

**Stricken language would be deleted from and underlined language would be added to the law as it existed
prior to this session of the General Assembly.
Act 1497 of the Regular Session**

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009
4

A Bill

HOUSE BILL 1193

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE
11 DEPARTMENT OF WORKFORCE EDUCATION - ARKANSAS
12 REHABILITATION SERVICES FOR THE FISCAL YEAR
13 ENDING JUNE 30, 2010; AND FOR OTHER PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE DEPARTMENT OF WORKFORCE
17 EDUCATION - ARKANSAS REHABILITATION
18 SERVICES APPROPRIATION FOR THE 2009-2010
19 FISCAL YEAR.
20
21
22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
24

25 SECTION 1. REGULAR SALARIES. There is hereby established for the
26 Department of Workforce Education - Arkansas Rehabilitation Services for the
27 2009-2010 fiscal year, the following maximum number of regular employees
28 whose salaries shall be governed by the provisions of the Uniform
29 Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or
30 its successor, and all laws amendatory thereto. Provided, however, that any
31 position to which a specific maximum annual salary is set out herein in
32 dollars, shall be exempt from the provisions of said Uniform Classification
33 and Compensation Act. All persons occupying positions authorized herein are
34 hereby governed by the provisions of the Regular Salaries Procedures and
35 Restrictions Act (Arkansas Code §21-5-101), or its successor.



				Maximum	Maximum Annual
				No. of	Salary Rate
	Item	Class		Employees	Fiscal Year
	No.	Code	Title		2009-2010
6	(1)	U012U	REHABILITATION SERVICES COMMISSIONER	1	\$110,006
7	(2)	L011N	DENTIST	1	GRADE N916
8	(3)	L013N	GENERAL PHYSICIAN	7	GRADE N916
9	(4)	L016N	REGISTERED PHARMACIST	1	GRADE N911
10	(5)	N098N	HSRC DIRECTOR OF PHYSICAL THERAPY	1	GRADE N906
11	(6)	N170N	REHAB DIRECTOR - ACTI	1	GRADE N902
12	(7)	N138N	REHAB DIRECTOR FIELD SVCS	1	GRADE N902
13	(8)	L022N	OCCUPATIONAL THERAPIST	6	GRADE N901
14	(9)	L021N	PHYSICAL THERAPIST	4	GRADE N901
15	(10)	A014C	FISCAL DIVISION MANAGER	1	GRADE C127
16	(11)	L003C	PSYCHOLOGIST	4	GRADE C127
17	(12)	L005C	HSRC MEDICAL SERVICES MANAGER	1	GRADE C126
18	(13)	R006C	HUMAN RESOURCES ADMINISTRATOR	1	GRADE C126
19	(14)	L004C	REHAB DIR - PROG, PLAN, DEV & EVAL	1	GRADE C126
20	(15)	G040C	REHAB DIRECTOR - SPECIAL PROGRAMS	1	GRADE C126
21	(16)	E005C	REHAB DIRECTOR OF VOC TRAINING	1	GRADE C126
22	(17)	L015C	CLINICAL SPEECH PATHOLOGIST	2	GRADE C124
23	(18)	G070C	DIRECTOR OF FIELD OPERATIONS	2	GRADE C124
24	(19)	L020C	NURSING SERVICES UNIT MANAGER	1	GRADE C123
25	(20)	P004C	PUBLIC INFORMATION MANAGER	1	GRADE C123
26	(21)	L018C	REHAB ASST DIRECTOR - ACTI	1	GRADE C123
27	(22)	L027C	REGISTERED NURSE SUPERVISOR	2	GRADE C122
28	(23)	A052C	ACCOUNTING COORDINATOR	2	GRADE C121
29	(24)	S004C	MAINTENANCE MANAGER	1	GRADE C121
30	(25)	L033C	PSYCHOLOGICAL EXAMINER	12	GRADE C121
31	(26)	L032C	REGISTERED NURSE - HOSPITAL	8	GRADE C121
32	(27)	D052C	SOFTWARE SUPPORT ANALYST	1	GRADE C121
33	(28)	D051C	SYSTEMS APPLICATIONS SUPERVISOR	1	GRADE C121
34	(29)	L040C	DIETARY SERVICES DIRECTOR	1	GRADE C120
35	(30)	P013C	PUBLIC INFORMATION COORDINATOR	1	GRADE C120
36	(31)	L037C	REHAB AREA MANAGER	8	GRADE C120

1	(32)	G121C	REHAB PROGRAM MANAGER	16	GRADE C120
2	(33)	E023C	TRAINING PROJECT MANAGER	1	GRADE C120
3	(34)	E034C	CERTIFIED VOC REHAB COUNSELOR	102	GRADE C119
4	(35)	X062C	QUALITY ASSURANCE COORDINATOR	5	GRADE C119
5	(36)	R024C	ASST PERSONNEL MANAGER	2	GRADE C118
6	(37)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE C118
7	(38)	A074C	FISCAL SUPPORT SUPERVISOR	1	GRADE C118
8	(39)	M026C	LICENSED SOCIAL WORKER	2	GRADE C118
9	(40)	G163C	REHAB PROGRAM COORDINATOR	13	GRADE C118
10	(41)	E043C	CERTIFIED VOCATIONAL TEACHER	28	GRADE C117
11	(42)	M032C	VOCATIONAL REHAB PLACEMENT SPEC	3	GRADE C117
12	(43)	V014C	BUYER	2	GRADE C116
13	(44)	M050C	INTERPRETER	4	GRADE C116
14	(45)	P027C	PUBLIC INFORMATION SPECIALIST	1	GRADE C116
15	(46)	L057C	REHAB SVS FACILITY SPECIALIST	2	GRADE C116
16	(47)	S022C	SKILLED TRADES SUPERVISOR	2	GRADE C116
17	(48)	C037C	ADMINISTRATIVE ANALYST	1	GRADE C115
18	(49)	R033C	BENEFITS ANALYST	1	GRADE C115
19	(50)	M057C	CHAPLAIN	1	GRADE C115
20	(51)	A091C	FISCAL SUPPORT ANALYST	1	GRADE C115
21	(52)	S033C	MAINTENANCE SUPERVISOR	2	GRADE C115
22	(53)	C028C	MEDICAL RECORDS SUPERVISOR	1	GRADE C115
23	(54)	L061C	MEDICAL TECHNOLOGIST	2	GRADE C115
24	(55)	A090C	PAYROLL SERVICES SPECIALIST	1	GRADE C115
25	(56)	S031C	SKILLED TRADESMAN	14	GRADE C115
26	(57)	S041C	BOILER OPERATOR	5	GRADE C114
27	(58)	S044C	FOOD PREPARATION MANAGER	1	GRADE C114
28	(59)	L064C	RADIOLOGY TECHNICIAN	1	GRADE C114
29	(60)	M065C	RECREATIONAL ACTIVITY SUPERVISOR	1	GRADE C114
30	(61)	M061C	VOCATIONAL REHAB EVALUATOR	5	GRADE C114
31	(62)	E054C	ADC/DCC UNIT TRAINER	1	GRADE C113
32	(63)	V020C	INVENTORY CONTROL MANAGER	1	GRADE C113
33	(64)	L069C	LICENSED PRACTICAL NURSE	7	GRADE C113
34	(65)	S046C	MAINTENANCE TECHNICIAN	1	GRADE C113
35	(66)	C056C	ADMINISTRATIVE SPECIALIST III	9	GRADE C112
36	(67)	A098C	FISCAL SUPPORT SPECIALIST	6	GRADE C112

1	(68)	S056C	FOOD PREPARATION SUPERVISOR	2	GRADE C111
2	(69)	M076C	RECREATIONAL ACTIVITY LEADER II	3	GRADE C111
3	(70)	T084C	PUBLIC SAFETY SECURITY OFFICER	3	GRADE C110
4	(71)	L074C	THERAPY ASSISTANT	1	GRADE C110
5	(72)	C073C	ADMINISTRATIVE SPECIALIST II	93	GRADE C109
6	(73)	L082C	CERTIFIED NURSING ASSISTANT	14	GRADE C109
7	(74)	S068C	FOOD PREPARATION COORDINATOR	2	GRADE C108
8	(75)	V027C	INVENTORY CONTROL TECHNICIAN	3	GRADE C108
9	(76)	M083C	RESIDENTIAL CARE TECHNICIAN	9	GRADE C108
10	(77)	S070C	EQUIPMENT TECHNICIAN	5	GRADE C107
11	(78)	C087C	ADMINISTRATIVE SPECIALIST I	16	GRADE C106
12	(79)	V029C	PURCHASING ASSISTANT	1	GRADE C106
13	(80)	T087C	SECURITY OFFICER	5	GRADE C106
14	(81)	V028C	WAREHOUSE WORKER	3	GRADE C106
15	(82)	S080C	EQUIPMENT OPERATOR	3	GRADE C105
16	(83)	C088C	MAIL SERVICES ASSISTANT	1	GRADE C105
17	(84)	S083C	BAKER	2	GRADE C104
18	(85)	S086C	COOK	5	GRADE C104
19	(86)	S085C	FOOD PREPARATION SPECIALIST	3	GRADE C104
20	(87)	S084C	INSTITUTIONAL SERVICES SUPERVISOR	6	GRADE C104
21	(88)	S087C	INSTITUTIONAL SERVICES ASSISTANT	15	GRADE C103
22	(89)	S089C	FOOD PREPARATION TECHNICIAN	<u>11</u>	GRADE C102
23			MAX. NO. OF EMPLOYEES	530	

24

25 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of
 26 Workforce Education - Arkansas Rehabilitation Services for the 2009-2010
 27 fiscal year, the following maximum number of part-time or temporary
 28 employees, to be known as "Extra Help", payable from funds appropriated
 29 herein for such purposes: nineteen (19) temporary or part-time employees,
 30 when needed, at rates of pay not to exceed those provided in the Uniform
 31 Classification and Compensation Act, or its successor, or this act for the
 32 appropriate classification.

33

34 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated, to
 35 the Department of Workforce Education - Arkansas Rehabilitation Services, to
 36 be payable from the paying account as determined by the Chief Fiscal Officer

1 of the State, for personal services and operating expenses of the Department
 2 of Workforce Education - Arkansas Rehabilitation Services - Operations for
 3 the fiscal year ending June 30, 2010, the following:

4

5 ITEM	FISCAL YEAR
6 <u>NO.</u>	<u>2009-2010</u>
7 (01) REGULAR SALARIES	\$ 20,242,256
8 (02) EXTRA HELP	172,000
9 (03) PERSONAL SERVICES MATCHING	7,207,771
10 (04) EXTRA SALARIES	8,000
11 (05) MAINT. & GEN. OPERATION	
12 (A) OPER. EXPENSE	7,513,280
13 (B) CONF. & TRAVEL	155,506
14 (C) PROF. FEES	882,029
15 (D) CAP. OUTLAY	0
16 (E) DATA PROC.	0
17 (06) REHABILITATION PROGRAM GRANTS	1,900,000
18 (07) CONTRACT SERVICES	17,050,000
19 (08) DATA PROCESSING SERVICES	530,000
20 (09) ARKANSAS KIDNEY DISEASE COMMISSION	950,000
21 (10) SHELTERED WORKSHOPS	1,156,993
22 (11) DEAF-BLIND PROJECT	<u>35,000</u>
23 TOTAL AMOUNT APPROPRIATED	<u>\$ 57,802,835</u>

24

25 SECTION 4. APPROPRIATION - INCREASING CAPABILITIES ACCESS NETWORK -
 26 FEDERAL. There is hereby appropriated, to the Department of Workforce
 27 Education - Arkansas Rehabilitation Services, to be payable from the paying
 28 account as determined by the Chief Fiscal Officer of the State, for operating
 29 expenses of the Department of Workforce Education - Arkansas Rehabilitation
 30 Services - Increasing Capabilities Access Network for the fiscal year ending
 31 June 30, 2010, the following:

32

33 ITEM	FISCAL YEAR
34 <u>NO.</u>	<u>2009-2010</u>
35 (01) MAINT. & GEN. OPERATION	
36 (A) OPER. EXPENSE	\$ 291,500

1	(B) CONF. & TRAVEL	7,190
2	(C) PROF. FEES	0
3	(D) CAP. OUTLAY	0
4	(E) DATA PROC.	<u>0</u>
5	TOTAL AMOUNT APPROPRIATED	<u>\$ 298,690</u>

6

7 SECTION 5. APPROPRIATION - STATEWIDE DISABILITY TELECOMMUNICATIONS

8 EQUIPMENT PROGRAM. There is hereby appropriated, to the Department of
 9 Workforce Education - Arkansas Rehabilitation Services, to be payable from
 10 the Telecommunication Equipment Fund, for personal services and operating
 11 expenses of the Department of Workforce Education - Arkansas Rehabilitation
 12 Services - Statewide Disability Telecommunications Equipment Program for the
 13 fiscal year ending June 30, 2010, the following:

14

15	ITEM	FISCAL YEAR
16	<u>NO.</u>	<u>2009-2010</u>
17	(01) REGULAR SALARIES	\$ 123,150
18	(02) PERSONAL SERVICES MATCHING	42,701
19	(03) MAINT. & GEN. OPERATION	
20	(A) OPER. EXPENSE	54,000
21	(B) CONF. & TRAVEL	4,000
22	(C) PROF. FEES	5,000
23	(D) CAP. OUTLAY	0
24	(E) DATA PROC.	0
25	(04) ASSISTIVE EQUIPMENT PURCHASE GRANTS	<u>270,000</u>
26	TOTAL AMOUNT APPROPRIATED	<u>\$ 498,851</u>

27

28 SECTION 6. APPROPRIATION - PEOPLE WITH DISABILITIES PROGRAM - SPECIAL.

29 There is hereby appropriated, to the Department of Workforce Education -
 30 Arkansas Rehabilitation Services, to be payable from the Governors Commission
 31 on People with Disabilities Fund, for operating expenses of the Department of
 32 Workforce Education - Arkansas Rehabilitation Services - People with
 33 Disabilities Program for the fiscal year ending June 30, 2010, the following:

34

35	ITEM	FISCAL YEAR
36	<u>NO.</u>	<u>2009-2010</u>

1	(01) MAINT. & GEN. OPERATION		
2	(A) OPER. EXPENSE	\$	45,000
3	(B) CONF. & TRAVEL		0
4	(C) PROF. FEES		0
5	(D) CAP. OUTLAY		0
6	(E) DATA PROC.		<u>0</u>
7	TOTAL AMOUNT APPROPRIATED	\$	<u>45,000</u>

8

9 SECTION 7. APPROPRIATION - TECHNOLOGY EQUIPMENT REVOLVING LOAN PROGRAM.

10 There is hereby appropriated, to the Department of Workforce Education -
 11 Arkansas Rehabilitation Services, to be payable from the cash fund deposited
 12 in the State Treasury as determined by the Chief Fiscal Officer of the State,
 13 for providing loans to individuals with disabilities for essential assistive
 14 technology, adaptive equipment, and for loan administration/servicing of the
 15 Department of Workforce Education - Arkansas Rehabilitation Services -
 16 Technology Equipment Revolving Loan Program for the fiscal year ending June
 17 30, 2010, the following:

18

19	ITEM		FISCAL YEAR
20	<u>NO.</u>		<u>2009-2010</u>
21	(01) LOANS	\$	<u>80,000</u>

22

23 SECTION 8. APPROPRIATION - CASH OPERATIONS. There is hereby appropriated,
 24 to the Department of Workforce Education - Arkansas Rehabilitation Services,
 25 to be payable from the cash fund deposited in the State Treasury as
 26 determined by the Chief Fiscal Officer of the State, for operating expenses
 27 of the Department of Workforce Education - Arkansas Rehabilitation Services
 28 for the fiscal year ending June 30, 2010, the following:

29

30	ITEM		FISCAL YEAR
31	<u>NO.</u>		<u>2009-2010</u>
32	(01) MAINT. & GEN. OPERATION		
33	(A) OPER. EXPENSE	\$	729,400
34	(B) CONF. & TRAVEL		10,000
35	(C) PROF. FEES		112,000
36	(D) CAP. OUTLAY		0

1	(E) DATA PROC.	0
2	TOTAL AMOUNT APPROPRIATED	\$ 851,400

3

4 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
6 COMPREHENSIVE SYSTEM OF PERSONNEL DEVELOPMENT. Section 101(a)(7) of the
7 Rehabilitation Act Amendments of 1992, commonly referred to as the
8 Comprehensive System of Personnel Development (CSPD), requires State
9 Vocational Rehabilitation (VR) agencies to establish qualified personnel
10 standards for rehabilitation personnel, including VR counselors, that are
11 consistent with any national or State-approved or recognized certification,
12 licensing, or registration that apply to a particular profession. In order to
13 comply with the Rehabilitation Act and its State Plan requirements, there
14 ~~There~~ is hereby authorized for the Department of Workforce Education-Arkansas
15 Rehabilitation Services a general waiver of the Financial Management Guide,
16 R1-19-4-522 Continuing Professional Education. This waiver allows the agency
17 to provide college level coursework in degree programs for any eligible
18 employees selected by the agency. ~~The Workforce Investment Act of 1998~~
19 ~~provides federal training funds along with the requirement that state~~
20 ~~rehabilitation agencies enact and maintain a Comprehensive System of~~
21 ~~Personnel Development. This requirement assures that qualified, professional~~
22 ~~personnel are in place to provide rehabilitation services. This provision~~
23 covers any and all formula and discretionary grants funded by the U.S.D.O.E.
24 Rehabilitation Services Administration, now or in the future, including, but
25 not limited to, the Vocational Rehabilitation Program, Supported Employment,
26 Independent Living, and the Staff Development Grant. The waiver applies to
27 federal financial participation (FFP), state general revenue share, and
28 program income.

29 The provisions of this section shall be in effect from July 1, 2007
30 2009 through June 30, ~~2009~~ 2010.

31

32 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
34 FORGIVENESS OF STUDENT LOAN PROGRAM. The Forgiveness of Student Loan Program
35 shall be available to counselors employed by Arkansas Rehabilitation Services
36 that have been determined eligible by rules promulgated by Arkansas

1 Rehabilitation Services as required by ~~Section 2 of the Act that was~~
 2 ~~introduced as House Bill 2646 of 2007~~ Arkansas Code §25-30-206. These rules
 3 shall be submitted to the Administrative Rules and Regulations Subcommittee
 4 of the Arkansas Legislative Council and receive prior review. These rules
 5 must include the following eligibility requirements:

- 6 (1) Satisfactory completion of any probationary period;
- 7 (2) Proof of a student loan that remains unpaid, including the name and
 8 address of the creditor;
- 9 (3) An executed employment contract in which the counselor agrees to the
 10 following:

- 11 (a) work for Arkansas Rehabilitation Services for a term that equals two
 12 (2) years for each year that the program makes a payment on the counselor's
 13 student loan and
- 14 (b) reimburse the program the full amount of any loan payments made under
 15 this program in the event that the counselor resigns or is terminated for
 16 cause before the term of the contract terminates.

17 The amount of payment to be made directly to the counselor's student loan
 18 creditor may not exceed:

- 19 (1) Two thousand dollars (\$2,000) per year; or
- 20 (2) Ten thousand dollars (\$10,000) per employee.

21 The Arkansas Rehabilitation Services agency shall pay for the Forgiveness
 22 of Student Loan Program from the Rehabilitation Program Grants - Grants and
 23 Aid line item authorized for the appropriation entitled Rehabilitation
 24 Services - Operations in an amount not to exceed eighty thousand dollars
 25 (\$80,000) per fiscal year.

26 In addition, the Arkansas Rehabilitation Services agency shall provide a
 27 formal, written notification to all counselors employed by Arkansas
 28 Rehabilitation Services of the availability of the Forgiveness of Student
 29 Loan Program by July 1 of each fiscal year. The agency shall include with the
 30 notification, the promulgated rules which shall outline the eligibility
 31 requirements for participation.

32 The agency shall submit a copy of this notification to the Arkansas
 33 Legislative Council or Joint Budget Committee by July 1 of each fiscal year.
 34 In addition, Arkansas Rehabilitation Services shall report bi-annually, by
 35 the 15th day of the month following the end of each six month period, to the
 36 Arkansas Legislative Council or Joint Budget Committee the number of

1 employees participating in the program.

2
 3 SECTION 11. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
 4 by this act shall be limited to the appropriation for such agency and funds
 5 made available by law for the support of such appropriations; and the
 6 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 12. LEGISLATIVE INTENT. It is the intent of the General Assembly
 14 that any funds disbursed under the authority of the appropriations contained
 15 in this act shall be in compliance with the stated reasons for which this act
 16 was adopted, as evidenced by the Agency Requests, Executive Recommendations
 17 and Legislative Recommendations contained in the budget manuals prepared by
 18 the Department of Finance and Administration, letters, or summarized oral
 19 testimony in the official minutes of the Arkansas Legislative Council or
 20 Joint Budget Committee which relate to its passage and adoption.

21
 22 SECTION 13. EMERGENCY CLAUSE. It is found and determined by the General
 23 Assembly, that the Constitution of the State of Arkansas prohibits the
 24 appropriation of funds for more than a one (1) year period; that the
 25 effectiveness of this Act on July 1, 2009 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 Regular Session, the delay in the effective
 28 date of this Act beyond July 1, 2009 could work irreparable harm upon the
 29 proper administration and provision of essential governmental programs.
 30 Therefore, an emergency is hereby declared to exist and this Act being
 31 necessary for the immediate preservation of the public peace, health and
 32 safety shall be in full force and effect from and after July 1, 2009.

33
 34
 35 APPROVED: 4/14/2009