

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

State of Arkansas As Engrossed: H2/26/19 H3/26/19 H4/3/19
92nd General Assembly **A Bill**
Regular Session, 2019

HOUSE BILL 1120

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
AND OPERATING EXPENSES FOR THE OFFICE OF ATTORNEY
GENERAL FOR THE FISCAL YEAR ENDING JUNE 30, 2020; AND
FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE OFFICE OF ATTORNEY GENERAL
APPROPRIATION FOR THE 2019-2020 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 Office of Attorney General for the 2019-2020 fiscal year, the
following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2019-2020
(1)	Q242U	SOLICITOR GENERAL	1	\$167,000
(2)	Q066U	ATTORNEY GENERAL I	2	\$167,000
(3)	Q065U	ATTORNEY GENERAL II	9	\$157,100
(4)	Q124U	ATTORNEY GENERAL III	11	\$125,986
(5)	Q064U	ATTORNEY GENERAL IV	15	\$112,900
(6)	Q067U	CHIEF INFORMATION OFFICER	1	\$115,000
(6.1)	Q363U	CHIEF OPERATING OFFICER	1	\$105,000



(7)	Q102U CHIEF FISCAL OFFICER	1	\$101,175
(8)	Q063U ATTORNEY GENERAL V	11	\$101,175
(9)	Q061U ATTORNEY GENERAL VI	19	\$90,670
(10)	Q009U COMMUNITY RELATIONS DIRECTOR	1	\$90,670
(11)	Q008U CHIEF INVESTIGATOR	1	\$90,670
(12)	Q075U FISCAL SPECIALIST I	1	\$81,257
(13)	Q074U INVESTIGATOR I	1	\$81,257
(14)	Q072U COMMUNICATIONS OFFICER	1	\$81,257
(15)	Q062U PUBLIC INFORMATION OFFICER	1	\$81,257
(16)	Q059U OMBUDSMAN	1	\$81,257
(17)	Q033U LOGISTICS DIRECTOR	1	\$81,257
(18)	Q023U NETWORK SPECIALIST I	1	\$75,054
(19)	Q101U HUMAN RESOURCES DIRECTOR	1	\$72,822
(20)	Q073U EXECUTIVE ASSISTANT	1	\$72,822
(21)	Q070U INVESTIGATOR II	2	\$72,822
(22)	Q052U LAW ED ADMINISTRATOR	1	\$72,822
(23)	Q034U ADMINISTRATIVE ASSISTANT I	1	\$72,822
(24)	Q002U LEGAL ASSISTANT	1	\$72,822
(25)	Q037U NETWORK SPECIALIST II	1	\$67,267
(26)	Q035U LIBRARIAN	1	\$67,267
(27)	Q058U EXECUTIVE SECRETARY	1	\$65,265
(28)	Q025U PARALEGAL I	2	\$65,265
(29)	Q006U LAW ED INSTRUCTOR I	2	\$65,265
(30)	Q004U ASST LOGISTICS DIRECTOR	1	\$65,265
(31)	Q071U ADMINISTRATIVE ASSISTANT II	3	\$58,493
(32)	Q057U INVESTIGATOR IV	13	\$58,493
(33)	Q053U SECRETARY I	7	\$58,493
(34)	Q032U LAW ED INSTRUCTOR II	1	\$58,493
(35)	Q007U FISCAL SPECIALIST II	2	\$58,493
(36)	Q056U SECRETARY II	14	\$52,425
(37)	Q047U CONSUMER COUNSELOR	4	\$52,425
(38)	Q036U RECEPTIONIST	2	\$46,987
(39)	Q005U COURIER	1	\$46,987
(40)	Q132U COURIER II	<u>1</u>	\$42,117
	MAX. NO. OF EMPLOYEES	142	

SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for the Office of Attorney General for the 2019-2020 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: eight (8) 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 Office of Attorney General, to be payable from the State Central Services Fund, for personal services and operating expenses of the Office of Attorney General for the fiscal year ending June 30, 2020, the following:

ITEM NO.		FISCAL YEAR 2019-2020
(01)	REGULAR SALARIES	\$10,651,174
(02)	EXTRA HELP	37,224
(03)	PERSONAL SERVICES MATCHING	3,310,054
(04)	MAINT. & GEN. OPERATION	
	(A) OPER. EXPENSE	2,100,000
	(B) CONF. & TRAVEL	126,578
	(C) PROF. FEES	644,215
	(D) CAP. OUTLAY	140,000
	(E) DATA PROC.	<u>0</u>
	TOTAL AMOUNT APPROPRIATED	<u>\$17,009,245</u>

SECTION 4. REGULAR SALARIES - CRIME VICTIMS REPARATIONS PROGRAM. There is hereby established for the Office of Attorney General - Crime Victims Reparations Program for the 2019-2020 fiscal year, the following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2019-2020
(1)	Q038U	CRIME VICTIM ADMINISTRATOR	1	\$72,822

(2) Q057U INVESTIGATOR IV	7	\$58,493
(3) Q007U FISCAL SPECIALIST II	<u>1</u>	\$58,493
MAX. NO. OF EMPLOYEES	9	

SECTION 5. APPROPRIATION - CRIME VICTIMS REPARATIONS PROGRAM. There is hereby appropriated, to the Office of Attorney General, to be payable from the Crime Victims Reparations Revolving Fund, for personal services, operating expenses and payment of claims by the Office of Attorney General - Crime Victims Reparations Program for the fiscal year ending June 30, 2020, the following:

ITEM <u>NO.</u>	FISCAL YEAR <u>2019-2020</u>
(01) REGULAR SALARIES	\$332,840
(02) EXTRA HELP	0
(03) PERSONAL SERVICES MATCHING	93,950
(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	36,616
(B) CONF. & TRAVEL	1,081
(C) PROF. FEES	1,616
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(05) CLAIMS	<u>1,500,000</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$1,966,103</u></u>

SECTION 6. REGULAR SALARIES - CRIME VICTIMS REPARATIONS PROGRAM - FEDERAL. There is hereby established for the Office of Attorney General - Crime Victims Reparations - Federal for the 2019-2020 fiscal year, the following maximum number of regular employees.

Item Class	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year <u>2019-2020</u>
(1) Q054U ADMINISTRATIVE ASSISTANT III	<u>1</u>	\$33,883
MAX. NO. OF EMPLOYEES	1	

SECTION 7. APPROPRIATION - CRIME VICTIMS REPARATIONS PROGRAM - FEDERAL. There is hereby appropriated, to the Office of Attorney General, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services, operating expenses and payment of claims by the Office of Attorney General - Crime Victims Reparations Program - Federal for the fiscal year ending June 30, 2020, the following:

ITEM NO.	FISCAL YEAR 2019-2020
(01) REGULAR SALARIES	\$25,412
(02) PERSONAL SERVICES MATCHING	9,650
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	5,000
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(04) CLAIMS	<u>1,000,000</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$1,040,062</u></u>

SECTION 8. REGULAR SALARIES - MEDICAID FRAUD DIVISION - STATE. There is hereby established for the Office of Attorney General - Medicaid Fraud Division - State for the 2019-2020 fiscal year, the following maximum number of regular employees.

Item Class	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2019-2020
(1) Q065U ATTORNEY GENERAL II	1	\$157,100
(2) Q063U ATTORNEY GENERAL V	2	\$101,175
(3) Q024U AUDITOR	1	\$90,670
(4) Q056U SECRETARY II	<u>1</u>	\$52,425
MAX. NO. OF EMPLOYEES	5	

SECTION 9. APPROPRIATION - MEDICAID FRAUD DIVISION - STATE. There is hereby appropriated, to the Office of Attorney General, to be payable from the State Central Services Fund, for personal services and operating expenses of the Office of Attorney General - Medicaid Fraud Division - State for the fiscal year ending June 30, 2020, the following:

ITEM NO.	FISCAL YEAR
	2019-2020
(01) REGULAR SALARIES	\$481,274
(02) PERSONAL SERVICES MATCHING	133,711
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	11,667
(B) CONF. & TRAVEL	21,667
(C) PROF. FEES	16,667
(D) CAP. OUTLAY	10,000
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$674,986</u></u>

SECTION 10. REGULAR SALARIES - MEDICAID FRAUD DIVISION - FEDERAL.

There is hereby established for the Office of Attorney General - Medicaid Fraud Division - Federal for the 2019-2020 fiscal year, the following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2019-2020
(1)	Q131U	MEDICAID DIRECTOR	1	\$125,986
(2)	Q064U	ATTORNEY GENERAL IV	1	\$112,900
(3)	Q063U	ATTORNEY GENERAL V	1	\$101,175
(4)	Q008U	CHIEF INVESTIGATOR	1	\$90,670
(5)	Q003U	NURSE ANALYST	2	\$88,058
(6)	Q074U	INVESTIGATOR I	2	\$81,257
(7)	Q130U	INVESTIGATOR III	5	\$65,265
(8)	Q046U	ANALYST	1	\$65,265
(9)	Q025U	PARALEGAL I	1	\$65,265

(10) Q069U CASE COORDINATOR	1	\$52,425
(11) Q056U SECRETARY II	<u>1</u>	\$52,425
MAX. NO. OF EMPLOYEES	17	

SECTION 11. EXTRA HELP - MEDICAID FRAUD DIVISION - FEDERAL. There is hereby authorized, for the Office of Attorney General - Medicaid Fraud Division - Federal for the 2019-2020 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: two (2) 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 12. APPROPRIATION - MEDICAID FRAUD DIVISION - FEDERAL. There is hereby appropriated, to the Office of Attorney General, 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 Office of Attorney General - Medicaid Fraud Division - Federal for the fiscal year ending June 30, 2020, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2019-2020</u>
(01) REGULAR SALARIES	\$1,275,330
(02) EXTRA HELP	28,453
(03) PERSONAL SERVICES MATCHING	378,420
(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	35,000
(B) CONF. & TRAVEL	65,000
(C) PROF. FEES	50,000
(D) CAP. OUTLAY	30,000
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$1,862,203</u></u>

SECTION 13. APPROPRIATION - MEDICAID FRAUD DIVISION - INDIRECT COSTS. There is hereby appropriated, to the Office of Attorney General, to be payable from the federal funds as designated by the Chief Fiscal Officer of

the State, for operating expenses of the Office of Attorney General - Medicaid Fraud Division - Indirect Costs for the fiscal year ending June 30, 2020, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2019-2020</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$330,000
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$330,000</u></u>

SECTION 14. APPROPRIATION - INTERNET CRIME CHILD. There is hereby appropriated, to the Office of Attorney General, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for operating expenses of the Office of Attorney General - Internet Crime Child for the fiscal year ending June 30, 2020, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2019-2020</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$25,000
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$25,000</u></u>

SECTION 15. REGULAR SALARIES - COOPERATIVE DISABILITY INVESTIGATION PROGRAM. There is hereby established for the Office of Attorney General - Cooperative Disability Investigation Program for the 2019-2020 fiscal year, the following maximum number of regular employees.

Maximum Annual

Item No.	Class Code	Title	Maximum No. of Employees	Salary Rate Fiscal Year 2019-2020
(1)	Q074U	INVESTIGATOR I	2	\$81,257
(2)	Q046U	ANALYST	<u>1</u>	\$65,265
		MAX. NO. OF EMPLOYEES	3	

SECTION 16. APPROPRIATION - COOPERATIVE DISABILITY INVESTIGATION PROGRAM. There is hereby appropriated, to the Office of Attorney General, 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 Office of Attorney General - Cooperative Disability Investigation Program for the fiscal year ending June 30, 2020, the following:

ITEM NO.		FISCAL YEAR 2019-2020
(01)	REGULAR SALARIES	\$196,052
(02)	PERSONAL SERVICES MATCHING	60,408
(03)	OVERTIME	42,000
(04)	MAINT. & GEN. OPERATION	
	(A) OPER. EXPENSE	31,000
	(B) CONF. & TRAVEL	0
	(C) PROF. FEES	0
	(D) CAP. OUTLAY	0
	(E) DATA PROC.	<u>0</u>
	TOTAL AMOUNT APPROPRIATED	<u>\$329,460</u>

SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ATTORNEY FEES. The disbursing officer of the appropriations provided for herein, shall deposit all monies received by the Office of Attorney General as attorney fees in the State Central Services Fund as direct revenues.

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

SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER PROVISION. After receiving approval from the Chief Fiscal Officer of the State, and prior review by the Arkansas Legislative Council or Joint Budget Committee, the Office of Attorney General is authorized to transfer appropriation from any line item authorized in the Operations Appropriation of the Office of Attorney General in this Act to any other line item authorized in the Operations Appropriation.

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

SECTION 19. Arkansas Code Title 25, Chapter 16, Subchapter 4, is amended to add an additional section to read as follows:

25-16-716. Fee reimbursement.

(a) The Office of the Attorney General may charge a fee to a governmental unit to reimburse the office for an expenditure made on behalf of a governmental unit.

(b) A fee under subsection (a) of this section shall be deposited by the office into the State Central Services Fund as a refund to an expenditure.

SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND TRANSFER. Immediately upon the effective date of this act, the Attorney General ~~shall may~~ deposit or transfer by check ~~up to the sum of two million dollars (\$2,000,000)~~ monies from the unobligated cash funds of the Office of Attorney General received from court orders or settlement agreements to the State Central Services Fund.

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

SECTION 21. SPECIAL LANGUAGE. CODE AMENDMENT. Arkansas Code Title 20, Chapter 77, Subchapter 9, is amended to add an additional section to read as follows:

20-77-912. Funds for investigations and prosecutions.

(a) Under this subchapter and the Medicaid Fraud Act, § 5-55-101 et seq., the Attorney General or a prosecuting attorney is entitled to recover

reasonable and necessary expenses incurred during its investigations and prosecutions.

(b) The Attorney General shall create and maintain accounts for these funds.

(c) The federal share of these funds shall be returned to the United States Government in accordance with the federal regulations governing the Medicaid Fraud Control Unit.

(d) The remaining funds shall be retained and expended by the Attorney General to defer the cost of future investigations and prosecutions conducted by the Medicaid Fraud Control Unit.

SECTION 22. 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 23. 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 24. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2019 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the legislative session, the delay in the

effective date of this Act beyond July 1, 2019 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2019.

/s/ Joint Budget Committee