

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.

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

A Bill

SENATE BILL 117

5 By: Senators J. Jeffress, Faris, Baker, J. Bookout, G. Jeffress, Malone, Trusty
6
7

For An Act To Be Entitled

9 AN ACT TO PROVIDE THAT ON-CALL MEDICAL
10 SPECIALISTS REQUIRED TO BE ON CALL TWENTY-FOUR
11 (24) HOURS PER DAY AT A HUMAN DEVELOPMENT CENTER
12 MAY BECOME MEMBERS OF THE ARKANSAS PUBLIC
13 EMPLOYEES' RETIREMENT SYSTEM; AND FOR OTHER
14 PURPOSES.
15

Subtitle

16 TO PROVIDE THAT ON-CALL MEDICAL
17 SPECIALISTS REQUIRED TO BE ON CALL
18 TWENTY-FOUR (24) HOURS PER DAY AT A
19 HUMAN DEVELOPMENT CENTER MAY BECOME
20 MEMBERS OF APERS.
21
22
23

24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
25

26 SECTION 1. Arkansas Code § 24-4-101(17)(B), concerning the definition
27 of "employee" under the Arkansas Public Employees' Retirement System, is
28 amended to add an additional subdivision to read as follows:

29 (xiv)(a) Any person who serves as an on-call medical
30 specialist may become a member of the Arkansas Public Employees' Retirement
31 System if:

32 (1) The person is required to be on call
33 twenty-four (24) hours per day to a human development center governed by the
34 Board of Developmental Disabilities Services under §§ 20-48-401 - 20-48-416;

35 (2) The person was employed as an on-
36 call medical specialist at a human development center on July 1, 2003; and



1 (3) The person has been denied coverage
2 because that person did not meet the eligibility requirements of subdivision
3 (17)(B)(viii) of this section.

4 (b) The person shall receive fractional
5 service credit as provided in § 24-4-507(a)(3)(A).

6 (c) At the person's option, he or she may
7 receive credit for service rendered to a participating public employer
8 beginning July 1, 2003, subject to the following:

9 (1) The person is a participating
10 employee covered under the Arkansas Public Employees' Retirement System at
11 the time of the purchase;

12 (2) The person furnishes proof in a form
13 required by the Arkansas Public Employees' Retirement System of the service
14 and compensation received;

15 (3) The person pays the following:

16 (A) All employee contributions at
17 the rate and on the compensation that would have been paid had the person
18 been a member during that time;

19 (B) All employer contributions
20 based on the employer's normal cost from the most recently completed regular
21 annual actuarial valuation;

22 (C) The compensation that would
23 have been paid had the person been a member during that time; and

24 (D) Regular interest on the
25 employee and employer contributions. The interest shall be computed from the
26 date the service was rendered to the date the payment is received by the
27 Arkansas Public Employees' Retirement System.

28 (4) The person may purchase all of the
29 service or any portion of the service in multiples of one (1) year; and

30 (5) The payment of funds shall be made
31 in one (1) lump sum.

32
33 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
34 General Assembly of the State of Arkansas that on-call medical specialists
35 required to be on call for twenty-four (24) hours per day to a human
36 development center are not considered employees for purposes of becoming a

1 member of the Arkansas Public Employees' Retirement System; that due to the
2 nature of their employment they should be allowed to become members of the
3 system; and that for the effective administration of this act it should
4 become effective immediately. Therefore, an emergency is declared to exist
5 and this act being necessary for the preservation of the public peace,
6 health, and safety shall become effective on:

7 (1) The date of its approval by the Governor;

8 (2) If the bill is neither approved nor vetoed by the Governor,
9 the expiration of the period of time during which the Governor may veto the
10 bill; or

11 (3) If the bill is vetoed by the Governor and the veto is
12 overridden, the date the last house overrides the veto.

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36