

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

State of Arkansas  
89th General Assembly  
Regular Session, 2013

As Engrossed: H4/16/13  
**A Bill**

HOUSE BILL 1214

By: Joint Budget Committee

**For An Act To Be Entitled**

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE DEPARTMENT OF HUMAN SERVICES - DIVISION OF COUNTY OPERATIONS FOR THE FISCAL YEAR ENDING JUNE 30, 2014; AND FOR OTHER PURPOSES.

**Subtitle**

AN ACT FOR THE DEPARTMENT OF HUMAN SERVICES - DIVISION OF COUNTY OPERATIONS APPROPRIATION FOR THE 2013-2014 FISCAL YEAR.

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

SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for the Department of Human Services - Division of County Operations for the 2013-2014 fiscal year, the following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2013-2014
(1)	L013N	GENERAL PHYSICIAN	5	GRADE N916
(2)	N018N	DHS DEP DIR COUNTY OPERATIONS	1	GRADE N910
(3)	N102N	DHS/DCO ASSISTANT DIRECTOR	2	GRADE N906
(4)	N101N	DHS/DCO ASST DEP DIR PGM & ADMN SPT	1	GRADE N906
(5)	N108N	DHS/DCO ASST DEP DIR	2	GRADE N905



(6)	N141N	DHS/DCO AREA DIRECTOR	6	GRADE N902
(7)	D007C	INFORMATION SYSTEMS MANAGER	1	GRADE C128
(8)	G022C	DHS DIRECTOR OF EMERGENCY OPERATIONS	1	GRADE C127
(9)	A024C	DHS DIVISION CHIEF FISCAL OFFICER	1	GRADE C125
(10)	G100C	DHS COUNTY ADMINISTRATOR III	9	GRADE C122
(11)	G099C	DHS PROGRAM ADMINISTRATOR	3	GRADE C122
(12)	G111C	DHS COUNTY ADMINISTRATOR II	29	GRADE C121
(13)	G130C	DHS COUNTY ADMINISTRATOR I	39	GRADE C120
(14)	G129C	DHS/DCO PROGRAM MANAGER	10	GRADE C120
(15)	M014C	PROGRAM ELIGIBILITY COORDINATOR III	9	GRADE C120
(16)	E023C	TRAINING PROJECT MANAGER	1	GRADE C120
(17)	G152C	DHS PROGRAM MANAGER	9	GRADE C119
(18)	G147C	GRANTS COORDINATOR	2	GRADE C119
(19)	D061C	INFORMATION SYSTEMS COORD SPECIALIST	7	GRADE C119
(20)	M018C	PROGRAM ELIGIBILITY COORDINATOR II	32	GRADE C119
(21)	M025C	PROGRAM ELIGIBILITY COORDINATOR I	34	GRADE C118
(22)	R027C	BUDGET SPECIALIST	5	GRADE C117
(23)	G183C	DHS PROGRAM COORDINATOR	3	GRADE C117
(24)	M042C	DHS STAFF SUPERVISOR	4	GRADE C117
(25)	G180C	GRANTS ANALYST	10	GRADE C117
(26)	G178C	POLICY DEVELOPMENT COORDINATOR	7	GRADE C117
(27)	M038C	PROGRAM ELIGIBILITY ANALYST	12	GRADE C117
(28)	M037C	PROGRAM ELIGIBILITY SUPERVISOR	101	GRADE C117
(29)	X095C	QUALITY ASSURANCE ANALYST	6	GRADE C117
(30)	E040C	STAFF DEVELOPMENT COORDINATOR	4	GRADE C117
(31)	A088C	ASSETS COORDINATOR	1	GRADE C116
(32)	E046C	TRAINING INSTRUCTOR	13	GRADE C116
(33)	C037C	ADMINISTRATIVE ANALYST	4	GRADE C115
(34)	V016C	COMMODITY SPECIALIST	3	GRADE C115
(35)	D079C	COMPUTER SUPPORT TECHNICIAN	9	GRADE C115
(36)	G210C	DHS PROGRAM SPECIALIST	9	GRADE C115
(37)	X136C	QUALITY ASSURANCE REVIEWER	32	GRADE C115
(38)	D086C	CALL CENTER ANALYST	9	GRADE C114
(39)	M066C	PROGRAM ELIGIBILITY SPECIALIST	896	GRADE C114
(40)	X154C	PUBLIC ASSISTANCE INVESTIGATOR	20	GRADE C114
(41)	C056C	ADMINISTRATIVE SPECIALIST III	8	GRADE C112

(42)	A098C	FISCAL SUPPORT SPECIALIST	1	GRADE C112
(43)	C054C	LOCAL OFFICE ADMIN SPECIALIST	34	GRADE C112
(44)	V021C	SURPLUS PROPERTY AGENT	1	GRADE C112
(45)	D092C	CALL CENTER SPECIALIST	5	GRADE C110
(46)	C062C	LOCAL OFFICE ADMIN ASSISTANT	459	GRADE C110
(47)	C073C	ADMINISTRATIVE SPECIALIST II	15	GRADE C109
(48)	C072C	ADMINISTRATIVE SUPPORT SPECIALIST	1	GRADE C109
(49)	C087C	ADMINISTRATIVE SPECIALIST I	<u>5</u>	GRADE C106
		MAX. NO. OF EMPLOYEES	1,881	

SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for the Department of Human Services - Division of County Operations for the 2013-2014 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: thirty-seven (37) 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 Department of Human Services - Division of County Operations, to be payable from the paying account as determined by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Department of Human Services - Division of County Operations - Operations for the fiscal year ending June 30, 2014, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2013-2014</u>
(01) REGULAR SALARIES	\$63,386,609
(02) EXTRA HELP	234,052
(03) PERSONAL SERVICES MATCHING	23,998,640
(04) OVERTIME	25,000
(05) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	23,121,923
(B) CONF. & TRAVEL	178,831
(C) PROF. FEES	6,150,207

(D) CAP. OUTLAY	122,400
(E) DATA PROC.	0
(06) DATA PROCESSING SERVICES	<u>8,109,883</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$125,327,545</u></u>

SECTION 4. APPROPRIATION - COMMODITY DISTRIBUTION AND SALVAGE CONTAINER - CASH. There is hereby appropriated, to the Department of Human Services - Division of County Operations, 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 Department of Human Services - Division of County Operations - Commodity Distribution and Salvage Container - Cash for the fiscal year ending June 30, 2014, the following:

ITEM NO.	FISCAL YEAR 2013-2014
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$165,510
(B) CONF. & TRAVEL	9,490
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$175,000</u></u>

SECTION 5. APPROPRIATION - GRANTS - FEDERAL. There is hereby appropriated, to the Department of Human Services - Division of County Operations, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for federally funded grants of the Department of Human Services - Division of County Operations - Grants - Federal for the fiscal year ending June 30, 2014, the following:

ITEM NO.	FISCAL YEAR 2013-2014
(01) SHELTER PLUS CARE PROGRAM	\$1,906,932
(02) WEATHERIZATION PROGRAM	8,000,000
(03) EMERGENCY FOOD PROGRAM	779,219
(04) LOW INCOME ENERGY ASSISTANCE PROGRAM	29,480,110

(05) REFUGEE RESETTLEMENT PROGRAM	12,000
(06) HOMELESS ASSISTANCE GRANT	<u>2,846,487</u>
TOTAL AMOUNT APPROPRIATED	<u>\$43,024,748</u>

SECTION 6. APPROPRIATION - GRANTS - STATE. There is hereby appropriated, to the Department of Human Services - Division of County Operations, to be payable from the Department of Human Services Grants Fund Account, for grant payments of the Department of Human Services - Division of County Operations - Grants - State for the fiscal year ending June 30, 2014, the following:

ITEM NO.	FISCAL YEAR 2013-2014
(01) AID TO AGED, BLIND, DISABLED	<u>\$4,000</u>

SECTION 7. APPROPRIATION - GRANTS. There is hereby appropriated, to the Department of Human Services - Division of County Operations, to be payable from the paying account as determined by the Chief Fiscal Officer of the State, for grant payments of the Department of Human Services - Division of County Operations - Grants for the fiscal year ending June 30, 2014, the following:

ITEM NO.	FISCAL YEAR 2013-2014
(01) TANF BLOCK GRANT	\$22,117,650
(02) COMMUNITY SERVICE BLOCK GRANT	9,137,390
(03) SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP)	<u>343,235</u>
TOTAL AMOUNT APPROPRIATED	<u>\$31,598,275</u>

SECTION 8. APPROPRIATION - HUNGER COALITION. There is hereby appropriated, to the Department of Human Services - Division of County Operations, to be payable from the County Operations Fund Account, for grants payments of the Department of Human Services - Division of County Operations - Hunger Coalition for the fiscal year ending June 30, 2014, the following:

ITEM NO.	FISCAL YEAR 2013-2014
(01) HUNGER COALITION GRANTS AND AID	<u>\$995,113</u>

SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INTER-AGENCY TRANSFER OF STATE GENERAL REVENUE FOR TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) PROGRAMS. Upon the request of the Director of the Department of Human Services and the Director of the Department of Workforce Services (DWS), the Chief Fiscal Officer of the State may approve up to \$3,640,650 in State General Revenue appropriated to DWS for the TANF Program to be transferred to the Department of Human Services - Division of County Operations in support of Arkansas' Temporary Assistance for Needy Families (TANF) Programs or any related Separate State Programs. The Director of the Department of Workforce Services shall provide a report of all transfers made to the DHS - Division of County Operations to the Performance Evaluation and Expenditure Review Committee of the Arkansas Legislative Council and/or Joint Budget Committee. The report must include the justification for and the amount of the completed transfers.

The provisions of this section shall be in effect only from July 1, ~~2012~~ 2013 through June 30, ~~2013~~ 2014.

SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DIVISION OF COUNTY OPERATIONS - STATE AND FEDERAL DISASTER DECLARATIONS. It will be permissible for the Division of County Operations to implement the following exemptions in the event that a State or Federal Disaster is declared: (1) Exceed the 240 hour per quarter limit on the purchase of temporary help; and, (2) Waive the 1,000 hour limit per State Fiscal Year for Extra Help positions.

The provisions of this section shall be in effect only from July 1, ~~2012~~ 2013 through June 30, ~~2013~~ 2014.

*SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MEDICAID PRIMARY CARE CASE MANAGEMENT PROGRAM.*

(a) The General Assembly finds that:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- (1) Arkansas;
- (2) Ashley;
- (3) Baxter;
- (4) Bradley;
- (5) Calhoun;
- (6) Chicot;
- (7) Clay;
- (8) Cleveland;
- (9) Crittenden;
- (10) Cross;
- (11) Dallas;
- (12) Desha;
- (13) Drew;
- (14) Fulton;
- (15) Grant;
- (16) Greene;
- (17) Independence;
- (18) Izaard;
- (19) Jackson;
- (20) Jefferson;

- (21) Lawrence;
- (22) Lee;
- (23) Lincoln;
- (24) Lonoke;
- (25) Marion;
- (26) Mississippi;
- (27) Monroe;
- (28) Ouachita;
- (29) Phillips;
- (30) Poinsett;
- (31) Prairie;
- (32) Randolph;
- (33) Searcy;
- (34) Sharp;
- (35) St. Francis;
- (36) Stone;
- (37) Union;
- (38) Van Buren; and
- (39) Woodruff.

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

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

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

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

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

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

(2) Twenty five percent (25%) of the Medicaid Primary Care Case

Management shared-savings pilot program vendor's administrative per member per month fee shall be at risk and shall be paid back to the state if savings are not realized.

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

(2)(A) Savings shall be disbursed within thirty (30) calendar days of final calculation.

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

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

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

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

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

The provisions of this section shall be in effect only from July 1, 2013 through June 30, 2014.

SECTION 12. 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 13. 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 14. 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, 2013 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, 2013 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, 2013.

*/s/ Joint Budget Committee*