

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 87th General Assembly  
3 Regular Session, 2009

# A Bill

HOUSE BILL 1193

4  
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.  
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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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.  
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1				Maximum Annual	
2				Salary Rate	
3	Item	Class	No. of	Fiscal Year	
4	No.	Code	Title	Employees	2009-2010
5	(1)	U012U	REHABILITATION SERVICES COMMISSIONER	1	\$110,006
6	(2)	L011N	DENTIST	1	GRADE N916
7	(3)	L013N	GENERAL PHYSICIAN	7	GRADE N916
8	(4)	L016N	REGISTERED PHARMACIST	1	GRADE N911
9	(5)	N098N	HSRC DIRECTOR OF PHYSICAL THERAPY	1	GRADE N906
10	(6)	N170N	REHAB DIRECTOR - ACTI	1	GRADE N902
11	(7)	N138N	REHAB DIRECTOR FIELD SVCS	1	GRADE N902
12	(8)	L022N	OCCUPATIONAL THERAPIST	6	GRADE N901
13	(9)	L021N	PHYSICAL THERAPIST	4	GRADE N901
14	(10)	A014C	FISCAL DIVISION MANAGER	1	GRADE C127
15	(11)	L003C	PSYCHOLOGIST	4	GRADE C127
16	(12)	L005C	HSRC MEDICAL SERVICES MANAGER	1	GRADE C126
17	(13)	R006C	HUMAN RESOURCES ADMINISTRATOR	1	GRADE C126
18	(14)	L004C	REHAB DIR - PROG, PLAN, DEV & EVAL	1	GRADE C126
19	(15)	G040C	REHAB DIRECTOR - SPECIAL PROGRAMS	1	GRADE C126
20	(16)	E005C	REHAB DIRECTOR OF VOC TRAINING	1	GRADE C126
21	(17)	L015C	CLINICAL SPEECH PATHOLOGIST	2	GRADE C124
22	(18)	G070C	DIRECTOR OF FIELD OPERATIONS	2	GRADE C124
23	(19)	L020C	NURSING SERVICES UNIT MANAGER	1	GRADE C123
24	(20)	P004C	PUBLIC INFORMATION MANAGER	1	GRADE C123
25	(21)	L018C	REHAB ASST DIRECTOR - ACTI	1	GRADE C123
26	(22)	L027C	REGISTERED NURSE SUPERVISOR	2	GRADE C122
27	(23)	A052C	ACCOUNTING COORDINATOR	2	GRADE C121
28	(24)	S004C	MAINTENANCE MANAGER	1	GRADE C121
29	(25)	L033C	PSYCHOLOGICAL EXAMINER	12	GRADE C121
30	(26)	L032C	REGISTERED NURSE - HOSPITAL	8	GRADE C121
31	(27)	D052C	SOFTWARE SUPPORT ANALYST	1	GRADE C121
32	(28)	D051C	SYSTEMS APPLICATIONS SUPERVISOR	1	GRADE C121
33	(29)	L040C	DIETARY SERVICES DIRECTOR	1	GRADE C120
34	(30)	P013C	PUBLIC INFORMATION COORDINATOR	1	GRADE C120
35	(31)	L037C	REHAB AREA MANAGER	8	GRADE C120
36	(32)	G121C	REHAB PROGRAM MANAGER	16	GRADE C120

1	(33)	E023C	TRAINING PROJECT MANAGER	1	GRADE C120
2	(34)	E034C	CERTIFIED VOC REHAB COUNSELOR	102	GRADE C119
3	(35)	X062C	QUALITY ASSURANCE COORDINATOR	5	GRADE C119
4	(36)	R024C	ASST PERSONNEL MANAGER	2	GRADE C118
5	(37)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE C118
6	(38)	A074C	FISCAL SUPPORT SUPERVISOR	1	GRADE C118
7	(39)	M026C	LICENSED SOCIAL WORKER	2	GRADE C118
8	(40)	G163C	REHAB PROGRAM COORDINATOR	13	GRADE C118
9	(41)	E043C	CERTIFIED VOCATIONAL TEACHER	28	GRADE C117
10	(42)	M032C	VOCATIONAL REHAB PLACEMENT SPEC	3	GRADE C117
11	(43)	V014C	BUYER	2	GRADE C116
12	(44)	M050C	INTERPRETER	4	GRADE C116
13	(45)	P027C	PUBLIC INFORMATION SPECIALIST	1	GRADE C116
14	(46)	L057C	REHAB SVS FACILITY SPECIALIST	2	GRADE C116
15	(47)	S022C	SKILLED TRADES SUPERVISOR	2	GRADE C116
16	(48)	C037C	ADMINISTRATIVE ANALYST	1	GRADE C115
17	(49)	R033C	BENEFITS ANALYST	1	GRADE C115
18	(50)	M057C	CHAPLAIN	1	GRADE C115
19	(51)	A091C	FISCAL SUPPORT ANALYST	1	GRADE C115
20	(52)	S033C	MAINTENANCE SUPERVISOR	2	GRADE C115
21	(53)	C028C	MEDICAL RECORDS SUPERVISOR	1	GRADE C115
22	(54)	L061C	MEDICAL TECHNOLOGIST	2	GRADE C115
23	(55)	A090C	PAYROLL SERVICES SPECIALIST	1	GRADE C115
24	(56)	S031C	SKILLED TRADESMAN	14	GRADE C115
25	(57)	S041C	BOILER OPERATOR	5	GRADE C114
26	(58)	S044C	FOOD PREPARATION MANAGER	1	GRADE C114
27	(59)	L064C	RADIOLOGY TECHNICIAN	1	GRADE C114
28	(60)	M065C	RECREATIONAL ACTIVITY SUPERVISOR	1	GRADE C114
29	(61)	M061C	VOCATIONAL REHAB EVALUATOR	5	GRADE C114
30	(62)	E054C	ADC/DCC UNIT TRAINER	1	GRADE C113
31	(63)	V020C	INVENTORY CONTROL MANAGER	1	GRADE C113
32	(64)	L069C	LICENSED PRACTICAL NURSE	7	GRADE C113
33	(65)	S046C	MAINTENANCE TECHNICIAN	1	GRADE C113
34	(66)	C056C	ADMINISTRATIVE SPECIALIST III	9	GRADE C112
35	(67)	A098C	FISCAL SUPPORT SPECIALIST	6	GRADE C112
36	(68)	S056C	FOOD PREPARATION SUPERVISOR	2	GRADE C111

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

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

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

1 of Workforce Education - Arkansas Rehabilitation Services - Operations for  
 2 the fiscal year ending June 30, 2010, the following:

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

23  
 24 SECTION 4. APPROPRIATION - INCREASING CAPABILITIES ACCESS NETWORK -  
 25 FEDERAL. There is hereby appropriated, to the Department of Workforce  
 26 Education - Arkansas Rehabilitation Services, to be payable from the paying  
 27 account as determined by the Chief Fiscal Officer of the State, for operating  
 28 expenses of the Department of Workforce Education - Arkansas Rehabilitation  
 29 Services - Increasing Capabilities Access Network for the fiscal year ending  
 30 June 30, 2010, the following:

32 ITEM	FISCAL YEAR
33 <u>NO.</u>	<u>2009-2010</u>
34 (01) MAINT. & GEN. OPERATION	
35 (A) OPER. EXPENSE	\$ 291,500
36 (B) CONF. & TRAVEL	7,190

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

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6 SECTION 5. APPROPRIATION - STATEWIDE DISABILITY TELECOMMUNICATIONS  
7 EQUIPMENT PROGRAM. There is hereby appropriated, to the Department of  
8 Workforce Education - Arkansas Rehabilitation Services, to be payable from  
9 the Telecommunication Equipment Fund, for personal services and operating  
10 expenses of the Department of Workforce Education - Arkansas Rehabilitation  
11 Services - Statewide Disability Telecommunications Equipment Program for the  
12 fiscal year ending June 30, 2010, the following:

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

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27 SECTION 6. APPROPRIATION - PEOPLE WITH DISABILITIES PROGRAM - SPECIAL.  
28 There is hereby appropriated, to the Department of Workforce Education -  
29 Arkansas Rehabilitation Services, to be payable from the Governors Commission  
30 on People with Disabilities Fund, for operating expenses of the Department of  
31 Workforce Education - Arkansas Rehabilitation Services - People with  
32 Disabilities Program for the fiscal year ending June 30, 2010, the following:

34	ITEM	FISCAL YEAR
35	<u>NO.</u>	<u>2009-2010</u>
36	(01) MAINT. & GEN. OPERATION	

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

SECTION 7. APPROPRIATION - TECHNOLOGY EQUIPMENT REVOLVING LOAN PROGRAM.

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

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

SECTION 8. APPROPRIATION - CASH OPERATIONS. There is hereby appropriated, to the Department of Workforce Education - Arkansas Rehabilitation Services, 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 Workforce Education - Arkansas Rehabilitation Services for the fiscal year ending June 30, 2010, the following:

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

1 TOTAL AMOUNT APPROPRIATED \$ 851,400

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3 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

5 COMPREHENSIVE SYSTEM OF PERSONNEL DEVELOPMENT. Section 101(a)(7) of the  
6 Rehabilitation Act Amendments of 1992, commonly referred to as the  
7 Comprehensive System of Personnel Development (CSPD), requires State  
8 Vocational Rehabilitation (VR) agencies to establish qualified personnel  
9 standards for rehabilitation personnel, including VR counselors, that are  
10 consistent with any national or State-approved or recognized certification,  
11 licensing, or registration that apply to a particular profession. In order to  
12 comply with the Rehabilitation Act and its State Plan requirements, there  
13 ~~There~~ is hereby authorized for the Department of Workforce Education-Arkansas  
14 Rehabilitation Services a general waiver of the Financial Management Guide,  
15 R1-19-4-522 Continuing Professional Education. This waiver allows the agency  
16 to provide college level coursework in degree programs for any eligible  
17 employees selected by the agency. ~~The Workforce Investment Act of 1998~~  
18 ~~provides federal training funds along with the requirement that state~~  
19 ~~rehabilitation agencies enact and maintain a Comprehensive System of~~  
20 ~~Personnel Development. This requirement assures that qualified, professional~~  
21 ~~personnel are in place to provide rehabilitation services. This provision~~  
22 covers any and all formula and discretionary grants funded by the U.S.D.O.E.  
23 Rehabilitation Services Administration, now or in the future, including, but  
24 not limited to, the Vocational Rehabilitation Program, Supported Employment,  
25 Independent Living, and the Staff Development Grant. The waiver applies to  
26 federal financial participation (FFP), state general revenue share, and  
27 program income.

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

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31 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

33 FORGIVENESS OF STUDENT LOAN PROGRAM. The Forgiveness of Student Loan Program  
34 shall be available to counselors employed by Arkansas Rehabilitation Services  
35 that have been determined eligible by rules promulgated by Arkansas  
36 Rehabilitation Services as required by ~~Section 2 of the Act that was~~



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

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

- 10 (a) work for Arkansas Rehabilitation Services for a term that equals two  
 11 (2) years for each year that the program makes a payment on the counselor's  
 12 student loan and

- 13 (b) reimburse the program the full amount of any loan payments made under  
 14 this program in the event that the counselor resigns or is terminated for  
 15 cause before the term of the contract terminates.

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

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

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

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

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

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SECTION 11. 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 12. 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 13. 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, 2009 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 Regular Session, the delay in the effective date of this Act beyond July 1, 2009 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, 2009.