

1 State of Arkansas
2 87th General Assembly
3 Fiscal Session, 2010
4

A Bill

HOUSE BILL 1033

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 CAREER EDUCATION - ARKANSAS
12 REHABILITATION SERVICES FOR THE FISCAL YEAR
13 ENDING JUNE 30, 2011; AND FOR OTHER PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE DEPARTMENT OF CAREER
17 EDUCATION - ARKANSAS REHABILITATION
18 SERVICES APPROPRIATION FOR THE 2010-2011
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 Career Education - Arkansas Rehabilitation Services for the
27 2010-2011 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.
36



					Maximum Annual
					Salary Rate
					Fiscal Year
	Item	Class		No. of	
	No.	Code	Title	Employees	2010-2011
5	(1)	U012U	REHABILITATION SERVICES COMMISSIONER	1	\$112,536
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	

23

24 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of
 25 Career Education - Arkansas Rehabilitation Services for the 2010-2011 fiscal
 26 year, the following maximum number of part-time or temporary employees, to be
 27 known as "Extra Help", payable from funds appropriated herein for such
 28 purposes: nineteen (19) temporary or part-time employees, when needed, at
 29 rates of pay not to exceed those provided in the Uniform Classification and
 30 Compensation Act, or its successor, or this act for the appropriate
 31 classification.

32

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

Career Education - Arkansas Rehabilitation Services - Operations for the
fiscal year ending June 30, 2011, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2010-2011</u>
(01) REGULAR SALARIES	\$ 20,655,155
(02) EXTRA HELP	172,000
(03) PERSONAL SERVICES MATCHING	7,301,349
(04) EXTRA SALARIES	8,000
(05) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	7,513,280
(B) CONF. & TRAVEL	155,506
(C) PROF. FEES	882,029
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(06) REHABILITATION PROGRAM GRANTS	1,900,000
(07) CONTRACT SERVICES	17,050,000
(08) DATA PROCESSING SERVICES	530,000
(09) ARKANSAS KIDNEY DISEASE COMMISSION	950,000
(10) SHELTERED WORKSHOPS	1,156,993
(11) DEAF-BLIND PROJECT	<u>35,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 58,309,312</u>

SECTION 4. APPROPRIATION - INCREASING CAPABILITIES ACCESS NETWORK -
FEDERAL. There is hereby appropriated, to the Department of Career Education
- Arkansas Rehabilitation Services, to be payable from the paying account as
determined by the Chief Fiscal Officer of the State, for operating expenses
of the Department of Career Education - Arkansas Rehabilitation Services -
Increasing Capabilities Access Network for the fiscal year ending June 30,
2011, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2010-2011</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$ 291,500
(B) CONF. & TRAVEL	7,190

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

SECTION 5. APPROPRIATION - STATEWIDE DISABILITY TELECOMMUNICATIONS EQUIPMENT PROGRAM. There is hereby appropriated, to the Department of Career Education - Arkansas Rehabilitation Services, to be payable from the Telecommunication Equipment Fund, for personal services and operating expenses of the Department of Career Education - Arkansas Rehabilitation Services - Statewide Disability Telecommunications Equipment Program for the fiscal year ending June 30, 2011, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2010-2011</u>
(01) REGULAR SALARIES	\$ 125,940
(02) PERSONAL SERVICES MATCHING	43,121
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	54,000
(B) CONF. & TRAVEL	4,000
(C) PROF. FEES	5,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(04) ASSISTIVE EQUIPMENT PURCHASE GRANTS	<u>275,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 507,061</u>

SECTION 6. APPROPRIATION - PEOPLE WITH DISABILITIES PROGRAM - SPECIAL. There is hereby appropriated, to the Department of Career Education - Arkansas Rehabilitation Services, to be payable from the Governors Commission on People with Disabilities Fund, for operating expenses of the Department of Career Education - Arkansas Rehabilitation Services - People with Disabilities Program for the fiscal year ending June 30, 2011, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2010-2011</u>
(01) MAINT. & GEN. OPERATION	

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

SECTION 7. APPROPRIATION - TECHNOLOGY EQUIPMENT REVOLVING LOAN PROGRAM.

There is hereby appropriated, to the Department of Career 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 Career Education - Arkansas Rehabilitation Services - Technology Equipment Revolving Loan Program for the fiscal year ending June 30, 2011, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2010-2011</u>
(01) LOANS	\$ <u>80,000</u>

SECTION 8. APPROPRIATION - CASH OPERATIONS. There is hereby appropriated, to the Department of Career 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 Career Education - Arkansas Rehabilitation Services for the fiscal year ending June 30, 2011, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2010-2011</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$ 741,400
(B) CONF. & TRAVEL	10,000
(C) PROF. FEES	112,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>

1 TOTAL AMOUNT APPROPRIATED \$ 863,400

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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 is
13 hereby authorized for the Department of ~~Workforce~~ Career 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. This provision covers any and all formula
18 and discretionary grants funded by the U.S.D.O.E. Rehabilitation Services
19 Administration, now or in the future, including, but not limited to, the
20 Vocational Rehabilitation Program, Supported Employment, Independent Living,
21 and the Staff Development Grant. The waiver applies to federal financial
22 participation (FFP), state general revenue share, and program income.

23 The provisions of this section shall be in effect from July 1, 2007
24 2010 through June 30, ~~2009~~ 2011.

25
26 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

28 FORGIVENESS OF STUDENT LOAN PROGRAM. The Forgiveness of Student Loan Program
29 shall be available to counselors employed by Arkansas Rehabilitation Services
30 that have been determined eligible by rules promulgated by Arkansas
31 Rehabilitation Services as required by Arkansas Code §25-30-206. These rules
32 shall be submitted to the Administrative Rules and Regulations Subcommittee
33 of the Arkansas Legislative Council and receive prior review. These rules
34 must include the following eligibility requirements:

- 35 (1) Satisfactory completion of any probationary period;
36 (2) Proof of a student loan that remains unpaid, including the name and

1 address of the creditor;

2 (3) An executed employment contract in which the counselor agrees to the
3 following:

4 (a) work for Arkansas Rehabilitation Services for a term that equals two
5 (2) years for each year that the program makes a payment on the counselor's
6 student loan and

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

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

12 (1) Two thousand dollars (\$2,000) per year; or

13 (2) Ten thousand dollars (\$10,000) per employee.

14 The Arkansas Rehabilitation Services agency shall pay for the Forgiveness
15 of Student Loan Program from the Rehabilitation Program Grants - Grants and
16 Aid line item authorized for the appropriation entitled Rehabilitation
17 Services - Operations in an amount not to exceed eighty thousand dollars
18 (\$80,000) per fiscal year.

19 In addition, the Arkansas Rehabilitation Services agency shall provide a
20 formal, written notification to all counselors employed by Arkansas
21 Rehabilitation Services of the availability of the Forgiveness of Student
22 Loan Program by July 1 of each fiscal year. The agency shall include with the
23 notification, the promulgated rules which shall outline the eligibility
24 requirements for participation.

25 The agency shall submit a copy of this notification to the Arkansas
26 Legislative Council or Joint Budget Committee by July 1 of each fiscal year.
27 In addition, Arkansas Rehabilitation Services shall report bi-annually, by
28 the 15th day of the month following the end of each six month period, to the
29 Arkansas Legislative Council or Joint Budget Committee the number of
30 employees participating in the program.

31
32 SECTION 11. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
33 by this act shall be limited to the appropriation for such agency and funds
34 made available by law for the support of such appropriations; and the
35 restrictions of the State Procurement Law, the General Accounting and
36 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary

1 Procedures and Restrictions Act, or their successors, and other fiscal
2 control laws of this State, where applicable, and regulations promulgated by
3 the Department of Finance and Administration, as authorized by law, shall be
4 strictly complied with in disbursement of said funds.

5
6 SECTION 12. LEGISLATIVE INTENT. It is the intent of the General Assembly
7 that any funds disbursed under the authority of the appropriations contained
8 in this act shall be in compliance with the stated reasons for which this act
9 was adopted, as evidenced by the Agency Requests, Executive Recommendations
10 and Legislative Recommendations contained in the budget manuals prepared by
11 the Department of Finance and Administration, letters, or summarized oral
12 testimony in the official minutes of the Arkansas Legislative Council or
13 Joint Budget Committee which relate to its passage and adoption.

14
15 SECTION 13. EMERGENCY CLAUSE. It is found and determined by the General
16 Assembly, that the Constitution of the State of Arkansas prohibits the
17 appropriation of funds for more than a one (1) year period; that the
18 effectiveness of this Act on July 1, 2010 is essential to the operation of
19 the agency for which the appropriations in this Act are provided, and that in
20 the event of an extension of the legislative session, the delay in the
21 effective date of this Act beyond July 1, 2010 could work irreparable harm
22 upon the proper administration and provision of essential governmental
23 programs. Therefore, an emergency is hereby declared to exist and this Act
24 being necessary for the immediate preservation of the public peace, health
25 and safety shall be in full force and effect from and after July 1, 2010.