

- 9 (1) Arkansas;
- 10 (2) Ashley;
- 11 (3) Baxter;
- 12 (4) Bradley;
- 13 (5) Calhoun;
- 14 (6) Chicot;
- 15 (7) Clay;
- 16 (8) Cleveland;
- 17 (9) Crittenden;
- 18 (10) Cross;
- 19 (11) Dallas;
- 20 (12) Desha;
- 21 (13) Drew;
- 22 (14) Fulton;
- 23 (15) Grant;
- 24 (16) Greene;
- 25 (17) Independence;
- 26 (18) Izard;
- 27 (19) Jackson;
- 28 (20) Jefferson;
- 29 (21) Lawrence;
- 30 (22) Lee;
- 31 (23) Lincoln;
- 32 (24) Lonoke;
- 33 (25) Marion;
- 34 (26) Mississippi;
- 35 (27) Monroe;
- 36 (28) Ouachita;

- 1 (29) Phillips;
- 2 (30) Poinsett;
- 3 (31) Prairie;
- 4 (32) Randolph;
- 5 (33) Searcy;
- 6 (34) Sharp;
- 7 (35) St. Francis;
- 8 (36) Stone;
- 9 (37) Union;
- 10 (38) Van Buren; and
- 11 (39) Woodruff.

12 (f) The department shall require that a contracting vendor generate  
 13 savings in comparison to a risk-adjusted Arkansas Fee-For-Service benchmark.

14 (g) The per-member monthly fee paid to the vendor shall not decrease  
 15 the current primary care case management fee paid to the primary care  
 16 providers.

17 (h)(1) Savings realized under the Medicaid Primary Care Case  
 18 Management program shall be shared:

19 (A) Thirty-four percent (34%) with the department; and

20 (B)(i) Sixty-six percent (66%) with the Medicaid Primary  
 21 Care Case Management shared-savings pilot program vendor up to a maximum  
 22 sharing cap of five percent (5%) of the total cost of administrative and  
 23 health service expenditures as defined by the Centers for Medicare and  
 24 Medicaid Service.

25 (ii) Further, fifty percent (50%) of savings  
 26 received by the vendor shall be shared with eligible contracted network  
 27 primary care providers based upon meeting agreed upon performance standards.

28 (2) Twenty five percent (25%) of the Medicaid Primary Care Case  
 29 Management shared-savings pilot program vendor's administrative per member  
 30 per month fee shall be at risk and shall be paid back to the state if savings  
 31 are not realized.

32 (i)(1) After the Medicaid Primary Care Case Management shared-savings  
 33 pilot program has operated for fifteen (15) months, the department shall  
 34 utilize an agreed upon savings algorithm to calculate savings based on the  
 35 first twelve (12) months of operations, allowing three (3) months of run-out.

36 (2)(A) Savings shall be disbursed within thirty (30) calendar

1 days of final calculation.

2 (B) After the initial year of operation, savings shall be  
3 calculated on a quarterly basis.

4 (j) This section does not conflict with or reduce the Medicaid  
5 hospital access payments under section § 20-77-1901 et seq.

6 (k)(1) This section does not require a physician to participate in the  
7 pilot program created under this section.

8 (2) A physician has the right to refuse to contract under the  
9 pilot program created under this section or to terminate the contract at any  
10 time without penalty.

11 (1) If requested, the vendor shall agree to support any contracted  
12 physician in meeting the requirements of the Arkansas Patient-Centered  
13 Medical Home model.

14 The provisions of this section shall be in effect only from July 1, 2016  
15 2017 through June 30, ~~2017~~ 2018.

16

17 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
19 SEVERABILITY. If any provisions of this act or the application of this act  
20 to any person or circumstance is held invalid, such invalidity shall not  
21 affect other provisions or applications of the act which can be given effect  
22 without the invalid provision or application, and to this end the provisions  
23 of this act are declared to be severable.

24

25 SECTION 17. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
26 authorized by this act shall be limited to the appropriation for such agency  
27 and funds made available by law for the support of such appropriations; and  
28 the restrictions of the State Procurement Law, the General Accounting and  
29 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
30 Procedures and Restrictions Act, or their successors, and other fiscal  
31 control laws of this State, where applicable, and regulations promulgated by  
32 the Department of Finance and Administration, as authorized by law, shall be  
33 strictly complied with in disbursement of said funds.

34

35 SECTION 18. LEGISLATIVE INTENT. It is the intent of the General  
36 Assembly that any funds disbursed under the authority of the appropriations