

State of Arkansas
88th General Assembly
Fiscal Session, 2012

A Bill

HOUSE BILL 1100

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE STATE INSURANCE DEPARTMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2013; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE STATE INSURANCE DEPARTMENT APPROPRIATION FOR THE 2012-2013 FISCAL YEAR.

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

SECTION 1. REGULAR SALARIES. There is hereby established for the State Insurance Department for the 2012-2013 fiscal year, the following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2012-2013
(1)	U042U	INSURANCE CHIEF DEPUTY COMMISSIONER	1	\$167,477
(2)	U047U	STATE INSURANCE COMMISSIONER	1	\$126,986
(3)	N014N	INSURANCE DEP COMMISS FINANCIAL REG	1	GRADE N912
(4)	N023N	INSURANCE DEPUTY COMMISSIONER	3	GRADE N910
(5)	N025N	INSURANCE DEPUTY COMMISSIONER INFO	1	GRADE N910
(6)	N073N	INSURANCE CHF FIN/MKT CONDUCT EXMR	1	GRADE N908
(7)	A004N	CERTIFIED FINANCIAL EXAMINER MANAGE	3	GRADE N906



(8)	N115N	CRIMINAL INSURANCE FRAUD DIRECTOR	1	GRADE N904
(9)	G018N	DIRECTOR RISK MANAGEMENT	1	GRADE N904
(10)	D010N	INSURANCE CHIEF TECHNOLOGY OFFICER	1	GRADE N904
(11)	L018N	NURSE PRACTITIONER	1	GRADE N904
(12)	N140N	INS ASST DEP COMMISSIONER FINANCE	1	GRADE N902
(13)	A004C	CERTIFIED FINANCIAL EXAMINER	12	GRADE C130
(14)	X002C	INSURANCE PUB EMP CLAIMS DIV DIRECTOR	1	GRADE C130
(15)	G004C	MANAGING ATTORNEY	4	GRADE C129
(16)	D007C	INFORMATION SYSTEMS MANAGER	1	GRADE C128
(17)	X005C	PROPERTY & CASUALTY MANAGER	2	GRADE C128
(18)	G008C	RISK MANAGEMENT ASSISTANT DIRECTOR	1	GRADE C128
(19)	G047C	ATTORNEY SPECIALIST	8	GRADE C126
(20)	X009C	INSURANCE DEPT DIR OF SECURITY OPS	1	GRADE C126
(21)	D034C	DATABASE ADMINISTRATOR	1	GRADE C124
(22)	X018C	INSURANCE CONS PROTECTION MANAGER	1	GRADE C124
(23)	X017C	INSURANCE LICENSING MANAGER	1	GRADE C124
(24)	G064C	SR HLTH INS INFORMATION PRG MANAGER	1	GRADE C124
(25)	D022C	SYSTEMS SPECIALIST	5	GRADE C124
(26)	P004C	PUBLIC INFORMATION MANAGER	1	GRADE C123
(27)	D038C	SENIOR SOFTWARE SUPPORT ANALYST	1	GRADE C123
(28)	A042C	INSURANCE SENIOR EXAMINER	5	GRADE C122
(29)	X034C	PREPAID FUNERAL MANAGER	1	GRADE C122
(30)	D044C	SYSTEMS ANALYST	1	GRADE C122
(31)	R014C	PERSONNEL MANAGER	1	GRADE C121
(32)	D052C	SOFTWARE SUPPORT ANALYST	4	GRADE C121
(33)	G107C	WCC PROGRAM MANAGER	1	GRADE C121
(34)	G106C	WCC CLAIMS SPECIALIST	6	GRADE C121
(35)	G125C	INSURANCE SPEC PROJECTS COORDINATOR	1	GRADE C120
(36)	P013C	PUBLIC INFORMATION COORDINATOR	1	GRADE C120
(37)	G120C	RISK CONSULTANT	8	GRADE C120
(38)	X072C	CRIMINAL INS FRAUD INVESTIGATOR	7	GRADE C119
(39)	A067C	INSURANCE EXAMINER	2	GRADE C119
(40)	X066C	INSURANCE PREMIUM TAX EXAMINER	4	GRADE C119
(41)	A060C	SENIOR AUDITOR	2	GRADE C119
(42)	X083C	INSURANCE LIFE & HEALTH COMP OFFICE	5	GRADE C118
(43)	X080C	PROPERTY & CASUALTY COMP OFFICER	4	GRADE C118

(44)	X076C	TITLE INSURANCE COMPLIANCE OFFICER	1	GRADE C118
(45)	A080C	FINANCE AUTHORITY SPECIALIST	1	GRADE C117
(46)	R025C	HUMAN RESOURCES ANALYST	1	GRADE C117
(47)	C016C	INSURANCE ADMIN COORDINATOR	2	GRADE C117
(48)	P020C	PRODUCTION ARTIST	1	GRADE C117
(49)	X123C	INSURANCE INVESTIGATOR	9	GRADE C116
(50)	C037C	ADMINISTRATIVE ANALYST	7	GRADE C115
(51)	R033C	BENEFITS ANALYST	1	GRADE C115
(52)	A091C	FISCAL SUPPORT ANALYST	1	GRADE C115
(53)	G202C	VOLUNTEER PROGRAM COORDINATOR	3	GRADE C115
(54)	G201C	WCC CLAIMS ANALYST	3	GRADE C115
(55)	R036C	HUMAN RESOURCES SPECIALIST	1	GRADE C113
(56)	C046C	LEGAL SUPPORT SPECIALIST	4	GRADE C113
(57)	C056C	ADMINISTRATIVE SPECIALIST III	14	GRADE C112
(58)	A098C	FISCAL SUPPORT SPECIALIST	4	GRADE C112
(59)	X180C	INSURANCE LICENSING TECHNICIAN	10	GRADE C110
(60)	C073C	ADMINISTRATIVE SPECIALIST II	16	GRADE C109
(61)	C084C	MAIL SERVICES SPECIALIST	2	GRADE C107
(62)	C087C	ADMINISTRATIVE SPECIALIST I	<u>3</u>	GRADE C106
		MAX. NO. OF EMPLOYEES	194	

SECTION 2. EXTRA HELP. There is hereby authorized, for the State Insurance Department for the 2012-2013 fiscal year, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: nineteen (19) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated, to the State Insurance Department, to be payable from the State Insurance Department Trust Fund, for personal services and operating expenses of the State Insurance Department - Operations for the fiscal year ending June 30, 2013, the following:

ITEM	FISCAL YEAR
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NO.	2012-2013
(01) REGULAR SALARIES	\$7,184,698
(02) EXTRA HELP	140,000
(03) PERSONAL SERVICES MATCHING	2,096,217
(04) OVERTIME	35,000
(05) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	2,185,000
(B) CONF. & TRAVEL	138,000
(C) PROF. FEES	60,000
(D) CAP. OUTLAY	155,000
(E) DATA PROC.	0
(06) SPECIAL MAINTENANCE	50,000
(07) PROFESSIONAL SERVICES	<u>386,000</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$12,429,915</u></u>

SECTION 4. APPROPRIATION - FRAUD INVESTIGATION UNIT. There is hereby appropriated, to the State Insurance Department, to be payable from the State Insurance Department Trust Fund, for personal services and operating expenses of the State Insurance Department – Fraud Investigation Unit for the fiscal year ending June 30, 2013, the following:

ITEM NO.	FISCAL YEAR 2012-2013
(01) REGULAR SALARIES	\$198,608
(02) PERSONAL SERVICES MATCHING	58,272
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	90,406
(B) CONF. & TRAVEL	12,000
(C) PROF. FEES	11,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$370,286</u></u>

SECTION 5. APPROPRIATION - INSURANCE FRAUD INVESTIGATION DIVISION. There is hereby appropriated, to the State Insurance Department, to be payable from the Insurance Fraud Investigation Division Trust Fund, for

personal services and operating expenses of the State Insurance Department – Insurance Fraud Investigation Division for the fiscal year ending June 30, 2013, the following:

ITEM NO.	FISCAL YEAR 2012-2013
(01) REGULAR SALARIES	\$605,084
(02) PERSONAL SERVICES MATCHING	170,761
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	171,635
(B) CONF. & TRAVEL	35,000
(C) PROF. FEES	11,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$993,480</u></u>

SECTION 6. APPROPRIATION - PREPAID FUNERAL BENEFITS DIVISION. There is hereby appropriated, to the State Insurance Department, to be payable from the State Insurance Department Prepaid Trust Fund, for personal services and operating expenses of the State Insurance Department – Prepaid Funeral Benefits Division for the fiscal year ending June 30, 2013, the following:

ITEM NO.	FISCAL YEAR 2012-2013
(01) REGULAR SALARIES	\$211,696
(02) PERSONAL SERVICES MATCHING	60,899
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	71,390
(B) CONF. & TRAVEL	4,000
(C) PROF. FEES	27,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$374,985</u></u>

SECTION 7. APPROPRIATION - PREPAID FUNERAL CONTRACTS RECOVERY PROGRAM. There is hereby appropriated, to the State Insurance Department, to be

payable from the Prepaid Funeral Contracts Recovery Program Fund, for expenses and claims of the Prepaid Funeral Contracts Recovery Program of the State Insurance Department for the fiscal year ending June 30, 2013, the following:

ITEM NO.	FISCAL YEAR 2012-2013
(01) EXPENSES AND CLAIMS FOR PREPAID FUNERAL CONTRACTS RECOVERY PROGRAM	<u>\$500,000</u>

SECTION 8. APPROPRIATION - REFUNDS OF OVERPAYMENTS. There is hereby appropriated, to the State Insurance Department, to be payable from the Miscellaneous Revolving Fund, for payment of miscellaneous tax and fee refunds by the State Insurance Department for the fiscal year ending June 30, 2013, the following:

ITEM NO.	FISCAL YEAR 2012-2013
(01) REFUNDS/REIMBURSEMENTS	<u>\$11,000,000</u>

SECTION 9. APPROPRIATION - CONTINUING EDUCATION PROGRAM. There is hereby appropriated, to the State Insurance Department, to be payable from the Insurance Continuing Education Trust Fund, for personal services of the State Insurance Department - Continuing Education Program for the fiscal year ending June 30, 2013, the following:

ITEM NO.	FISCAL YEAR 2012-2013
(01) REGULAR SALARIES	\$27,279
(02) PERSONAL SERVICES MATCHING	<u>10,196</u>
TOTAL AMOUNT APPROPRIATED	<u>\$37,475</u>

SECTION 10. APPROPRIATION - HEALTH INFORMATION COUNSELING. There is hereby appropriated, to the State Insurance Department, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services and operating expenses of the State Insurance Department -

Health Information Counseling for the fiscal year ending June 30, 2013, the following:

ITEM NO.	FISCAL YEAR 2012-2013
(01) REGULAR SALARIES	\$167,887
(02) PERSONAL SERVICES MATCHING	57,346
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	307,107
(B) CONF. & TRAVEL	0
(C) PROF. FEES	480,204
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$1,012,544</u></u>

SECTION 11. APPROPRIATION - CONSUMER INFORMATION SYSTEM - CASH. There is hereby appropriated, to the State Insurance Department, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for operating expenses of the State Insurance Department - Consumer Information System - Cash for the fiscal year ending June 30, 2013, the following:

ITEM NO.	FISCAL YEAR 2012-2013
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$130,166
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$130,166</u></u>

SECTION 12. APPROPRIATION - TRAVEL AND SUBSISTENCE - CASH. There is hereby appropriated, to the State Insurance Department, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for travel and subsistence expenses of the State

Insurance Department for the fiscal year ending June 30, 2013, the following:

ITEM NO.	FISCAL YEAR 2012-2013
(01) TRAVEL & SUBSISTENCE EXPENSES	<u>\$100,000</u>

SECTION 13. APPROPRIATION - PUBLIC EMPLOYEE CLAIMS SECTION. There is hereby appropriated, to the State Insurance Department, to be payable from the Miscellaneous Agencies Fund Account, for personal services and operating expenses of the State Insurance Department – Public Employee Claims Section for the fiscal year ending June 30, 2013, the following:

ITEM NO.	FISCAL YEAR 2012-2013
(01) REGULAR SALARIES	\$1,020,250
(02) PERSONAL SERVICES MATCHING	315,865
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	233,209
(B) CONF. & TRAVEL	13,000
(C) PROF. FEES	1,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$1,583,324</u>

SECTION 14. APPROPRIATION - STATE EMPLOYEE CLAIMS. There is hereby appropriated, to the State Insurance Department, to be payable from the Workers' Compensation Revolving Fund, for the payment of state employee claims by the State Insurance Department – State Employee Claims for the fiscal year ending June 30, 2013, the following:

ITEM NO.	FISCAL YEAR 2012-2013
(01) STATE EMPLOYEE CLAIMS	<u>\$15,000,000</u>

SECTION 15. APPROPRIATION - PUBLIC SCHOOL EMPLOYEE CLAIMS. There is hereby appropriated, to the State Insurance Department, to be payable from

the Miscellaneous Revolving Fund, for the payment of public school employee claims by the State Insurance Department – Public School Employee Claims for the fiscal year ending June 30, 2013, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2012-2013</u>
(01) PUBLIC SCHOOL EMPLOYEE CLAIMS	<u>\$450,000</u>

SECTION 16. APPROPRIATION - COUNTY EMPLOYEE CLAIMS. There is hereby appropriated, to the State Insurance Department, to be payable from the Miscellaneous Revolving Fund, for the payment of county employee claims by the State Insurance Department – County Employee Claims for the fiscal year ending June 30, 2013, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2012-2013</u>
(01) COUNTY EMPLOYEE CLAIMS	<u>\$200,000</u>

SECTION 17. APPROPRIATION - CITY EMPLOYEE CLAIMS. There is hereby appropriated, to the State Insurance Department, to be payable from the Miscellaneous Revolving Fund, for the payment of city employee claims by the State Insurance Department – City Employee Claims for the fiscal year ending June 30, 2013, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2012-2013</u>
(01) CITY EMPLOYEE CLAIMS	<u>\$600,000</u>

SECTION 18. APPROPRIATION - GOVERNMENTAL BONDING BOARD. There is hereby appropriated, to the State Insurance Department, to be payable from the Fidelity Bond Trust Fund, for operating expenses of the State Insurance Department – Governmental Bonding Board for the fiscal year ending June 30, 2013, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2012-2013</u>

(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$5,000
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(02) REFUNDS/REIMBURSEMENTS	150,000
(03) CLAIMS	1,000,000
(04) INVESTMENTS	760,637
(05) PROFESSIONAL SERVICES	50,000
(06) REINSURANCE	<u>139,218</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$2,104,855</u></u>

SECTION 19. APPROPRIATION - ARKANSAS MULTI-AGENCY INSURANCE TRUST FUND - OPERATIONS. There is hereby appropriated, to the State Insurance Department, to be payable from the Arkansas Multi-Agency Insurance Trust Fund, for expenses and payment of claims by the State Insurance Department - Arkansas Multi-Agency Insurance Trust Fund Operations for the fiscal year ending June 30, 2013, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2012-2013</u>
(01) FOR EXPENSES AND CLAIMS FROM AMAIT FUND	<u><u>\$10,000,000</u></u>

SECTION 20. APPROPRIATION - PUBLIC SCHOOL INSURANCE PROGRAM. There is hereby appropriated, to the State Insurance Department, to be payable from the Public School Insurance Trust Fund, for expenses and payment of claims by the State Insurance Department - Public School Insurance Program for the fiscal year ending June 30, 2013, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2012-2013</u>
(01) EXPENSES AND CLAIMS	<u><u>\$14,000,000</u></u>

SECTION 21. APPROPRIATION - CRIMINAL BACKGROUND CHECKS - CASH. There

is hereby appropriated, to the State Insurance Department, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for operating expenses of the State Insurance Department – Criminal Background Checks – Cash for the fiscal year ending June 30, 2013, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2012-2013</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$125,000
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$125,000</u></u>

SECTION 22. APPROPRIATION - HEALTH INSURANCE PREMIUM RATE REVIEW - FEDERAL. There is hereby appropriated, to the State Insurance Department, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services and operating expenses of the State Insurance Department – Health Insurance Premium Rate Review for the fiscal year ending June 30, 2013, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2012-2013</u>
(01) REGULAR SALARIES	\$329,650
(02) PERSONAL SERVICES MATCHING	90,455
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	221,332
(B) CONF. & TRAVEL	2,400
(C) PROF. FEES	276,808
(D) CAP. OUTLAY	79,355
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$1,000,000</u></u>

SECTION 23. APPROPRIATION - HEALTH CARE EXCHANGE - FEDERAL. There is

hereby appropriated, to the State Insurance Department, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services and operating expenses of the State Insurance Department – Health Care Exchange - Federal for the fiscal year ending June 30, 2013, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2012-2013</u>
(01) REGULAR SALARIES	\$126,695
(02) PERSONAL SERVICES MATCHING	34,980
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	37,877
(B) CONF. & TRAVEL	10,448
(C) PROF. FEES	790,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$1,000,000</u></u>

SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER PROVISION. In the event the State Insurance Department is unable to maintain a full roster of examination personnel, and upon approval of the Chief Fiscal Officer of the State, the resulting unused appropriations in Regular Salaries, Extra Help, and Personal Services Matching may be transferred to the Professional Services special line item for the purpose of contracting with qualified individuals or firms for examination assistance.

The provisions of this section shall be in effect only from July 1, ~~2010~~ 2012 through June 30, ~~2011~~ 2013.

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

SECTION 27. 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, 2012 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2012 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, 2012.