

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

State of Arkansas
92nd General Assembly
Fiscal Session, 2020

As Engrossed: S4/15/20
A Bill

SENATE BILL 58

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 THE INSPECTOR GENERAL FOR THE FISCAL YEAR ENDING JUNE 30, 2021; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF THE INSPECTOR GENERAL APPROPRIATION FOR THE 2020-2021 FISCAL YEAR.

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

SECTION 1. REGULAR SALARIES - SHARED SERVICES. There is hereby established for the Department of the Inspector General for the 2020-2021 fiscal year, the following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2020-2021
(1)	SC009	SECRETARY OF INSPECTOR GENERAL	<u>1</u>	GRADE SE05
		MAX. NO. OF EMPLOYEES	1	

SECTION 2. APPROPRIATION - SHARED SERVICES PAYING ACCOUNT. There is hereby appropriated, to the Department of the Inspector General, to be payable from the paying account as determined by the Chief Fiscal Officer of the State with transfers from the State Central Services Fund, for personal



services and operating expenses of the Department of the Inspector General - Shared Services for the fiscal year ending June 30, 2021, the following:

ITEM NO.	FISCAL YEAR 2020-2021
(01) REGULAR SALARIES	\$159,120
(02) PERSONAL SERVICES MATCHING	40,061
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	0
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(04) SHARED SERVICES PROGRAMS	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$199,181</u></u>

SECTION 3. REGULAR SALARIES - OPERATIONS - OFFICE OF MEDICAID INSPECTOR GENERAL. There is hereby established for the Department of the Inspector General - Office of Medicaid Inspector General for the 2020-2021 fiscal year, the following maximum number of regular employees.

Item No.	Class Code Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2020-2021
(1)	U124U MEDICAID INSPECTOR GENERAL	1	GRADE SE03
(2)	U125U INSPECTOR GENERAL CHIEF COUNSEL	1	GRADE SE01
(3)	L009C NURSE MANAGER	1	GRADE MP03
(4)	L027C REGISTERED NURSE SUPERVISOR	3	GRADE MP02
(5)	L038C REGISTERED NURSE	3	GRADE MP01
(6)	D056C SYSTEMS COORDINATION ANALYST	1	GRADE IT05
(7)	N199N OMIG DEPUTY ADMINISTRATOR	1	GRADE GS14
(8)	A115C OMIG CHIEF FINANCIAL OFFICER	1	GRADE GS12
(9)	G249C OMIG PROGRAM ADMINISTRATOR	2	GRADE GS12
(10)	G250C OMIG OPERATIONS MANAGER	1	GRADE GS11
(11)	G073C ATTORNEY	1	GRADE GS10

(12)	M009C LICENSED CERTIFIED SOCIAL WORKER	1	GRADE GS09
(13)	G251C OMIG PROGRAM MANAGER	1	GRADE GS08
(14)	A113C OMIG SR. AUDITOR	10	GRADE GS08
(15)	C010C EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE GS07
(16)	X200C MEDICAID FRAUD INVESTICATOR	1	GRADE GS07
(17)	C037C ADMINISTRATIVE ANALYST	1	GRADE GS06
(18)	R025C HUMAN RESOURCES ANALYST	1	GRADE GS06
(19)	G179C LEGAL SERVICES SPECIALIST	1	GRADE GS06
(20)	A114C OMIG AUDITOR	1	GRADE GS06
(21)	B076C RESEARCH PROJECT ANALYST	1	GRADE GS06
(22)	A101C ACCOUNTING TECHNICIAN	1	GRADE GS04
(23)	C046C LEGAL SUPPORT SPECIALIST	1	GRADE GS04
(24)	C073C ADMINISTRATIVE SPECIALIST II	<u>1</u>	GRADE GS03
	MAX. NO. OF EMPLOYEES	37	

SECTION 4. EXTRA HELP - OPERATIONS - OFFICE OF MEDICAID INSPECTOR

GENERAL. There is hereby authorized, for the Department of the Inspector General - Office of Medicaid Inspector General for the 2020-2021 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 5. APPROPRIATION - STATE OPERATIONS - OFFICE OF MEDICAID INSPECTOR GENERAL. There is hereby appropriated, to the Department of the Inspector General, to be payable from the Miscellaneous Agencies Fund Account, for personal services and operating expenses of the Department of the Inspector General - Office of Medicaid Inspector General for the fiscal year ending June 30, 2021, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>
(01) REGULAR SALARIES	\$851,539
(02) EXTRA HELP	4,999
(03) PERSONAL SERVICES MATCHING	268,134

(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	152,500
(B) CONF. & TRAVEL	3,400
(C) PROF. FEES	2,800
(D) CAP. OUTLAY	12,500
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$1,295,872</u></u>

SECTION 6. APPROPRIATION - FEDERAL OPERATIONS - OFFICE OF MEDICAID INSPECTOR GENERAL. There is hereby appropriated, to the Department of the Inspector 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 Department of the Inspector General - Office of Medicaid Inspector General for the fiscal year ending June 30, 2021, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>
(01) REGULAR SALARIES	\$1,151,535
(02) EXTRA HELP	5,001
(03) PERSONAL SERVICES MATCHING	365,616
(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	185,494
(B) CONF. & TRAVEL	3,800
(C) PROF. FEES	2,800
(D) CAP. OUTLAY	12,500
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$1,726,746</u></u>

SECTION 7. APPROPRIATION - ENTERPRISE FRAUD PROGRAM - STATE - OFFICE OF MEDICAID INSPECTOR GENERAL. There is hereby appropriated, to the Department of the Inspector General, to be payable from the Miscellaneous Agencies Fund Account, for personal services and operating expenses of the Enterprise Fraud Program of the Department of the Inspector General - Office of Medicaid Inspector General for the fiscal year ending June 30, 2021, the following:

ITEM	FISCAL YEAR
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<u>NO.</u>	<u>2020-2021</u>
(01) ENTERPRISE FRAUD PROGRAM	<u>\$900,000</u>

SECTION 8. APPROPRIATION - ENTERPRISE FRAUD PROGRAM - FEDERAL - OFFICE OF MEDICAID INSPECTOR GENERAL. There is hereby appropriated, to the Department of the Inspector 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 Enterprise Fraud Program of the Department of the Inspector General - Office of Medicaid Inspector General for the fiscal year ending June 30, 2021, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>
(01) ENTERPRISE FRAUD PROGRAM	<u>\$3,600,000</u>

SECTION 9. APPROPRIATION - CASH OPERATIONS - OFFICE OF MEDICAID INSPECTOR GENERAL. There is hereby appropriated, to the Department of the Inspector General, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Department of the Inspector General - Office of Medicaid Inspector General for the fiscal year ending June 30, 2021, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>
(01) REGULAR SALARIES	\$170,945
(02) PERSONAL SERVICES MATCHING	54,954
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	16,675
(B) CONF. & TRAVEL	6,710
(C) PROF. FEES	1,200
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$250,484</u>

SECTION 10. REGULAR SALARIES - ARKANSAS FAIR HOUSING COMMISSION. There

is hereby established for the Department of the Inspector General - Arkansas Fair Housing Commission for the 2020-2021 fiscal year, the following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2020-2021
(1)	N177N	AFHC DIRECTOR	1	GRADE GS14
(2)	G076C	ADMINISTRATIVE SERVICES MANAGER	1	GRADE GS10
(3)	X112C	AFHC CHIEF INVESTIGATOR	1	GRADE GS07
(4)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE GS07
(5)	X150C	AFHC INVESTIGATOR	5	GRADE GS06
(6)	A074C	FISCAL SUPPORT SUPERVISOR	1	GRADE GS06
(7)	G180C	GRANTS ANALYST	1	GRADE GS06
(8)	P027C	PUBLIC INFORMATION SPECIALIST	<u>1</u>	GRADE GS06
		MAX. NO. OF EMPLOYEES	6	

SECTION 11. EXTRA HELP - ARKANSAS FAIR HOUSING COMMISSION. There is hereby authorized, for the Department of the Inspector General - Arkansas Fair Housing Commission for the 2020-2021 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 - ARKANSAS FAIR HOUSING COMMISSION. There is hereby appropriated, to the Department of the Inspector General, to be payable from the Miscellaneous Agencies Fund Account, for personal services and operating expenses of the Department of the Inspector General - Arkansas Fair Housing Commission for the fiscal year ending June 30, 2021, the following:

ITEM NO.	FISCAL YEAR 2020-2021
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(01)	REGULAR SALARIES	\$326,587
(02)	EXTRA HELP	40,000
(03)	PERSONAL SERVICES MATCHING	106,674
(04)	MAINT. & GEN. OPERATION	
	(A) OPER. EXPENSE	250,000
	(B) CONF. & TRAVEL	58,000
	(C) PROF. FEES	57,007
	(D) CAP. OUTLAY	0
	(E) DATA PROC.	0
(05)	PUBLIC EDUCATION	<u>899</u>
	TOTAL AMOUNT APPROPRIATED	<u><u>839,167</u></u>

SECTION 13. APPROPRIATION - EDUCATION - TRUST - ARKANSAS FAIR HOUSING COMMISSION. There is hereby appropriated, to the Department of the Inspector General, to be payable from the Arkansas Fair Housing Commission Trust Fund, for operating expenses of the Department of the Inspector General - Arkansas Fair Housing Commission for the fiscal year ending June 30, 2021, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$115,000
(B) CONF. & TRAVEL	55,000
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$170,000</u></u>

SECTION 14. REGULAR SALARIES - INTERNAL AUDIT. There is hereby established for the Department of the Inspector General - Internal Audit for the 2020-2021 fiscal year, the following maximum number of regular employees.

Item	Class	Maximum	Maximum Annual
		No. of	Salary Rate
			Fiscal Year

No.	Code	Title	Employees	2020-2021
(1)	N219N	DFA ADMINISTRATOR-INTERNAL AUDIT	1	GRADE SE02
(2)	A010C	AGENCY CONTROLLER II	1	GRADE GS13
(3)	A044C	AUDIT COORDINATOR	4	GRADE GS10
(4)	A081C	AUDITOR	<u>1</u>	GRADE GS07
		MAX. NO. OF EMPLOYEES	7	

SECTION 15. APPROPRIATION - INTERNAL AUDIT - OPERATIONS. There is hereby appropriated, to the Department of the Inspector General, to be payable from the State Central Services Fund, for personal services and operating expenses of the Department of the Inspector General - Internal Audit - Operations for the fiscal year ending June 30, 2021, the following:

ITEM NO.		FISCAL YEAR 2020-2021
(01)	REGULAR SALARIES	\$563,659
(02)	PERSONAL SERVICES MATCHING	164,752
(03)	MAINT. & GEN. OPERATION	
	(A) OPER. EXPENSE	51,542
	(B) CONF. & TRAVEL	3,500
	(C) PROF. FEES	40,000
	(D) CAP. OUTLAY	0
	(E) DATA PROC.	0
(04)	DATA PROCESSING SERVICES	<u>50,000</u>
	TOTAL AMOUNT APPROPRIATED	<u>\$873,453</u>

SECTION 16. REGULAR SALARIES - INVESTIGATIONS. There is hereby established for the Department of the Inspector General for the 2020-2021 fiscal year, the following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2020-2021
(1)	G250C	OMIG OPERATIONS MANAGER	1	GRADE GS11
(2)	X112C	AFHC CHIEF INVESTIGATOR	1	GRADE GS07

(3) X200C MEDICAID FRAUD INVESTIGATOR	1	GRADE GS07
(4) X150C AFHC INVESTIGATOR	<u>5</u>	GRADE GS06
MAX. NO. OF EMPLOYEES	8	

SECTION 17. APPROPRIATION - INVESTIGATIONS. There is hereby appropriated, to the Department of the Inspector General, 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 the Inspector General - Investigations for the fiscal year ending June 30, 2021, the following:

ITEM <u>NO.</u>	<u>FISCAL YEAR</u> <u>2020-2021</u>
(01) REGULAR SALARIES	\$352,047
(02) PERSONAL SERVICES MATCHING	121,503
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	0
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$473,550</u></u>

SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS FAIR HOUSING COMMISSION PROMOTIONAL ITEMS. Upon approval of the Chief Fiscal Officer of the State, the Arkansas Fair Housing Commission is hereby authorized to transfer appropriation from Operating Expenses to Promotional Items in the Education-Trust Appropriation provided by this Act in an amount not to exceed eight thousand dollars (\$8,000) each fiscal year to meet the Commission's educational needs. The provisions of this section shall be in effect only from July 1, ~~2019~~ 2020 through June 30, ~~2020~~ 2021.

SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SHARED SERVICES.

(a)(1)(A) The Chief Fiscal Officer of the State may create paying accounts on his or her books and on the books of the Treasurer of State and the Auditor of State for the payment of personal services and operating expenses by the Department of the Inspector General.

(B) Upon prior approval of the Arkansas Legislative Council, or if meeting in Legislative Session the Joint Budget Committee, the Chief Fiscal Officer of the State shall direct the transfer of funds and appropriations to the Shared Services Paying Account appropriation section of this act and the transfer of positions to the Regular Salaries – Shared Services appropriation section of this act on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State.

(2) The transfer authority provided in subdivision (a)(1) of this section for efficiencies and to eliminate duplication of services are limited only to those services that are provided for multiple divisions of a department, including without limitation to administration, human resources, procurement, communications, fleet operations, and information services.

(3) The transfer authority provided to the department in subdivision (a)(1) of this section may be used to make transfers only within the department's appropriation act or between other appropriation acts authorized for the department.

(b)(1) Each department utilizing the Shared Services Paying Account section or Regular Salaries – Shared Services section of this act shall submit a report to be included in the Budget Manuals for hearings, conducted by the General Assembly, listing all shared services transfers of positions, funds, and appropriation under this section, which shall be submitted as instructed by the Department of Finance and Administration - Office of Budget for uniformity.

(2) A report submitted under subdivision (b)(1) of this section shall include the following:

(A) The position number, authorized position title, class code, grade, business area, and name of the division, section, or unit for the position being transferred to the Regular Salaries – Shared Services section of this act; and

(B) The fund center, appropriation, appropriation amount, commitment item or items, business area, and name of the division, section, or unit for the fund or appropriation being transferred to the Shared

Services Paying Account.

(c)(1) It is the intent of the Ninety-Second General Assembly that the authority under this section to transfer positions is intended for use for the time period prior to Fiscal Year 2022 to allow cabinet-level departments to establish a centralized Regular Salaries - Shared Services section, with the recommendation that the position transfer authority granted under this section be discontinued after that time.

(2) The Bureau of Legislative Research shall bring the recommendation in subdivision (c)(1) of this section to the attention of the chairs conducting the 2021 Regular Session pre-session budget hearings, the chairs of the Special Language Subcommittee, and the members of the Special Language Subcommittee during pre-session budget hearings.

(d) Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a cabinet-level department each fiscal year is the prerogative of the General Assembly and is usually accomplished by delineating the maximums in the appropriation act or acts and establishing authorized positions and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization Law. Further, the General Assembly has determined that the cabinet-level departments created under Acts 2019, No. 910, may operate more efficiently if some flexibility is provided as authorized under this section. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee, as provided by this section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

(e) The provisions of this section shall be in effect from the date of passage through June 30, 2021.

SECTION 20. 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 21. 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 22. 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, 2020 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, 2020 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, 2020.

/s/ Joint Budget Committee